



# *Government Gazette*

OF THE STATE OF  
NEW SOUTH WALES

**Number 63**  
**Friday, 26 March 2004**

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## LEGISLATION

### Assents to Acts

#### ACTS OF PARLIAMENT ASSENTED TO

**Legislative Assembly Office, Sydney, 17 March 2004**

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.2 2004 - An Act to amend the Exotic Diseases of Animals Act 1991 and the Stock Diseases Act 1923 to provide protection from civil liability for the disclosure of information in accordance with those Acts; and for other purposes. [**Animal Diseases Legislation Amendment (Civil Liability) Bill**]

Act No.3 2004 - An Act to amend the Crimes (Sentencing Procedure) Act 1999 to expand the category of offences in respect of which a Local Court may receive and consider victim impact statements; and for other purposes. [**Crimes (Sentencing Procedure) Amendment (Victim Impact Statements) Bill**]

Act No.4 2004 - An Act to make provision with respect to electricity safety; to repeal the Electricity Safety Act 1945; to make consequential amendments to various other Acts and Regulations; and for other purposes. [**Electricity (Consumer Safety) Bill**]

Act No.5 2004 - An Act to amend the National Parks and Wildlife Act 1974 so as to excise land from Kosciuszko National Park to be used for roads; and for other purposes. [**National Parks and Wildlife Amendment (Kosciuszko National Park Roads) Bill**]

Act No.6 2004 - An Act to amend The Synod of Eastern Australia Property Act 1918 to provide for the indemnification of certain office bearers; and for other purposes. **[The Synod of Eastern Australia Property Amendment Bill]**

Act No.7 2004 - An Act to regulate wool, hide and skin dealers; to repeal the Wool, Hide and Skin Dealers Act 1935; and for other purposes. **[Wool, Hide and Skin Dealers Bill]**

Act No.8 2004 - An Act to amend the Partnership Act 1892 to provide for the formation of incorporated limited partnerships; and for other purposes. **[Partnership Amendment (Venture Capital Funds) Bill]**

Act No.9 2004 - An Act to amend the Strata Schemes Management Act 1996 to make miscellaneous amendments with respect to the functions of owners corporations, special requirements for the management of large strata schemes and other matters relating to the management of strata schemes; and for other purposes. **[Strata Schemes Management Amendment Bill]**

Act No.10 2004 - An Act to amend the Superannuation Administration Act 1996 with respect to the provision of information by, and the prudential monitoring of, the trustees of public sector superannuation funds; the internal management of those trustees; disputes concerning certain entitlements and obligations; and for other purposes. **[Superannuation Administration Amendment Bill]**

Russell D. Grove PSM  
Clerk of the Legislative Assembly

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# Proclamations

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## Proclamation

under the

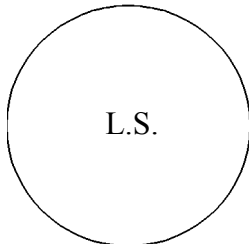
Fisheries Management Act 1994

JAMES JACOB SPIGELMAN, Lieutenant-Governor:

I, the Honourable James Jacob Spigelman, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council, and on the recommendation of the Minister for Agriculture and Fisheries, and in pursuance of section 42 of the *Fisheries Management Act 1994*, do, by this my Proclamation, amend Schedule 1 to that Act, with effect on 26 March 2004, as set out in Schedule 1 to this Proclamation.

Signed and sealed at Sydney, this 24th day of March 2004.

By His Excellency's Command,



IAN MICHAEL MACDONALD, M.L.C.,  
Minister for Agriculture and Fisheries

GOD SAVE THE QUEEN!

### Explanatory note

Schedule 1 to the *Fisheries Management Act 1994* specifies share management fisheries for the purposes of that Act. The object of this Proclamation is to amend Schedule 1 to that Act so as:

- (a) to omit the descriptions of the ocean prawn trawl fishery and the ocean fish trawl fishery, and
- (b) to redefine the ocean trap and line fishery to exclude certain waters around Lord Howe Island and Balls Pyramid, and

Proclamation

Explanatory note

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- (c) to redefine the estuary general fishery and the estuary prawn trawl fishery in relation to the use of an otter trawl net (prawns).

Proclamation

Amendment of Fisheries Management Act 1994

Schedule 1

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## Schedule 1 Amendment of Fisheries Management Act 1994

### [1] Schedule 1 Share management fisheries

Omit the descriptions of the ocean prawn trawl fishery and the ocean fish trawl fishery (clauses 7 and 8).

### [2] Schedule 1, clauses 10–12

Omit the descriptions of the ocean trap and line fishery, the estuary general fishery and the estuary prawn trawl fishery (clauses 10–12).

Insert instead:

#### 10 Ocean trap and line fishery

##### Description of fishery

- (1) The ocean trap and line fishery consists of the following:
  - (a) the use of a fish trap to take fish from ocean waters,
  - (b) the use of a line with hooks attached to take fish from ocean waters,
  - (c) the use of a spanner crab net to take spanner crabs from ocean waters that are north of a line drawn due east from Korogoro Point (Hat Head).
- (2) In this clause, *ocean waters* does not include the waters within 3 nautical miles of:
  - (a) the high water mark on Lord Howe Island, or
  - (b) Balls Pyramid.

#### 11 Estuary general fishery

##### Description of fishery

The estuary general fishery consists of:

- (a) the taking of fish from estuarine waters by any lawful method other than by use of an otter trawl net (prawns), and
- (b) the taking of fish from ocean beaches by the method of hand picking.

Proclamation  
Schedule 1      Amendment of Fisheries Management Act 1994

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## **12 Estuary prawn trawl fishery**

### **Description of fishery**

The estuary prawn trawl fishery consists of the use of an otter trawl net (prawns) to take fish from estuarine waters.



## Proclamation

under the

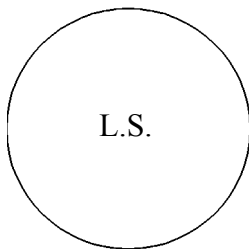
Fisheries Management Act 1994

JAMES JACOB SPIGELMAN, Lieutenant-Governor

I, the Honourable James Jacob Spigelman, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council, and on the recommendation of the Minister for Agriculture and Fisheries, and in pursuance of section 42 of the *Fisheries Management Act 1994*, do, by this my Proclamation, amend Schedule 1 to that Act, with effect on 27 March 2004, as set out in Schedule 1 to this Proclamation.

Signed and sealed at Sydney, this 24th day of March 2004.

By His Excellency's Command,



IAN MICHAEL MACDONALD, M.L.C.,  
Minister for Agriculture and Fisheries

GOD SAVE THE QUEEN!

### Explanatory note

Schedule 1 to the *Fisheries Management Act 1994* specifies share management fisheries for the purposes of that Act. The object of this Proclamation is to amend that Schedule so as to convert the following fisheries from category 2 share management fisheries to category 1 share management fisheries:

- (a) the ocean hauling fishery,
- (b) the ocean trap and line fishery,
- (c) the estuary general fishery,

Proclamation

Explanatory note

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(d) the estuary prawn trawl fishery.

The Proclamation also creates a category 1 share management fishery called the ocean trawl fishery.

Descriptions of the fisheries are set out in Schedule 1 to this Proclamation.



Proclamation

Amendment of Fisheries Management Act 1994

Schedule 1

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## **Schedule 1 Amendment of Fisheries Management Act 1994**

### **[1] Schedule 1 Share management fisheries**

Insert in Part 1 after the description of the lobster fishery (clause 6):

#### **6A Ocean trawl fishery**

##### **Description of fishery**

The ocean trawl fishery consists of the following:

- (a) the use of an otter trawl net (prawns) to take fish from any of the following waters
  - (i) inshore waters,
  - (ii) offshore waters,
  - (iii) the waters of Coffs Harbour and Jervis Bay,
- (b) the use of an otter trawl net (fish) to take fish from ocean waters that are north of a line drawn due east from Barrenjoey Headland (other than the waters in which use of an otter trawl net (fish) is prohibited under the regulations under this Act).

#### **6B Ocean hauling fishery**

##### **Description of fishery**

- (1) The ocean hauling fishery consists of the use of a hauling net or purse seine net to take fish from any of the following waters:
  - (a) ocean waters within 3 nautical miles of the natural coast line,
  - (b) the waters of Jervis Bay,
  - (c) the waters of Coffs Harbour.
- (2) The ocean hauling fishery extends to the use of any net by the method of hauling to take fish from any of the waters referred to in subclause (1).

Proclamation

Schedule 1 Amendment of Fisheries Management Act 1994

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## **6C Ocean trap and line fishery**

### **Description of fishery**

- (1) The ocean trap and line fishery consists of the following:
  - (a) the use of a fish trap to take fish from ocean waters,
  - (b) the use of a line with hooks attached to take fish from ocean waters,
  - (c) the use of a spanner crab net to take spanner crabs from ocean waters that are north of a line drawn due east from Korogoro Point (Hat Head).
- (2) In this clause, *ocean waters* does not include the waters within 3 nautical miles of:
  - (a) the high water mark on Lord Howe Island, or
  - (b) Balls Pyramid.

## **6D Estuary general fishery**

### **Description of fishery**

The estuary general fishery consists of:

- (a) the taking of fish from estuarine waters by any lawful method other than by use of an otter trawl net (prawns), and
- (b) the taking of fish from ocean beaches by the method of hand picking.

## **6E Estuary prawn trawl fishery**

### **Description of fishery**

The estuary prawn trawl fishery consists of the use of an otter trawl net (prawns) to take fish from estuarine waters.

## **[2] Schedule 1, Part 2**

Omit the descriptions of the ocean hauling fishery, the ocean trap and line fishery, the estuary general fishery and the estuary prawn trawl fishery (clauses 9–12).



## Proclamation

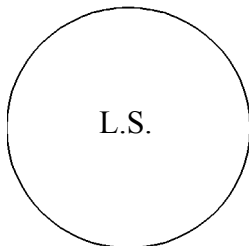
under the

Hairdressers Act 2003 No 62

JAMES JACOB SPIGELMAN, Lieutenant-Governor

I, the Honourable James Jacob Spigelman, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Hairdressers Act 2003*, do, by this my Proclamation, appoint 1 April 2004 as the day on which Schedule 1 [1] to that Act, to the extent that it repeals Division 4 of Part 6 of the *Shops and Industries Act 1962*, commences. Signed and sealed at Sydney, this 24th day of March 2004.

By His Excellency's Command,



JOHN DELLA BOSCA, M.L.C.,  
Minister for Industrial Relations

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to commence so much of the *Hairdressers Act 2003* as repeals Division 4 of Part 6 of the *Shops and Industries Act 1962* which provides that only the TAFE Commission, or employers who are licensed hairdressers, are permitted to teach persons the trade of hairdressing.

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# Regulations

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New South Wales

## **Charitable Fundraising Amendment (Exempt Organisation) Regulation 2004**

under the

Charitable Fundraising Act 1991

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Charitable Fundraising Act 1991*.

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

### **Explanatory note**

The object of this Regulation is to exempt the Gospel Patrons Society Foundation (being a religious organisation) from the application of the *Charitable Fundraising Act 1991* (apart from section 48 which deals with remuneration of board members of charitable organisations).

This Regulation is made under the *Charitable Fundraising Act 1991*, including sections 7 (1) (b) and 55 (the general regulation-making power).

Clause 1 Charitable Fundraising Amendment (Exempt Organisation) Regulation  
2004

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## **Charitable Fundraising Amendment (Exempt Organisation) Regulation 2004**

under the

Charitable Fundraising Act 1991

### **1 Name of Regulation**

This Regulation is the *Charitable Fundraising Amendment (Exempt Organisation) Regulation 2004*.

### **2 Amendment of Charitable Fundraising Regulation 2003**

The *Charitable Fundraising Regulation 2003* is amended by inserting after clause 7 (e):

(e1) Gospel Patrons Society Foundation



New South Wales

# Electricity Safety (Equipment Efficiency) Amendment Regulation 2004

under the

Electricity Safety Act 1945

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Electricity Safety Act 1945*.

FRANK ERNEST SARTOR, M.P.,  
Minister for Energy and Utilities

## Explanatory note

The object of this Regulation is to amend the *Electricity Safety (Equipment Efficiency) Regulation 1999* to change the standard which sets out the performance criteria, testing methods and labelling requirements for dishwashers. The Regulation also makes a minor law revision amendment.

This Regulation is made under the *Electricity Safety Act 1945*, including section 37 (the general regulation-making power).

Clause 1 Electricity Safety (Equipment Efficiency) Amendment Regulation 2004

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## **Electricity Safety (Equipment Efficiency) Amendment Regulation 2004**

under the

Electricity Safety Act 1945

### **1 Name of Regulation**

This Regulation is the *Electricity Safety (Equipment Efficiency) Amendment Regulation 2004*.

### **2 Commencement**

This Regulation commences on 1 April 2004.

### **3 Amendment of Electricity Safety (Equipment Efficiency) Regulation 1999**

The *Electricity Safety (Equipment Efficiency) Regulation 1999* is amended as set out in Schedule 1.

Electricity Safety (Equipment Efficiency) Amendment Regulation 2004

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

**[1] Clause 25 Transitional provisions for existing goods affected by changes in performance criteria or energy efficiency or labelling requirements**

Insert at the end of clause 25 (1) (b):

, or

- (c) there is a change in the requirements for the display of an energy efficiency label as referred to in clause 15 (1), or
- (d) there is a change in the requirements relating to the form of, or particulars or other matters to be contained in, an energy efficiency label as referred to in clause 17 (2),

**[2] Schedule 2 Standards for electrical articles that require registration and labelling with an energy efficiency label**

Omit the matter relating to the relevant standard appearing opposite “Dishwasher”.

Insert instead:

*AS/NZS 2007.1:2003 Performance of household electrical appliances—Dishwashers—Part 1: Energy consumption and performance*

*AS/NZS 2007.2:2003 Performance of household electrical appliances—Dishwashers—Part 2: Energy labelling requirements*

**[3] Schedule 3 Standards for electrical articles that require registration but not labelling with an energy efficiency label**

Omit “ballasts lamp circuits”. Insert instead “ballast-lamp circuits”.





# Fisheries Management (General) Amendment (Restricted Fisheries) Regulation 2004

under the

Fisheries Management Act 1994

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

IAN MICHAEL MACDONALD, M.L.C.,  
Minister for Agriculture and Fisheries

## Explanatory note

The object of this Regulation is to amend the *Fisheries Management (General) Regulation 2002* as a consequence of a proposal to change the descriptions of various share management fisheries set out in Schedule 1 to the *Fisheries Management Act 1994*. This Regulation makes it clear that the descriptions contained in Schedule 1 to the Act, before the proposed changes to that Schedule are made, continue to have effect for the purposes of the descriptions of restricted fisheries and other relevant provisions contained in the *Fisheries Management (General) Regulation 2002*.

This Regulation is made under the *Fisheries Management Act 1994*, including section 289 (the general regulation-making power).

Clause 1 Fisheries Management (General) Amendment (Restricted Fisheries)  
Regulation 2004

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## **Fisheries Management (General) Amendment (Restricted Fisheries) Regulation 2004**

under the

Fisheries Management Act 1994

### **1 Name of Regulation**

This Regulation is the *Fisheries Management (General) Amendment (Restricted Fisheries) Regulation 2004*.

### **2 Commencement**

This Regulation commences on 26 March 2004.

### **3 Amendment of Fisheries Management (General) Regulation 2002**

The *Fisheries Management (General) Regulation 2002* is amended as set out in Schedule 1.

Fisheries Management (General) Amendment (Restricted Fisheries)  
Regulation 2004

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

### [1] Clause 183 Definitions

Insert “(as in force immediately before 26 March 2004)” after “Schedule 1 to the Act” in the definition of *ocean prawn trawl fishery*.

### [2] Clause 191 Definitions

Insert “(as in force immediately before 26 March 2004)” after “Schedule 1 to the Act” in the definition of *ocean fish trawl fishery*.

### [3] Clause 199 Definitions

Insert “(as in force immediately before 26 March 2004)” after “Schedule 1 to the Act” in the definition of *ocean trap and line fishery*.

### [4] Clause 207 Definitions

Insert “(as in force immediately before 26 March 2004)” after “Schedule 1 to the Act” in the definition of *estuary general fishery*.

### [5] Clause 215 Definitions

Insert “(as in force immediately before 26 March 2004)” after “Schedule 1 to the Act” in the definition of *estuary prawn trawl fishery*.

### [6] Clause 255 Definitions

Insert “(as in force immediately before 26 March 2004)” after “Schedule 1 to the Act” in the definition of *ocean hauling fishery*.

### [7] Clause 255, definition of “waters of the restricted fishery”

Insert “(as in force immediately before 26 March 2004)” after “Schedule 1 to the Act”.

### [8] Clause 339A Activities harmful to marine vegetation (section 205B of the Act)

Omit “or any of the waters listed in clause 9 (1) of Schedule 1 to the Act” from clause 339A (a).

Insert instead “or any of the waters to which the ocean hauling fishery (as described in Schedule 1 to the Act) applies”.



# Governor's Salary Amendment Regulation 2004

under the

Constitution Act 1902

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Constitution Act 1902*.

ANDREW REFSHAUGE, M.P.,  
Acting Premier

## Explanatory note

The object of this Regulation is to increase the annual amount payable for the salary of the Governor from \$118, 723 to \$131, 640.

This Regulation is made under section 9I of the *Constitution Act 1902*.

Clause 1 Governor's Salary Amendment Regulation 2004

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## **Governor's Salary Amendment Regulation 2004**

under the

Constitution Act 1902

### **1 Name of Regulation**

This Regulation is the *Governor's Salary Amendment Regulation 2004*.

### **2 Amendment of Governor's Salary Regulation 1990**

The *Governor's Salary Regulation 1990* is amended by omitting "\$118, 723" from clause 2 and by inserting instead "\$131, 640".



# Parliamentary Remuneration Amendment (Committee on the Office of the Valuer-General) Regulation 2004

under the

Parliamentary Remuneration Act 1989

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Parliamentary Remuneration Act 1989*.

ANDREW REFSHAUGE, M.P.,  
Acting Premier

## Explanatory note

The object of this Regulation is to amend Schedule 1 to the *Parliamentary Remuneration Act 1989* to include the Chairperson of the joint Committee on the Office of the Valuer-General as a recognised office holder for the purpose of remuneration entitlements under the Act.

This Regulation is made under the *Parliamentary Remuneration Act 1989*, including sections 6 (4) and 21 (the general regulation-making power).

Clause 1 Parliamentary Remuneration Amendment (Committee on the Office of the Valuer-General) Regulation 2004

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## **Parliamentary Remuneration Amendment (Committee on the Office of the Valuer-General) Regulation 2004**

under the

Parliamentary Remuneration Act 1989

### **1 Name of Regulation**

This Regulation is the *Parliamentary Remuneration Amendment (Committee on the Office of the Valuer-General) Regulation 2004*.

### **2 Amendment of Parliamentary Remuneration Act 1989**

The *Parliamentary Remuneration Act 1989* is amended as set out in Schedule 1.

Parliamentary Remuneration Amendment (Committee on the Office of the Valuer-General) Regulation 2004

Amendment

Schedule 1

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## **Schedule 1 Amendment**

(Clause 2)

### **Schedule 1 Additional salaries and expense allowances**

Insert at the end of Part 2:

Chairperson of the joint Committee on the Office of the Valuer-General	7%	7%
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## Orders

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New South Wales

# Privacy Code of Practice (General) Amendment (Health Registers) 2004

under the

Privacy and Personal Information Protection Act 1998

I, the Attorney General, in pursuance of section 31 of the *Privacy and Personal Information Protection Act 1998*, do, by this my Order, make the following Privacy Code of Practice.

Dated, this 23rd day of March 2004.

BOB DEBUS, M.P.,  
Attorney General

### Explanatory note

The object of this Order is to amend the *Privacy Code of Practice (General) 2003* to include a number of health profession public registers in Schedule 2 to the Code. Inclusion of a public register in Schedule 2 permits the agency holding the register to disclose personal information kept in the register without being satisfied that the information is to be used for a purpose relating to the purpose of the register or the Act under which the register is kept.

This Order is made under section 31 of the *Privacy and Personal Information Protection Act 1998*.

Clause 1 Privacy Code of Practice (General) Amendment (Health Registers) 2004

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## **Privacy Code of Practice (General) Amendment (Health Registers) 2004**

under the

Privacy and Personal Information Protection Act 1998

### **1 Name of Code**

This Code is the *Privacy Code of Practice (General) Amendment (Health Registers) 2004*.

### **2 Commencement**

- (1) This Privacy Code of Practice commences on the date of its publication in the Gazette, except as provided by subclauses (2)–(5).
- (2) Schedule 1 [2] commences on the commencement of clause 21 of Schedule 1 to the *Dental Practice Act 2001*.
- (3) Schedule 1 [3] commences on the commencement of Schedule 1 [32] to the *Nurses Amendment Act 2003*.
- (4) Schedule 1 [4] commences on the commencement of clause 21 of Schedule 1 to the *Optometrists Act 2002*.
- (5) Schedule 1 [5] commences on the commencement of clause 21 of Schedule 1 to the *Podiatrists Act 2003*.

### **3 Amendment of Privacy Code of Practice (General) 2003**

The *Privacy Code of Practice (General) 2003* is amended as set out in Schedule 1.

Privacy Code of Practice (General) Amendment (Health Registers) 2004

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

### [1] Schedule 2 Modification of Part 6 of the Act

Insert at the end of the Schedule:

- |    |  |  |
|----|--|--|
| 7  | The Register of Chiropractors for New South Wales kept under clause 21 of Schedule 1 to the <i>Chiropractors Act 2001</i> .            | Chiropractors<br>Registration Board      |
| 8  | The Register of Dental Technicians of New South Wales kept under section 14 of the <i>Dental Technicians Registration Act 1975</i> .   | Dental Technicians<br>Registration Board |
| 9  | The Register kept under section 12 of the <i>Dentists Act 1989</i> .   | Dental Board                             |
| 10 | The Register of Medical Practitioners for New South Wales kept under clause 21 of Schedule 1 to the <i>Medical Practice Act 1992</i> . | New South Wales<br>Medical Board         |
| 11 | The Register of Nurses kept under section 16 of the <i>Nurses Act 1991</i> .   | Nurses Registration<br>Board             |
| 12 | The Register of Optical Dispensers for New South Wales kept under section 21 of the <i>Optical Dispensers Act 1963</i> .               | Optical Dispensers<br>Licensing Board    |
| 13 | The register of optometrists kept under section 11 of the <i>Optometrists Act 1930</i> .   | Board of<br>Optometrical<br>Registration |
| 14 | The Register of Osteopaths for New South Wales kept under clause 21 of Schedule 1 to the <i>Osteopaths Act 2001</i> .                  | Osteopaths<br>Registration Board         |
| 15 | The Register of Pharmacists kept under section 12 of the <i>Pharmacy Act 1964</i> .  | Pharmacy Board of<br>New South Wales     |
| 16 | The Register of Physiotherapists for New South Wales kept under clause 21 of Schedule 1 to the <i>Physiotherapists Act 2001</i> .      | Physiotherapists<br>Registration Board   |

## Privacy Code of Practice (General) Amendment (Health Registers) 2004

## Schedule 1 Amendments

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- |    |   |                                     |
|----|---|-------------------------------------|
| 17 | The register kept under section 9 of the <i>Podiatrists Act 1989</i> .  | Podiatrists<br>Registration Board   |
| 18 | The Register of Psychologists for New South Wales kept under clause 21 of Schedule 1 to the <i>Psychologists Act 2001</i> . | Psychologists<br>Registration Board |

**[2] Schedule 2, item 9**

Omit the matter relating to the item. Insert instead:

- |    |  |              |
|----|--|--------------|
| 9  | The Register of Dentists for New South Wales kept under clause 21 of Schedule 1 to the <i>Dental Practice Act 2001</i> .           | Dental Board |
| 9A | The Register of Dental Auxiliaries for New South Wales kept under clause 21 of Schedule 1 to the <i>Dental Practice Act 2001</i> . | Dental Board |

**[3] Schedule 2, item 11**

Omit the matter relating to the item. Insert instead:

- |     |   |                              |
|-----|---|------------------------------|
| 11  | The Register of Nurses kept under section 16 of the <i>Nurses and Midwives Act 1991</i> .   | Nurses and Midwives<br>Board |
| 11A | The Register of Midwives kept under section 16 of the <i>Nurses and Midwives Act 1991</i> . | Nurses and Midwives<br>Board |

**[4] Schedule 2, item 13**

Omit the matter relating to the item. Insert instead:

- |    |   |                                    |
|----|---|------------------------------------|
| 13 | The Register of Optometrists for New South Wales kept under clause 21 of Schedule 1 to the <i>Optometrists Act 2002</i> . | Optometrists<br>Registration Board |
|----|---|------------------------------------|

Privacy Code of Practice (General) Amendment (Health Registers) 2004

Amendments

Schedule 1

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**[5] Schedule 2, item 17**

Omit the matter relating to the item. Insert instead:

- 17 The Register of Podiatrists for New South Wales kept under clause 21 of Schedule 1 to the *Podiatrists Act 2003*. Podiatrists  
Registration Board

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## Rules

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New South Wales

# Supreme Court Rules (Amendment No 389) 2004

under the

Supreme Court Act 1970

The Supreme Court Rule Committee made the following rules of court under the *Supreme Court Act 1970* on 15 March 2004.

Steven Jupp

Secretary of the Rule Committee

### **Explanatory note**

The object of these Rules is to apply, with respect to proceedings before the Supreme Court, the harmonised subpoena rules that have been developed under the auspices of the Council of Chief Justices.

Clause 1 Supreme Court Rules (Amendment No 389) 2004

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## **Supreme Court Rules (Amendment No 389) 2004**

under the

Supreme Court Act 1970

### **1 Name of Rules**

These Rules are the *Supreme Court Rules (Amendment No 389) 2004*.

### **2 Commencement**

These Rules commence on 1 May 2004.

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

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

Supreme Court Rules (Amendment No 389) 2004

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

### [1] Part 3, rule 3

Omit “rule 3”. Insert instead “rule 6”.

### [2] Part 36, rules 13BA–13BC

Insert after rule 13B:

#### **13BA Fees for medical expert for compliance with subpoena**

- (1) If a subpoena is served on a medical expert who is to give evidence of medical matters but is not called as a witness, the expert is, unless the Court otherwise orders, entitled to be paid, in addition to the amount payable under Part 37 rule 11, the amount prescribed in item 6 of Schedule G1.
- (2) The amount payable under subrule (1) must be paid by the issuing party to the expert within 30 days after the date for the expert’s attendance.
- (3) If a party makes a requirement under rule 13B (2) and revokes it, he or she must pay to the issuing party the amount paid under subrule (2), but otherwise an amount paid under subrule (2) by the issuing party is not recoverable from any other party unless the Court so orders.
- (4) This rule applies only to proceedings on a trial at Sydney.

#### **13BB Service of subpoena on medical expert**

- (1) If the person named in a subpoena is a medical expert:
  - (a) service of the subpoena on the expert may be effected at a place where the expert’s practice is carried on, by handing it to some person apparently engaged (whether as an employee or otherwise) in the practice and apparently of or above the age of 16 years, and
  - (b) if, on tender of the subpoena to the person mentioned in paragraph (a), the person refuses to accept it, the subpoena may be served by putting it down in the person’s presence after he or she has been told of the nature of the subpoena.



## Supreme Court Rules (Amendment No 389) 2004

## Schedule 1 Amendments

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- (2) If a subpoena requires a medical expert to attend in Sydney on a specified date for the purpose of giving evidence on medical matters, the subpoena must be served on the expert not later than 21 days before the date so specified unless the court otherwise orders.
  - (3) The parties may not by consent abridge the time fixed by or under subrule (2).

**13BC Subpoena requiring production of medical records**

- (1) A subpoena for production may require a medical expert to produce medical records or clear, sharp photocopies of them.
- (2) A subpoena for production may not require a person named to produce any medical records or copies thereof unless the amount prescribed in item 2 of Schedule G1 is paid or tendered to the person at the time of service of the subpoena or not later than a reasonable time before the date on which production is required.
- (3) Part 37 rule 6 does not apply to a subpoena to which subrule (1) applies.
- (4) Part 37 rule 7 applies to the photocopies in the same way as it applies to the records.
- (5) If a subpoena to which subrule (1) applies has been issued and served but the party who requested the issue of the subpoena requires production of medical records without the option of producing photocopies of them, the party must request the issue of, and serve, another subpoena requiring production of the original medical records.

**[3] Part 36, rule 16 (1A)**

Omit “rule 2 (2)”. Insert instead “rule 3”.

Supreme Court Rules (Amendment No 389) 2004

Amendments

Schedule 1

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[4] **Part 37**

Omit the Part. Insert instead:

**Part 37 Subpoenas**

**1 Definitions**

(1) In this Part:

*addressee* means the person who is the subject of the order expressed in a subpoena.

*conduct money* means a sum of money or its equivalent, such as pre-paid travel, sufficient to meet the reasonable expenses of the addressee of attending court as required by the subpoena and returning after so attending.

*issuing officer* means an officer of the Court who is empowered to issue a subpoena on behalf of the Court.

*issuing party* means the party at whose request a subpoena is issued.

*Registrar*, in relation to proceedings in respect of which a subpoena is sought or issued, means the Registrar of the Division in which the proceedings are being taken.

*subpoena* means an order in writing requiring the addressee:

- (a) to attend to give evidence, or
- (b) to produce the subpoena or a copy of it and a document or thing, or
- (c) to do both of those things.

(2) To the extent that a subpoena requires the addressee to attend to give evidence, it is called a *subpoena to attend to give evidence*.

(3) To the extent that a subpoena requires the addressee to produce the subpoena or a copy of it and a document or thing, it is called a *subpoena to produce*.

## Supreme Court Rules (Amendment No 389) 2004

## Schedule 1 Amendments

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**2 Issuing of subpoena**

- (1) The Court may, in any proceeding, by subpoena order the addressee:
  - (a) to attend to give evidence as directed by the subpoena, or
  - (b) to produce the subpoena or a copy of it and any document or thing as directed by the subpoena, or
  - (c) to do both of those things.
- (2) An issuing officer must not issue a subpoena:
  - (a) if the Court has made an order, or there is a rule of the Court, having the effect of requiring that the proposed subpoena:
    - (i) not be issued, or
    - (ii) not be issued without the leave of the Court and that leave has not been given, or
  - (b) requiring the production of a document or thing in the custody of the Court or another court.
- (3) The issuing officer must seal with the seal of the Court, or otherwise authenticate, a sufficient number of copies of the subpoena for service and proof of service.
- (4) A subpoena is taken to have been issued on its being sealed or otherwise authenticated in accordance with subrule (3).

**3 Form of subpoena**

- (1) A subpoena must be in accordance with Form 46.
- (2) A subpoena must not be addressed to more than one person.
- (3) Unless the Court otherwise orders, a subpoena must identify the addressee by name or by description of office or position.
- (4) A subpoena to produce must:
  - (a) identify the document or thing to be produced, and
  - (b) specify the date, time and place for production.
- (5) A subpoena to attend to give evidence must specify the date, time and place for attendance.
- (6) The date specified in a subpoena must be the date of trial or any other date as permitted by the Court.

## Supreme Court Rules (Amendment No 389) 2004

## Amendments

## Schedule 1

- 
- (7) The place specified for production may be the Court or the address of any person authorised to take evidence in the proceeding as permitted by the Court.
  - (8) A subpoena must specify the last date for service of the subpoena, being a date not earlier than:
    - (a) 5 days, or
    - (b) any shorter or longer period as ordered by the Court and specified in the subpoena,before the date specified in the subpoena for compliance with it.
  - (9) If the addressee is a corporation, the corporation must comply with the subpoena by its appropriate or proper officer.

**4 Setting aside or other relief**

- (1) The Court may, on the application of a party or any person having a sufficient interest, set aside a subpoena in whole or in part, or grant other relief in respect of it.
- (2) An application under subrule (1) must be made on notice to the issuing party.
- (3) The Court may order that the applicant give notice of the application to any other party or to any other person having a sufficient interest.

**5 Service**

- (1) A subpoena must be served personally on the addressee.
- (2) The issuing party must serve a copy of a subpoena to produce on each other party as soon as practicable after the subpoena has been served on the addressee.

**6 Compliance with subpoena**

- (1) An addressee need not comply with the requirements of a subpoena to attend to give evidence unless conduct money has been handed or tendered to the addressee a reasonable time before the date on which attendance is required.
- (2) An addressee need not comply with the requirements of a subpoena unless it is served on or before the date specified in the subpoena as the last date for service of the subpoena.

## Supreme Court Rules (Amendment No 389) 2004

## Schedule 1 Amendments

- 
- (3) Despite rule 5 (1), an addressee must comply with the requirements of a subpoena even if it has not been served personally on that addressee if the addressee has, by the last date for service of the subpoena, actual knowledge of the subpoena and of its requirements.
  - (4) The addressee must comply with a subpoena to produce:
    - (a) by attending at the date, time and place specified for production and producing the subpoena or a copy of it and the document or thing to the Court or to the person authorised to take evidence in the proceeding as permitted by the Court, or
    - (b) by delivering or sending the subpoena or a copy of it and the document or thing to the Registrar at the address specified for the purpose in the subpoena, so that they are received not less than 2 clear days before the date specified in the subpoena for attendance and production.
  - (5) In the case of a subpoena that is both a subpoena to attend to give evidence and a subpoena to produce, production of the subpoena or a copy of it and of the document or thing in any of the ways permitted by subrule (4) does not discharge the addressee from the obligation to attend to give evidence.

**7 Production otherwise than upon attendance**

- (1) This rule applies if an addressee produces a document or thing in accordance with rule 6 (4) (b).
- (2) The Registrar must, if requested by the addressee, give a receipt for the document or thing to the addressee.
- (3) If the addressee produces more than one document or thing, the addressee must, if requested by the Registrar, provide a list of the documents or things produced.
- (4) The addressee may, with the consent of the issuing party, produce a copy, instead of the original, of any document required to be produced.
- (5) The addressee may at the time of production inform the Registrar in writing that any document or copy of a document produced need not be returned and may be destroyed.

Supreme Court Rules (Amendment No 389) 2004

Amendments

Schedule 1

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**8 Removal, return, inspection, copying and disposal of documents and things**

The Court may give directions in relation to the removal from and return to the Court, and the inspection, copying and disposal, of any document or thing that has been produced to the Court in response to a subpoena.

**9 Inspection of, and dealing with, documents and things produced otherwise than on attendance**

- (1) This rule applies if an addressee produces a document or thing in accordance with rule 6 (4) (b).
- (2) On the request in writing of a party, the Registrar must inform the party whether production in response to a subpoena has occurred, and, if so, include a description, in general terms, of the documents and things produced.
- (3) Subject to this rule, no person may inspect a document or thing produced unless the Court has granted leave and the inspection is in accordance with that leave.
- (4) Unless the Court otherwise orders, the Registrar may permit the parties to inspect at the office of the Registrar any document or thing produced unless the addressee, a party or any person having sufficient interest objects to the inspection under this rule.
- (5) If the addressee objects to a document or thing being inspected by any party to the proceeding, the addressee must, at the time of production, notify the Registrar in writing of the objection and of the grounds of the objection.
- (6) If a party or person having a sufficient interest objects to a document or thing being inspected by a party to the proceeding, the objector may notify the Registrar in writing of the objection and of the grounds of the objection.
- (7) On receiving notice of an objection under this rule, the Registrar:
  - (a) must not permit any, or any further, inspection of the document or thing the subject of the objection, and
  - (b) must refer the objection to the Court for hearing and determination.

## Supreme Court Rules (Amendment No 389) 2004

## Schedule 1 Amendments

- 
- (8) The Registrar must notify the issuing party of the objection and of the date, time and place at which the objection will be heard, and the issuing party must notify the addressee, the objector and each other party accordingly.
  - (9) The Registrar must not permit any document or thing produced to be removed from the office of the Registrar except on application in writing signed by the solicitor for a party.
  - (10) A solicitor who signs an application under subrule (9) and removes a document or thing from the office of the Registrar, undertakes to the Court by force of this rule that:
    - (a) the document or thing will be kept in the personal custody of the solicitor or a barrister briefed by the solicitor in the proceeding, and
    - (b) the document or thing will be returned to the Registry in the same condition, order and packaging in which it was removed, as and when directed by the Registrar.
  - (11) The Registrar may, in the Registrar's discretion, grant an application under subrule (9) subject to conditions or refuse to grant the application.

**10 Disposal of documents and things produced**

- (1) Unless the Court otherwise orders, the Registrar may, in the Registrar's discretion, return to the addressee any document or thing produced in response to the subpoena.
- (2) Unless the Court otherwise orders, the Registrar must not return any document or thing under subrule (1) unless the Registrar has given to the issuing party at least 14 days' notice of the intention to do so and that period has expired.
- (3) If the addressee has informed the Court that a document or a copy of a document produced need not be returned and may be destroyed, the Registrar may, unless the Court otherwise orders, destroy the document or copy instead of returning it.
- (4) The Registrar must not destroy a document or a copy of a document unless the Registrar has first given to the issuing party and to the addressee at least 14 days' notice of the intention to destroy the document or copy.

Supreme Court Rules (Amendment No 389) 2004

Amendments

Schedule 1

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### **11 Costs and expenses of compliance**

- (1) The Court may order the issuing party to pay the amount of any reasonable loss or expense incurred in complying with the subpoena.
- (2) If an order is made under subrule (1), the Court must fix the amount or direct that it be fixed in accordance with the Court's usual procedure in relation to costs.
- (3) An amount fixed under this rule is separate from and in addition to:
  - (a) any conduct money paid to the addressee, and
  - (b) any witness expenses payable to the addressee.

### **12 Failure to comply with subpoena—contempt of court**

- (1) Failure to comply with a subpoena without lawful excuse is a contempt of court and the addressee may be dealt with accordingly.
- (2) Despite rule 5 (1), if a subpoena has not been served personally on the addressee, the addressee may be dealt with for contempt of court as if the addressee had been so served if it is proved that the addressee had, by the last date for service of the subpoena, actual knowledge of the subpoena and of its requirements.
- (3) Subrules (1) and (2) are without prejudice to any power of the Court under any rules of the Court (including any rules of the Court providing for the arrest of an addressee who defaults in attendance in accordance with a subpoena) or otherwise, to enforce compliance with a subpoena.

### **13 Documents and things in the custody of a court**

- (1) A party who seeks production of a document or thing in the custody of the Court or of another court may inform the Registrar in writing accordingly, identifying the document or thing.
- (2) If the document or thing is in the custody of the Court, the Registrar must produce the document or thing:
  - (a) in Court or to any person authorised to take evidence in the proceeding, as required by the party, or
  - (b) as the Court directs.



## Supreme Court Rules (Amendment No 389) 2004

## Schedule 1 Amendments

- 
- (3) If the document or thing is in the custody of another court, the Registrar must, unless the Court has otherwise ordered:
- (a) request the other court to send the document or thing to the Registrar, and
  - (b) after receiving it, produce the document or thing:
    - (i) in Court or to any person authorised to take evidence in the proceeding as required by the party, or
    - (ii) as the Court directs.

**[5] Part 66, rule 1A**

Insert after rule 1:

**1A Unrepresented litigants**

- (1) An issuing officer may not issue a subpoena, without the leave of the Court, unless the issuing party is represented by a solicitor in the proceedings concerned.
- (2) The Court or a Judge may give leave to issue a subpoena:
  - (a) generally or in relation to a particular subpoena or subpoenas, and
  - (b) unconditionally or subject to conditions.

**[6] Schedule F**

Omit Forms 46–48. Insert instead:

**Form 46 Subpoena**

(Part 37, rule 3 (1))

**IN THE** *[name of court]*

**File number:**

**APPLICANT/PLAINTIFF:**

**RESPONDENT/DEFENDANT:**

**SUBPOENA**

To: *[name]*

*[address]*

Supreme Court Rules (Amendment No 389) 2004

Amendments

Schedule 1

**YOU ARE ORDERED:**

- \*to attend to give evidence—see section A of this form, or
- \*to produce this subpoena or a copy of it and the documents or things specified in the Schedule—see section B of this form, or
- \*to attend to give evidence and to produce this subpoena or a copy of it and the documents or things specified in the Schedule—see section C of this form

*\*Select one only of these three options*

**Failure to comply with this subpoena without lawful excuse is a contempt of court and may result in your arrest.**

The last date for service of this subpoena is:.....

*(See Note 1)*

**Please read Notes 1 to 15 at the end of this subpoena.**

*[Seal or Stamp of the Court]*

Date:

Issued at the request of [*name of party*], whose address for service is:

**A Details of subpoena to attend to give evidence only**

Date, time and place at which you must attend to give evidence:

Date:

Time:

Place:

You must continue to attend from day to day unless excused by the Court or the person authorised to take evidence in this proceeding or until the hearing of the matter is completed.

**B Details of subpoena to produce only**

You must comply with this subpoena:

- (a) by attending to produce this subpoena or a copy of it and the documents or things specified in the Schedule below at the date, time and place specified for attendance and production, or
- (b) by delivering or sending this subpoena or a copy of it and the documents or things specified in the Schedule below to the address below so that they are received not less than 2 clear days before the date specified for attendance and production. *(See Notes 5–11)*

Date, time and place at which you must attend to produce the subpoena or a copy of it and documents or things:

Date:

Time:

Place:

## Supreme Court Rules (Amendment No 389) 2004

## Schedule 1 Amendments

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Address to which the subpoena (or copy) and documents or things may be delivered or posted:

The Exhibits Office  
Level 5, Supreme Court of NSW  
GPO Box 3, Sydney 2001

**Schedule**

The documents and things you must produce are as follows:

*[If insufficient space attach list]*

**C Details of subpoena both to attend to give evidence and to produce**

In so far as you are required by this subpoena to attend to give evidence, you must attend as follows:

Date:

Time:

Place:

You must continue to attend from day to day unless excused by the Court or the person authorised to take evidence in this proceeding or until the hearing of the matter is completed.

In so far as you are required by this subpoena to produce the subpoena or a copy of it and documents or things, you must comply with this subpoena:

- (a) by attending to produce this subpoena or a copy of it and the documents or things specified in the Schedule below at the date, time and place specified for attendance and production, or
- (b) by delivering or sending this subpoena or a copy of it and the documents or things specified in the Schedule below to the address below so that they are received not less than 2 clear days before the date specified for attendance and production. (*See Notes 5–11*)

Date, time and place at which you must attend to produce the subpoena or a copy of it and the documents or things:

Date:

Time:

Place:

Address to which the subpoena or a copy of it and documents or things may be delivered or posted:

The Exhibits Office  
Level 5, Supreme Court of NSW  
GPO Box 3, Sydney 2001

Supreme Court Rules (Amendment No 389) 2004

Amendments

Schedule 1

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### **Schedule**

The documents and things you must produce are as follows:

*[If insufficient space attach list]*

### **Notes**

#### **Last day for service**

- 1                    You need not comply with the subpoena unless it is served on you on or before the date specified in the subpoena as the last date for service of the subpoena.

#### **Informal service**

- 2                    Even if this subpoena has not been served personally on you, you must, nevertheless, comply with its requirements, if you have, by the last date for service of the subpoena, actual knowledge of the subpoena and of its requirements.

#### **Addressee a corporation**

- 3                    If the subpoena is addressed to a corporation, the corporation must comply with the subpoena by its appropriate or proper officer.

#### **Conduct money**

- 4                    You need not comply with the subpoena in so far as it requires you to attend to give evidence unless conduct money sufficient to meet your reasonable expenses of attending as required by the subpoena is handed or tendered to you a reasonable time before the date on which your attendance is required.

## Supreme Court Rules (Amendment No 389) 2004

## Schedule 1 Amendments

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**Production of subpoena or copy of it and documents or things by delivery or post**

- 5 In so far as this subpoena requires production of the subpoena or a copy of it and a document or thing, instead of attending to produce the subpoena or a copy of it and the document or thing, you may comply with the subpoena by delivering or sending the subpoena or a copy of it and the document or thing to the address specified in the subpoena for the purpose so that they are received not less than 2 clear days before the date specified in the subpoena for attendance and production.
- 6 If you object to a document or thing produced in response to this subpoena being inspected by a party to the proceeding or any other person, you must, at the time of production, notify the Registrar in writing of your objection and of the grounds of your objection.
- 7 Unless the Court otherwise orders, if you do not object to a document or thing produced by you in response to the subpoena being inspected by any party to the proceeding, the Registrar may permit the parties to the proceeding to inspect the document or thing.

**Production of a number of documents or things**

- 8 If you produce more than one document or thing, you must, if requested by the Registrar, produce a list of the documents or things produced.

**Production of copy instead of original**

- 9 You may, with the consent of the issuing party, produce a copy, instead of the original, of any document that the subpoena requires you to produce.

**Return or destruction of documents or copies**

- 10 You may, at the time of production, inform the Court that any document or copy of a document produced need not be returned and may be destroyed.

## Supreme Court Rules (Amendment No 389) 2004

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## Schedule 1

- 
- 11 If you have so informed the Court, the Registrar may destroy the document or copy instead of returning it to you.

**Applications in relation to subpoena**

- 12 You have the right to apply to the Court:
- (a) for an order setting aside the subpoena (or a part of it) or for relief in respect of the subpoena, and
  - (b) for an order with respect to your claim for privilege, public interest immunity or confidentiality in relation to any document or thing the subject of the subpoena.

**Loss or expense of compliance**

- 13 If you are not a party to the proceeding, you may apply to the Court for an order that the issuing party pay an amount (in addition to conduct money and any witness's expenses) in respect of the loss or expense, including legal costs, reasonably incurred in complying with the subpoena.

**Contempt of court—arrest**

- 14 Failure to comply with a subpoena without lawful excuse is a contempt of court and may be dealt with accordingly.
- 15 Instruction 14 is without prejudice to any power of the Court under any rules of the Court (including any rules of the Court providing for the arrest of an addressee who defaults in attendance in accordance with a subpoena) or otherwise, to enforce compliance with a subpoena.

**[7] Schedule F, Index of Forms**

Omit the matter relating to Forms 46, 46A, 46B, 47 and 48.

Insert instead:

46. Subpoena (P 37, r 3).

## Supreme Court Rules (Amendment No 389) 2004

Schedule 1 Amendments

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**[8] Schedule G1, item 2**

Omit “Part 37 rule 7A (4)”. Insert instead “Part 36 rule 13BC (2)”.

**[9] Schedule G1, item 6**

Omit “Part 37 rule 3A (1) (b)”. Insert instead “Part 36 rule 13BA (1)”.

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## Other Legislation

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### TRANS-TASMAN MUTUAL RECOGNITION ARRANGEMENT

#### NOTICE

I, Andrew John Refshauge, as the designated person for the State of New South Wales and in accordance with section 43 of the *Trans-Tasman Mutual Recognition Act 1997* of the Commonwealth, endorse the proposed regulations set out in the Schedule to this notice for the purposes of sections 43 and 48 of that Act.

ANDREW REFSHAUGE, M.P.,  
Acting Premier  
New South Wales





# Trans-Tasman Mutual Recognition Amendment Regulations 2004 (No. )<sup>1</sup>

Statutory Rules 2004 No. <sup>2</sup>

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I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Trans-Tasman Mutual Recognition Act 1997*.

Dated 2004

Governor-General

By His Excellency's Command

IAN MACFARLANE  
Minister for Industry, Tourism and Resources

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**Regulation 1**

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**1 Name of Regulations**

These Regulations are the *Trans-Tasman Mutual Recognition Amendment Regulations 2004* (No. ).

**2 Commencement**

These Regulations commence on the date of their notification in the *Gazette*.

**3 Amendment of *Trans-Tasman Mutual Recognition Regulations 1999***

Schedule 1 amends the *Trans-Tasman Mutual Recognition Regulations 1999*.

**Schedule 1 Amendment**

(regulation 3)

**[1] Regulation 5**

*omit*

30 April 2004.

*insert*

30 April 2005.

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**Notes**

1. These Regulations amend Statutory Rules 1999 No. 60, as amended by 2000 No. 51; 2001 No. 75; 2002 No. 78; 2003 No. 72.
2. Notified in the *Commonwealth of Australia Gazette* on 2004.

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**2**

*Trans-Tasman Mutual Recognition Amendment Regulations 2004* (No. )

2004,

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**OFFICIAL NOTICES**

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**Appointments**

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**STATE EMERGENCY AND RESCUE  
MANAGEMENT ACT, 1989**Appointment of Deputy State Emergency Operations  
Controller

HIS Excellency the Lieutenant Governor and the Executive Council, in pursuance of Section 18(1) of the State Emergency and Rescue Management Act, 1989, has approved the appointment of Assistant Commissioner Bob Waites, NSW Police Service, as Deputy State Emergency Operations Controller for the purposes of administering the requirements of the State Emergency and Rescue Management Act 1989, commencing 26 March 2004.

TONY KELLY, M.L.C.,  
Minister for Emergency Services

## NSW Agriculture

### STOCK DISEASES ACT 1923

#### PROCLAMATION 548

Declaration of diseases for the purposes of the Stock Diseases Act 1923

HIS EXCELLENCY LIEUTENANT GOVERNOR,  
James Jacob Spigelman

I, The Honourable James Jacob Spigelman, Lieutenant Governor of the State of New South Wales with the advice of the Executive Council and:

- i. pursuant to sections 3(2)(a) of the Stock Diseases Act 1923, amend Proclamation No. 547 published in the Government Gazette No. 197 of 19 December 2003 at pages 11457-11458, by renaming the disease Porcine Myocarditis Syndrome (PMC) as Porcine Myocarditis (PMC); and
- ii. pursuant to section 4(1) of Act, declare that the disease Bee Louse (*Braula caeca*), being a disease in stock, shall be a disease in respect of which all the provisions of Stock Diseases Act 1923 shall apply.

Signed and sealed at Sydney this 24th day of March 2004.

By His Excellency's command

IAN MACDONALD, M.L.C.,  
NSW Minister for Agriculture and Fisheries  
GOD SAVE THE QUEEN!

### PLANT DISEASES ACT 1924

#### PROCLAMATION P150

Proclamation to regulate the bringing into specified parts of New South Wales of certain fruit originating from or which has moved through other specified parts of New South Wales on account of an outbreak of Queensland fruit fly at Barham.

HIS EXCELLENCY LIEUTENANT GOVERNOR,  
James Jacob Spigelman,

I, The Honourable James Jacob Spigelman, Lieutenant Governor of the State of New South Wales, being of the opinion that the movement of fruit within a portion of the State is likely to introduce the pest Queensland fruit fly (*Bactrocera tryoni*), with the advice of the Executive Council and pursuant to Section 4(1) of the *Plant Diseases Act 1924* do by this proclamation regulate the movement of fruit within the State in the manner set out in this proclamation.

1. In this Proclamation -

**host fruit** means the fruit specified in the Schedule.

**suspension area** means the area within a 15 kilometre radius of coordinates decimal degrees 35.61778 south and 144.13944 east.

**Note.**

The suspension area is illustrated on the map titled *Barham Suspension Area*.

**FFEZ** means the area known as the New South Wales Fruit Fly Exclusion Zone, as declared in Proclamation P36 published in *Government Gazette* No 13 of 31 January 1997 at page 321.

**Plant Health Assurance Certificate** means a certificate -

- issued by a person authorised by the Department of Agriculture to issue Plant Health Assurance Certificates, and
- which certifies that the host fruit has been treated in a manner approved by the Chief, Division of Plant Industries of the Department of Agriculture, and
- which specifies any conditions subject to which the host fruit must be transported or stored.

**Plant Health Certificate** means a certificate -

- issued by an inspector or a person authorised pursuant to Section 11(3), and
- which certifies that the host fruit has been treated in a manner approved by the Chief, Division of Plant Industries of the Department of Agriculture, and
- which specifies any conditions subject to which the host fruit must be transported or stored.

2. Host fruit must not be brought into the FFEZ from the suspension area unless:

- a Plant Health Certificate or a Plant Health Assurance Certificate has been issued in respect of the host fruit, and
- the host fruit is transported and stored in accordance with any conditions relating to such matters which are stated in the Plant Health Certificate or the Plant Health Assurance Certificate, and
- the Plant Health Certificate or the Plant Health Assurance Certificate is in the possession of the driver of the vehicle transporting the host fruit or the person otherwise having custody or control of the host fruit while it is in the suspension area or the FFEZ as the case may be, and
- the Plant Health Certificate or the Plant Health Assurance Certificate is produced on demand to an inspector or a person authorised pursuant to Section 11(3).

3. Paragraph 2 applies whether or not the host fruit was grown in the suspension area.

**Note.**

Any movement of host fruit is subject to the requirements of this proclamation even if the host fruit is merely transported through the suspension area.

Schedule

**Host fruit**

All citrus fruit, pome fruit, stone fruit and tropical fruit (excepting pineapple).

The following berry fruit:

blackberry	cape gooseberry	raspberry
blueberry	loganberry	strawberry
boysenberry	mulberry	youngberry

The following other fruit:

abiu	kiwifruit or Chinese gooseberries
babaco	loquat
Brasilian cherry	medlars
capsicum	pepino
cashew apple	persimmon
cherimoya	pomegranate
chilli (chillies) (cherry peppers) (tabasco)	prickly pear
dates (fresh)	rollinia
feijoa	santol
fig	tamarillo
granadilla	tomato
grumichama (Brazilian) (Costa Rican)	walnuts (green)
jujubes	wax jambu

**Note.**

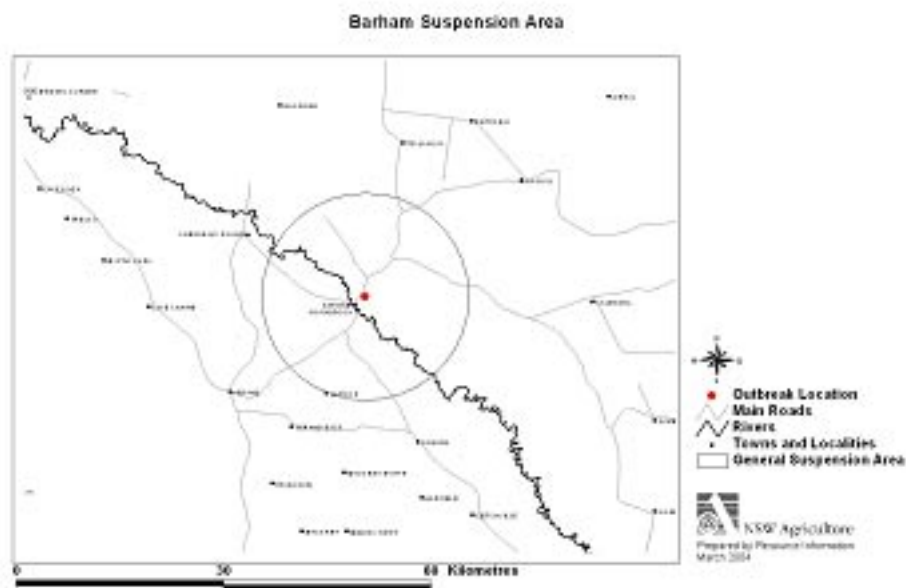
The New South Wales Department of Agriculture’s reference for this proclamation is **P150**.

For further information contact the New South Wales Department of Agriculture on 02 6391 3593.

Signed and sealed at Sydney this 24<sup>th</sup> day of March 2004.

By HIS Excellency’s Command,  
 IAN MACDONALD, M.L.C.,  
 NSW Minister for Agriculture and Fisheries

GOD SAVE THE QUEEN!



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# Department of Infrastructure, Planning and Natural Resources

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## Infrastructure and Planning



New South Wales

## **Auburn Local Environmental Plan 2000 (Amendment No 11)**

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*. (P02/00702/S69)

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

Clause 1 Auburn Local Environmental Plan 2000 (Amendment No 11)

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## **Auburn Local Environmental Plan 2000 (Amendment No 11)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Auburn Local Environmental Plan 2000 (Amendment No 11)*.

### **2 Aims of plan**

This plan aims to rezone the land to which this plan applies to Zone No 2 (c) (the Residential (Residential Flat Buildings) Zone) under *Auburn Local Environmental Plan 2000* to allow the land to be used for those purposes which are permissible within that zone.

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

This plan applies to land in the local government area of Auburn, being the following land at Lidcombe:

- (a) 1 and 1A Mark Street (Lots 11 and 10, DP 602649),
- (b) 7 and 9 Mark Street (Lots 1 and 2, DP 742950),
- (c) certain land in Mark Street (Lot 2, DP 226846),
- (d) certain land in Taylor Street (Lot 1, DP 226846 and Lot A DP 163069),

as shown distinctively coloured, edged and lettered "2 (c)" on the map marked "Auburn Local Environmental Plan 2000 (Amendment No 11)" deposited in the office of Auburn Council.

### **4 Amendment of Auburn Local Environmental Plan 2000**

*Auburn Local Environmental Plan 2000* is amended by inserting in appropriate order in the definition of *The map* in Schedule 1 the following words:

Auburn Local Environmental Plan 2000 (Amendment No 11)



New South Wales

## **Ballina Local Environmental Plan 1987 (Amendment No 81)**

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*. (G01/00014/PC)

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



Clause 1 Ballina Local Environmental Plan 1987 (Amendment No 81)

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## **Ballina Local Environmental Plan 1987 (Amendment No 81)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Ballina Local Environmental Plan 1987 (Amendment No 81)*.

### **2 Aims of plan**

This plan aims:

- (a) to amend *Ballina Local Environmental Plan 1987* to ensure that only minor adjustments to common property boundaries for land in rural and environmental protection zones are permissible without compliance with the subdivision controls set out in clause 11 of that plan, and
- (b) to rezone certain land (being land shown edged heavy black on the map marked “Ballina Local Environmental Plan 1987 (Amendment No 82)”) to Zone No 7 (d1) Environmental Protection (Newrybar Scenic/Escarpment) under *Ballina Local Environmental Plan 1987*. (This rezoning was intended to take place at the time of the making of *Ballina Local Environmental Plan 1987 (Amendment No 82)*.)

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

This plan applies to land within Zones Nos 1 (a1), 1 (a2), 1 (b), 1 (d), 1 (e), 7 (a), 7 (c), 7 (d), 7 (d1), 7 (f), 7 (i) and 7 (l) under *Ballina Local Environmental Plan 1987* and to the land shown edged heavy black on the map marked “Ballina Local Environmental Plan 1987 (Amendment No 82)”.

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

*Ballina Local Environmental Plan 1987* is amended as set out in Schedule 1.

Ballina Local Environmental Plan 1987 (Amendment No 81)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 5 Interpretation

Insert in appropriate order in the definition of *the map* in clause 5 (1):

Ballina Local Environmental Plan 1987 (Amendment No 82)

### [2] Clause 11 Subdivision of land within Zone No 1 (a1), 1 (a2), 1 (b), 1 (d), 1 (e), 7 (a), 7 (c), 7 (d), 7 (d1), 7 (f), 7 (i) or 7 (l)

Omit clause 11 (6) (b). Insert instead:

- (b) minor adjustments to common property boundaries, but only if the council is satisfied that any such adjustment will not lead to:
  - (i) the creation of any additional allotments or additional dwelling entitlements or both, and
  - (ii) a substantial change to the land area contained in each allotment or a substantial change to the configuration of each allotment, and
  - (iii) an increase in the size of an allotment that would provide in the future for the creation of additional allotments or additional dwelling entitlements, and
  - (iv) an outcome contrary to the terms of any development consent granted in respect of any of the land concerned, and
  - (v) an increase in the likelihood of potential for land use conflict.



## **Botany Local Environmental Plan 1995 (Amendment No 33)**

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*. (S03/02035/S69)

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

Clause 1 Botany Local Environmental Plan 1995 (Amendment No 33)

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## **Botany Local Environmental Plan 1995 (Amendment No 33)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Botany Local Environmental Plan 1995 (Amendment No 33)*.

### **2 Aims of plan**

The aim of this plan is to extend the matters as to which the Council of the City of Botany Bay must be satisfied before it allows increased floor space ratios in Zone No 2 (b).

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

This plan applies to the whole of the land to which *Botany Local Environmental Plan 1995* applies.

### **4 Amendment of Botany Local Environmental Plan 1995**

*Botany Local Environmental Plan 1995* is amended as set out in Schedule 1.

Botany Local Environmental Plan 1995 (Amendment No 33)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 12 Floor space ratios

Insert after clause 12 (2) (d):

- (d1) the provision of on-site car parking does not dominate or detract from the appearance of the proposed development or the streetscape,

### [2] Clause 12 (2) (e)

Omit “and” where secondly occurring.

### [3] Clause 12 (2) (e1)

Insert after clause 12 (2) (e):

- (e1) the proposed development includes landscaping that screens and softens the visual effect of the buildings on the site, and creates useable and comfortable open space areas,

### [4] Clause 12 (2) (g)–(j)

Insert after clause 12 (2) (f):

- (g) the proposed development ensures adequate sunlight, ventilation and privacy to its residents, to residents of adjoining development and to users of nearby public and private open space,
- (h) the proposed development makes provision for the adequate absorption of stormwater, and includes deep root zones for tree planting,
- (i) the proposed development incorporates pedestrian links at points where they are most prominently and safely connected to the existing street and pedestrian network, and
- (j) the proposed development provides a safe and secure environment for its residents.

## **Gosford Local Environmental Plan No 429**

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*. (N01/00236/S69)

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

Clause 1 Gosford Local Environmental Plan No 429

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## Gosford Local Environmental Plan No 429

### 1 Name of plan

This plan is *Gosford Local Environmental Plan No 429*.

### 2 Aims of plan

(1) This plan aims to amend the provisions of *Gosford Planning Scheme Ordinance* relating to the following:

- (a) bed and breakfast accommodation,
- (b) cluster development,
- (c) motels,
- (d) brothels,
- (e) tourist units,
- (f) exempt development,
- (g) complying development.

Amendments concerning dual occupancy minimum lot size and minimum lot sizes for residential flat buildings in Zones Nos 2 (b), 2 (c), 3 (a) and 3 (b) are deferred.

(2) This plan aims to amend the provisions of *Interim Development Order No 122—Gosford* relating to the following:

- (a) bed and breakfast accommodation,
- (b) cluster development,
- (c) motels,
- (d) brothels,
- (e) home industries in Zone No 1 (a),
- (f) attached dual occupancies in Zone No 7 (b),
- (g) motels in Zone No 7 (c3),
- (h) tourist units,
- (i) exempt development,
- (j) complying development,
- (k) the correction of an error.

Gosford Local Environmental Plan No 429

Clause 3

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

This plan applies to all land to which *Gosford Planning Scheme Ordinance* and *Interim Development Order No 122—Gosford* apply.

### **4 Relationship to other environmental planning instruments**

- (1) This plan amends:
  - (a) *Gosford Planning Scheme Ordinance* in the manner set out in Schedule 1, and
  - (b) *Interim Development Order No 122—Gosford* in the manner set out in Schedule 2.
- (2) A development application made, but not finally determined, before the commencement of this plan in relation to land to which this plan applies is to be determined as if this plan had not been made.



Gosford Local Environmental Plan No 429

Schedule 1 Amendment of Gosford Planning Scheme Ordinance

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## Schedule 1 Amendment of Gosford Planning Scheme Ordinance

(Clause 4 (1) (a))

### [1] Clause 3 Interpretation

Omit the definition of *Bed and breakfast accommodation* from clause 3 (1).

Insert instead:

*Bed and breakfast accommodation* means a room or suite of rooms capable of being used as bedrooms that are within or attached to a single dwelling-house and that are used for the provision, by the permanent residents of the dwelling-house, of short-term paid accommodation.

### [2] Clause 3 (1), definition of “Cluster development”

Omit the definition. Insert instead:

*Cluster development* means the erection of 3 or more dwellings on a single allotment of land.

### [3] Clause 3 (1), definition of “Motel”

Omit “or residential flat building”.

Insert instead “, residential flat building or bed and breakfast accommodation”.

### [4] Clause 3 (1)

Insert in alphabetical order:

*Prostitution* includes acts of prostitution between persons of different sexes or of the same sex, and includes:

- (a) sexual intercourse (as defined in section 61H of the *Crimes Act 1900*) for payment, and
- (b) masturbation committed by one person on another for payment.

Gosford Local Environmental Plan No 429

Amendment of Gosford Planning Scheme Ordinance

Schedule 1

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*Tourist unit* means a room or suite of rooms occupied or used, or so constructed or adapted as to be able to be occupied or used, on a temporary basis for the accommodation of tourists only.

**[5] Clause 3 (1), definition of “residential flat building”**

Omit “but does not include anything elsewhere defined in this Ordinance”.

**[6] Clause 30AD**

Insert after clause 30AC:

**30AD Bed and breakfast accommodation**

The Council must not grant consent to the carrying out of development for the purposes of bed and breakfast accommodation if the proposed development involves more than 4 bedrooms or accommodation for more than 8 guests.

**[7] Clause 45CE Complying development**

Insert “and the development of which would cause disturbance of those acid sulphate soils” after “soils” in clause 45CE (3) (a) (iii).

**[8] Clause 45CE (3A)**

Insert after clause 45CE (3):

(3A) Despite subclause (3), development for the purposes of swimming pools or spas is not prevented from being complying development merely by the fact that it is carried out on land that is flood liable or subject to a high bushfire hazard as shown on a map held by the Council.

Gosford Local Environmental Plan No 429

Schedule 1 Amendment of Gosford Planning Scheme Ordinance

**[9] Schedules 10 and 11**

Omit the Schedules. Insert instead:

**Schedule 10 Exempt development**

(Clause 45CD)

Type of development	Limit
<b>1 Erection and use of a business identification sign listed below</b>	
(a) Business signs in Business Zones	
Suspended under awning sign	<p><b>Maximum size:</b> 1.5m<sup>2</sup> in area</p> <p><b>Siting:</b> if over a public road, erected at a minimum height of 3m above ground level</p> <p><b>Structure:</b> one per premises securely fixed by metal supports</p> <p><b>Heritage:</b> not erected on an item of environmental heritage</p>
Vertical or horizontal projecting wall signs	<p><b>Maximum size:</b> 2.5m<sup>2</sup> in area</p> <p><b>Siting:</b> if over a public road, erected at a minimum height of 3m above ground level</p> <p><b>Structure:</b> one per premises</p> <p><b>Heritage:</b> not erected on an item of environmental heritage</p>

Gosford Local Environmental Plan No 429

Amendment of Gosford Planning Scheme Ordinance

Schedule 1

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Type of development	Limit	
Flush wall signs	<b>Maximum size:</b>	2.5m <sup>2</sup> in area
	<b>Siting:</b>	if over a public road, erected at a minimum height of 3m above ground level
	<b>Structure:</b>	securely fixed
	<b>Heritage:</b>	not erected on an item of environmental heritage
(b) Business identification signs in Industrial Zones	<b>Maximum size:</b>	2.5m <sup>2</sup> in area
	<b>Siting:</b>	if over a public road, erected at a minimum height of 3m above ground level
	<b>Structure:</b>	securely fixed
(c) Business identification signs in Residential Zones	<b>Maximum size:</b>	0.75m <sup>2</sup> in area
	<b>Siting:</b>	if over a public road, erected at a minimum height of 3m above ground level

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## Gosford Local Environmental Plan No 429

## Schedule 1 Amendment of Gosford Planning Scheme Ordinance

Type of development	Limit
<p><b>2 Ancillary development relating to a dwelling, being the erection and use of a structure listed below on land other than land in Zone No 2 (f), 4 (a), 4 (b), 4 (c), 4 (d), 5 (a), 5 (d), 5 (e), 6 (a), 6 (b), 6 (c), 6 (d), 6 (e) or 9 (a) and other than on land that is within 50m of a beach that has been subject to a coastal processes study by the Council</b></p>	
(a) Air conditioning units	<p><b>Siting:</b> attached to an external wall or ground mounted involving fully integrated systems</p> <p>all mechanical components and their enclosures located a minimum of 6m from any property boundary and behind building line to any street frontage</p>
(b) Awnings, canopies and storm blinds	<p><b>Maximum area:</b> 10m<sup>2</sup> per structure</p> <p>maximum aggregate area of 30m<sup>2</sup></p> <p><b>Siting:</b> located wholly within property boundaries</p> <p><b>Drainage:</b> incorporates drainage to prevent discharge of stormwater to adjoining properties and provides discharge to appropriate outlets</p>

Gosford Local Environmental Plan No 429

Amendment of Gosford Planning Scheme Ordinance

Schedule 1

Type of development	Limit
(c) Barbecues	<p><b>Maximum size:</b> 10m<sup>2</sup> in area</p> <p><b>Maximum height:</b> 2.1m</p> <p><b>Siting:</b> located behind the building line and not located in a prominent location</p> <p>located in an area not to cause a nuisance to those on adjoining allotments</p> <p>minimum of 450mm from boundary</p>
(d) Bird aviaries, cabanas, cubby houses, garden sheds, greenhouses and shade houses and workshops and the like	<p><b>Maximum size:</b> maximum floor area of 12m<sup>2</sup></p> <p>maximum height of 2.4m</p> <p><b>Siting:</b> minimum of 450mm from boundary</p> <p>located in the rear yard</p> <p>not located in a highly visible or prominent position</p> <p><b>Structure:</b> one per premises</p> <p><b>Drainage:</b> adequate disposal of stormwater</p> <p>stormwater not directed to adjoining properties</p> <p>not where structure will impede floodways or overland flowpaths</p>

## Gosford Local Environmental Plan No 429

## Schedule 1 Amendment of Gosford Planning Scheme Ordinance

Type of development	Limit
(e) Children's play equipment (other than cubbyhouses)	<p><b>Bushfire control:</b> no structure consisting of highly flammable materials on land shown as high bushfire hazard on a map held by the Council</p> <p><b>Usage:</b> for domestic purposes only</p> <p><b>Maximum size:</b> maximum height of 2.4m (except for basketball backboards and poles—maximum height of 3.5m)</p> <p><b>Siting:</b> located behind building line to any street frontage</p>
(f) Clothes lines	<p>located at least 900mm from any property boundary</p> <p><b>Siting:</b> located behind building line to any street frontage and not within the front yard</p>
(g) Decks	<p><b>Installation:</b> to manufacturer's specifications</p> <p><b>Maximum size:</b> maximum area of 30m<sup>2</sup></p> <p>maximum width of 3m</p> <p>maximum height of 500mm above finished ground level</p>

Gosford Local Environmental Plan No 429

Amendment of Gosford Planning Scheme Ordinance

Schedule 1

Type of development	Limit
	<p data-bbox="788 622 863 654"><b>Siting:</b></p> <p data-bbox="1018 622 1259 678">located behind building line</p> <p data-bbox="1018 707 1262 763">minimum side boundary setback of 3m</p> <p data-bbox="1018 792 1246 875">not within a secondary overflow path or natural watercourse</p> <p data-bbox="1018 904 1262 965">not over an easement or right of carriageway</p> <p data-bbox="1018 994 1259 1099">not within the zone of influence of an existing sewer main or drainage easement</p>
	<p data-bbox="788 1128 903 1160"><b>Structure:</b></p> <p data-bbox="1018 1128 1246 1189">not roofed or enclosed on sides</p> <p data-bbox="1018 1218 1243 1274">structurally sound and of good quality</p> <p data-bbox="1018 1303 1230 1408">all timbers to be of a minimum durability class 2 or adequately treated</p>
	<p data-bbox="788 1438 986 1469"><b>Bushfire control:</b></p> <p data-bbox="1018 1438 1267 1603">no structure consisting of highly flammable materials on land shown as high bushfire hazard on a map held by the Council</p>



## Gosford Local Environmental Plan No 429

## Schedule 1 Amendment of Gosford Planning Scheme Ordinance

Type of development	Limit	
(h) Driveways within property boundaries	<b>Heritage:</b>	not on land affected by <i>Gosford Local Environmental Plan No 183, Development Control Plan No 34—Items of Environmental Heritage</i> , the <i>Heritage Act 1977</i> or <i>Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)</i>
	<b>Maximum size:</b>	maximum width of 3.5m
	<b>Siting:</b>	located at or near ground level so as not to require retaining or filling to depths greater than 600mm
	<b>Structure:</b>	complies with the requirements of AS 2890.1—1993, <i>Parking facilities, Part 1: Off-street car parking</i>
	<b>Drainage:</b>	incorporates drainage to prevent discharge of surface water to adjoining properties and to provide discharge to appropriate outlets  does not affect the overland flowpath of surface water so as to adversely affect adjoining properties

Gosford Local Environmental Plan No 429

Amendment of Gosford Planning Scheme Ordinance

Schedule 1

Type of development	Limit
(i) Fences—front	<p><b>Tree protection:</b> driveways located within 3m of existing trees are constructed of loose pavers to allow minor ground movement due to root system</p> <p><b>Maximum height:</b> open style (eg picket or pool fencing): 1.2m solid (eg decorative brick or timber): 1m</p> <p><b>Siting:</b> on or behind the building line gates do not obstruct pedestrian access along a public roadway</p> <p><b>Structure:</b> of materials compatible with streetscape not made of solid metal materials no fences with high flammability on land shown as high bushfire hazard on a map held by the Council</p> <p><b>Tree protection:</b> no strip footing construction where a tree is located within 3m on either private or public property</p>
(j) Fences—side and rear	<p><b>Maximum size:</b> maximum height of 1.8m</p>

## Gosford Local Environmental Plan No 429

## Schedule 1 Amendment of Gosford Planning Scheme Ordinance

Type of development	Limit
(k) Flagpoles	<p data-bbox="783 622 1262 763"><b>Siting:</b> not where fence will impede floodways or overland flowpaths behind building line does not interfere with traffic visibility at intersections</p> <p data-bbox="783 904 1262 1046"><b>Tree protection:</b> no strip footing construction where a tree is located within 3m on either private or public property</p> <p data-bbox="783 1075 1262 1323"><b>Privacy screens:</b> open style privacy screens such as lattice must have a maximum length of 3m and a maximum height above the fence of 450mm and must not be attached to the fence structure</p>
	<b>Maximum size:</b> maximum height of 6m above existing ground level
	<b>Siting:</b> located at least 1m from any boundaries
	<b>Structure:</b> one only for any single allotment of land structurally adequate
(l) Lighting	<b>General:</b> not for a tennis court or sportsfield
(m) Paving (not including paths)	<b>Maximum size:</b> maximum area of 30m <sup>2</sup>
	<b>Siting:</b> at ground level

Gosford Local Environmental Plan No 429

Amendment of Gosford Planning Scheme Ordinance

Schedule 1

Type of development	Limit
(n) Pergolas and sails	<p><b>Drainage:</b> incorporates drainage to prevent discharge of surface water to adjoining properties and to provide discharge to appropriate outlets</p> <p>does not affect the overland flowpath of surface water so as to adversely affect adjoining properties</p>
	<p><b>Tree protection:</b> areas of paving located within 3m of existing trees are constructed of loose pavers to allow minor ground movement due to root system</p>
	<p><b>Maximum size:</b> maximum area of 30m<sup>2</sup></p> <p>maximum height of 2.4m above ground or, if the building has a deck, above existing deck level</p>
	<p><b>Siting:</b> minimum side boundary setback of 900mm</p> <p>behind building line</p> <p>not within the zone of influence of an existing sewer main or drainage easement</p> <p>not over an easement or right of carriageway</p> <p>not within a secondary overflow path or natural watercourse</p>

## Gosford Local Environmental Plan No 429

## Schedule 1 Amendment of Gosford Planning Scheme Ordinance

Type of development	Limit
	<p><b>Bushfire control:</b> no pergolas with high flammability on land shown as high bushfire hazard on a map held by the Council</p>
	<p><b>Drainage:</b> not where pergolas will impede floodways or overland flowpaths</p>
	<p><b>Structure:</b> only one per lot and not exceeding an aggregate area of 30m<sup>2</sup></p> <p>not roofed or enclosed on sides</p> <p>not attached to fences</p> <p>structurally sound and of good quality</p> <p>all timbers to be of a minimum durability class 2 or adequately treated</p> <p>sails to be made of a pervious material and to comply with the manufacturer's specifications</p>

Gosford Local Environmental Plan No 429

Amendment of Gosford Planning Scheme Ordinance

Schedule 1

Type of development	Limit	
(o) Rainwater tanks on land other than on land in Zone No 1 (a), 1 (b), 1 (c) or 1 (d)	<b>Heritage:</b>	not on properties affected by <i>Gosford Local Environmental Plan No 183, Development Control Plan No 34—Items of Environmental Heritage</i> , the <i>Heritage Act 1977</i> or <i>Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)</i>
	<b>Maximum size:</b>	maximum volume of 4,500 litres
	<b>Specifications:</b>	complies with AS/NZS 2179,1:1994, <i>Specifications for rainwater goods, accessories and fasteners, Part 1: Metal shape or sheet rainwater goods, and metal accessories and fasteners</i> and AS 2180—1986, <i>Metal rainwater goods—Selection and installation</i>
		maximum height of 1.8m above ground level

## Gosford Local Environmental Plan No 429

## Schedule 1 Amendment of Gosford Planning Scheme Ordinance

Type of development	Limit
	<p data-bbox="783 622 1275 712"><b>Siting:</b> located at least 900mm from any property boundaries</p> <p data-bbox="783 734 1275 824">located behind building line to any street frontage</p> <p data-bbox="783 846 1275 936">not located over stormwater or sewer pipes</p> <p data-bbox="783 958 1275 1025">not resting on the edge of wall footings</p> <p data-bbox="783 1048 1275 1160"><b>Drainage:</b> provision made to prevent overflow running onto adjoining properties</p> <p data-bbox="783 1182 1275 1361"><b>Structure:</b> support structure to manufacturer's specifications or requirements of a qualified practising structural engineer</p> <p data-bbox="783 1384 1275 1496">all openings are sealed or protected to prevent ingress of animals and insects</p> <p data-bbox="783 1518 1275 1662"><b>Water connection:</b> no connection or cross-connection between the reticulated town water supply and tank water</p>

Gosford Local Environmental Plan No 429

Amendment of Gosford Planning Scheme Ordinance

Schedule 1

Type of development	Limit
(p) Rainwater tanks on land in Zone No 1 (a), (b), 1 (c) or 1 (d)	<p><b>Specifications:</b> complies with AS/NZS 2179.1:1994, <i>Specifications for rainwater goods, accessories and fasteners, Part 1: Metal shape or sheet rainwater goods, and metal accessories and fasteners</i> and AS 2180—1986, <i>Metal rainwater goods—Selection and installation</i></p>
(q) Retaining walls	<p>support structure to manufacturer's specifications or requirements of qualified practising structural engineer</p> <p><b>Structure:</b> not resting on the edge of wall footings</p> <p><b>Maximum area:</b> maximum height of 1m above or below natural ground level</p> <p><b>Siting:</b> located on slopes not greater than 20%</p> <p>located no closer than 5m apart</p> <p>not constructed over sewer mains or sewer manholes</p>



## Gosford Local Environmental Plan No 429

## Schedule 1 Amendment of Gosford Planning Scheme Ordinance

Type of development	Limit
	<p><b>Structure:</b> structurally sound and of good quality</p> <p>masonry walls comply with: AS 3700—2001, <i>Masonry structures</i>, AS 3600—2001, <i>Concrete structures</i>, AS/NZS 1170.1:2002, AS/NZS 1170.2:2002 and AS 1170.4—1993, (Minimum design loads on structures)</p> <p>timber walls comply with: AS 1720.1—1997, AS 1720.2—1990 and AS 1720.4—1990, (Timber structures) AS/NZS 1170.1:2002, AS/NZS 1170.2:2002 and AS 1170.4—1993, (Minimum design loads on structures)</p> <p><b>Drainage:</b> do not impede the natural flow of stormwater drainage or run-off</p> <p><b>Tree protection:</b> not constructed within 3m of an existing tree</p>

Gosford Local Environmental Plan No 429

Amendment of Gosford Planning Scheme Ordinance

Schedule 1

Type of development	Limit	
(r) Satellite dishes	<b>Maximum size:</b>	maximum diameter of 1.2m
	<b>Siting:</b>	maximum height of 1.5m above lowest point of roof
		behind the building line and located no closer than 900mm to side boundaries
		no detrimental effect on adjoining properties
	<b>Usage:</b>	for domestic purposes only
(s) Skylights and roof windows (including solar tubes or similar installations)	<b>Maximum area:</b>	maximum area of skylight does not exceed 1m <sup>2</sup>
	<b>Siting:</b>	located not less than 900mm from a property boundary and not less than 900mm from a wall separating attached dwellings
	<b>Structure:</b>	building work will not reduce the structural integrity of the building or involve structural alterations
		any openings created by the installation are adequately weatherproofed

## Gosford Local Environmental Plan No 429

## Schedule 1 Amendment of Gosford Planning Scheme Ordinance

Type of development	Limit	
(t) Solar water heaters	<b>Installation:</b>	installed to manufacturer's specifications
		installed by a licensed person and in accordance with the provisions of the relevant Australian Standards
	<b>Structure:</b>	does not reduce the structural integrity of the building
		any opening is sealed by the use of adequate weatherproofing
(u) Solid fuel heaters	<b>Structure:</b>	complies with AS/NZS 4013:1999, <i>Domestic solid fuel burning appliances—Method for determination of flue gas emission</i>
		rain excluders, if used, are of a type which do not impede the vertical flow of exhaust gases
	<b>Installation:</b>	in accordance with AS/NZS 2918:2001, <i>Domestic solid fuel burning appliances—Installation</i> and undertaken by licensed installer
	<b>Siting:</b>	chimney or flue a minimum of 300mm above any structure within a 3.6m horizontal radius

Gosford Local Environmental Plan No 429

Amendment of Gosford Planning Scheme Ordinance

Schedule 1

Type of development	Limit	
(v) Television aerials or antennae	<b>Point of discharge:</b>	the top of the chimney or flue must be at least 1m higher than any other building within a 15m radius
	<b>Height of chimney or flue:</b>	maximum height of 6m above roof
	<b>Maximum size:</b>	maximum height of 6m above roof
		maximum width of 1.5m
(w) Temporary buildings: <ul style="list-style-type: none"> <li>• builders' sheds</li> <li>• portaloos</li> <li>• scaffolds</li> </ul> associated with construction sites where development consent or construction certificate approval exists	<b>Siting:</b>	located within property boundaries
	<b>Structure:</b>	structurally adequate
		on site for a period of not more than 5 months within any 12-month period
	<b>Drainage:</b>	stormwater not directed to adjoining properties
(x) Water heaters (other than solar systems)	<b>Installation:</b>	carried out by a licensed person
(y) Access ramps and stairs	<b>Maximum size:</b>	maximum height of 1m
		maximum grade of 1:14 (ramps)
	<b>Location:</b>	behind building alignment

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Type of development	Limit
<p><b>3 Demolition on land other than land in Zone No 5 (d), 5 (e) or 6 (d)</b></p>	<p><b>Standard:</b> In accordance with the <i>Building Code of Australia</i> and AS 1428.1—2001, <i>Design for access and mobility, Part 1: General requirements for access—New building work</i></p> <p>Demolition is carried out in accordance with AS 2601—2001, <i>Demolition of structures</i></p>
<p>(other than a heritage item affected by <i>Gosford Local Environmental Plan No 183, Development Control Plan No 34—Items of Environmental Heritage</i>, the <i>Heritage Act 1977</i> or <i>Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)</i> or demolition requiring a waste management plan under <i>Development Control Plan No 106—Controls for Site Waste Management</i></p>	
<p><b>4 Maintenance to an existing dwelling or part of a dwelling or associated structure on land other than land in Zone No 2 (f), 4 (a), 4 (b), 4 (c), 4 (d), 5 (a), 5 (d), 5 (e), 6 (a), 6 (b), 6 (c), 6 (d), 6 (e) or 9 (a) and other than on land that is within 50m of a beach that has been subject to a coastal processes study prepared by the Council</b></p>	<p>Rotten or white ant affected timbers may only be replaced with new timber or recycled timber of the same or similar dimensions</p> <p>Damaged, rotten or deteriorated doors and windows may only be replaced with new materials of similar overall dimensions in the same locations</p> <p>Wall and ceiling sheet cladding materials may only be replaced with new sheet cladding materials</p> <p>Where materials are external, the replacement of masonry is not permitted</p>

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Type of development	Limit
	Roofing materials may only be replaced with new roofing of the same type, to the same slope and framework as previously existed, that is, with no change to the roofline
	Includes a change from tiles to metal sheeting, but only if stormwater is to be directed to an approved drainage system
	Includes the replacement of floor and wall tiles and plumbing fittings and prime cost items within the building
	Kitchen cabinets may only be replaced with new kitchen cabinets and benchtops in the same kitchen room area as existed
	<p>The movement, deletion or inclusion of doorways within the structure may occur only if:</p> <ul style="list-style-type: none"> <li data-bbox="783 1182 1246 1294">(a) it does not cause a change in archways, room size or layout of the existing dwelling or part of the existing dwelling, and</li> <li data-bbox="783 1301 1182 1332">(b) the work is non-structural, and</li> <li data-bbox="783 1339 1214 1370">(c) there is no reduction of light and ventilation to existing rooms, and</li> <li data-bbox="783 1377 1118 1406">(d) the work is internal only</li> </ul>
	All exterior materials are to be of low reflectivity. Works to comply with the provisions of the <i>Building Code of Australia</i> and relevant Australian Standards
	Does not include any increase in floor area or the movement of walls, replacement of one type of wall with another (such as replacing a timber frame wall with brickwork), building decks, moving kitchens to other areas or changing the roof shape, pitch or height
	Does not involve the total rebuilding of a structure by virtue of dilapidation or deterioration

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Type of development	Limit
<b>5 Minor internal alterations to, or replacement of, a building or work not associated with a dwelling on land other than land in Zone No 2 (f), 5 (d), 5 (e), 6 (d), 6 (e) or 9 (a) and other than land that is within 50m of a beach that has been subject to a coastal processes study prepared by the Council</b>	<p><b>Heritage:</b> not on properties affected by <i>Gosford Local Environmental Plan No 183, Development Control Plan No 34—Items of Environmental Heritage</i>, the <i>Heritage Act 1977</i> or <i>Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)</i></p> <p><b>Structure:</b> alteration involves only the internal fabric or the appearance of the building or work or alterations to the external fabric or appearance of the building or work (being changes that involve the repair or renovation of painting, plastering or other decoration of the building or work)</p> <p>the development does not involve the enlargement or extension of the work</p> <p>non-structural work only</p> <p>no reduced light or ventilation from windows, no reduced doorways for egress purposes and no enclosure of open areas</p>

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Type of development	Limit
	alterations or renovations to previously completed buildings only
	no change to roofline
	no changes to configuration of rooms, whether by removal of existing walls or partitions or by other means
	building before and after alterations complies with safety provisions of the <i>Building Code of Australia</i>
	<b>Materials:</b> materials other than masonry
	external materials of low reflectivity
	<b>Heritage:</b> not on properties affected by <i>Gosford Local Environmental Plan 183, Development Control Plan No 34—Items of Environmental Heritage</i> , the <i>Heritage Act 1977</i> or <i>Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)</i>
	<b>Drainage:</b> stormwater directed to an approved drainage system



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Type of development	Limit	
<b>6 Carrying out of minor works in public areas being the erection and use of a structure listed below on land other than land in Zone No 2 (f), 5 (a), 5 (d), 5 (e), 6 (d) or 6 (e) and other than land that is within 50m of a beach that has been subject to a coastal processes study prepared by the Council</b>		
(a) Access ramps	<b>Maximum size:</b>	Maximum height of 1m  Maximum grade of 1:14 (for ramps)
	<b>Standard:</b>	In accordance with the <i>Building Code of Australia</i> and AS 1428.1—2001, <i>Design for access and mobility, Part 1: General requirements for access—New building work</i>
(b) Bridges and staircases installed in public parks and recreation areas	<b>Structure:</b>	bridges to maximum span of 5m and constructed by or for the Council  design, fabrication and installation to be in accordance with AS 4100—1998 (for steel structures) and AS 1720.1—1997, AS 1720.2—1990 and AS 1720.4—1990 (for timber structures)

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Type of development	Limit
(c) Goal posts, sight screens and similar ancillary sporting structures on sporting or playing fields for the use in playing or performance of sporting events (excluding grandstands, dressing sheds and other such structures)	<b>Standards:</b> construction by or for the Council or sporting organisation and installed in accordance with relevant Australian Standards
(d) Parks and street furniture including seats, bins, picnic tables and minor shelters	<b>Standards:</b> construction by or for the Council and installed in accordance with relevant Australian Standards
(e) Playground equipment on community land	<b>Standards:</b> constructed by or for the Council and designed, fabricated and installed in accordance with the relevant Australian Standards
<b>7 Development for the purpose of recreation and sporting facilities of minor environmental significance</b>	<b>General:</b> in accordance with a plan of management prepared by the Council
<b>8 Subdivisions of minor environmental significance on land other than land in Zone No 2 (f), 5 (d), 5 (e), 6 (d), 9 (a), 9 (b) or 9 (c)</b>	<b>General:</b> subdivision for one of the following purposes only: <ul style="list-style-type: none"> <li>• widening a public road</li> </ul>

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## Schedule 1      Amendment of Gosford Planning Scheme Ordinance

Type of development	Limit
	<ul style="list-style-type: none"> <li>• making an adjustment to a boundary between allotments, being an adjustment that does not involve the creation of any additional allotment</li> <li>• making an adjustment to a boundary between allotments that does not constitute a resubdivision</li> <li>• a minor adjustment that does not significantly change the size or shape of the allotments by more than 10%</li> <li>• rectifying an encroachment on an allotment</li> <li>• creating a public reserve</li> <li>• consolidating allotments</li> </ul>

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Type of development	Limit
	<ul style="list-style-type: none"> <li>• excising from an allotment land which is, or is intended to be, used for public purposes, including drainage purposes, the purposes of a rural fire brigade or other rescue service, or for public conveniences</li> </ul>
	<ul style="list-style-type: none"> <li>• making an adjustment to a boundary between allotments, being an adjustment that does not involve allotments with a split land use zone classification, flood liable classification, bushfire hazard classification or requiring geotechnical assessment</li> </ul>

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Schedule 1 Amendment of Gosford Planning Scheme Ordinance

## Schedule 11 Complying development

(Clause 45CE)

Type of development	Development standards	
<b>1 Ancillary development (other than exempt development) relating to a dwelling, being the erection and use of:</b> <ul style="list-style-type: none"> <li>• Awnings, canopies or storm blinds</li> <li>• Cabanas, gazebos or greenhouses</li> <li>• Cubbyhouses</li> <li>• Garden sheds</li> <li>• Workshops and the like</li> <li>• Screen enclosures</li> </ul>	<b>Size:</b>	minimum area of 10m <sup>2</sup> and maximum area of 20m <sup>2</sup>  maximum height of 2.4m above ground level or existing deck level (awnings only)
		screen enclosures to remain open for two-thirds of the perimeter of the structure
		screen materials only permitted in open areas
	<b>Siting:</b>	no part of the structure is located in front of the Council's building line
		external wall of the structure set back at least 900mm from a side or rear boundary
		posts of awnings or pergolas may extend to the allotment boundary provided no part of the structure encroaches beyond that boundary
		roof covering set back 500mm from boundary

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Type of development	Development standards	
<b>2 Erection and use of a garage, carport or awning associated with a dwelling</b>	<b>Materials:</b>	non-reflective external walling and roofing materials
	<b>Stormwater:</b>	stormwater disposal for roofed structures connected to street gutter or disposal area
	<b>High bushfire hazard:</b>	only structures built of non-combustible materials permitted
	<b>Flood liable:</b>	structures built of flood compatible materials permitted (see <i>Development Control Plan No 115</i> )
	(a) Carports and awnings	<b>Maximum size:</b>
	<b>Maximum height:</b>	250cm from ground level to ground floor level
		2.7m from floor level to underside of eaves
		maximum roof pitch of 25 degrees
	<b>Siting:</b>	no part of the structure is located in front of the Council's building line
		external wall of the structure set back at least 900mm from a side or rear boundary

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Type of development	Development standards
	<b>Materials:</b> non-reflective external walling and roofing materials
	<b>Stormwater:</b> stormwater disposal for roofed structures connected to street gutter or disposal area
	<b>High bushfire hazard:</b> only structures built of non-combustible materials permitted
	<b>Flood liable:</b> structures built of flood compatible materials permitted (see <i>Development Control Plan No 115</i> )
	<b>Streetscape:</b> where facing a public road or access way—maximum width of 6m or 50% of the frontage, whichever is less
	<b>Setback:</b> carport or awning posts may extend to the allotment boundary provided no part of the structure encroaches beyond that boundary  roof covering set back 500mm from boundary
	<b>Tree protection:</b> no part of the structure located within 6m of an existing tree

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Type of development	Development standards
(b) Garages	<p data-bbox="788 622 1264 654"><b>Maximum size:</b> maximum area of 50m<sup>2</sup></p> <p data-bbox="1018 680 1264 712">maximum height of:</p> <ul data-bbox="1018 712 1264 931" style="list-style-type: none"> <li data-bbox="1018 712 1264 819">• 250mm from ground level to ground floor level</li> <li data-bbox="1018 819 1264 931">• 2.7m from floor level to underside of eaves</li> </ul> <p data-bbox="1018 963 1264 1021">maximum roof pitch of 25 degrees</p> <p data-bbox="788 1048 1264 1133"><b>Siting:</b> no part of the structure located in front of the Council's building line</p> <p data-bbox="1018 1160 1264 1267">external wall of the structure set back at least 900mm from a side or rear boundary</p> <p data-bbox="788 1294 1264 1379"><b>Tree protection:</b> no part of the structure located within 6m of an existing tree</p> <p data-bbox="788 1406 1264 1491"><b>Materials:</b> non-reflective external walling and roofing materials</p> <p data-bbox="788 1518 1264 1693"><b>Streetscape:</b> where facing a public road or access way—maximum width of 6m or 50% of the frontage, whichever is the lesser</p> <p data-bbox="788 1720 1264 1805"><b>Stormwater:</b> stormwater connected to street gutter or disposal area</p>



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Type of development	Development standards	
3 Construction and use of spas and swimming pools associated with a dwelling	<b>High bushfire hazard:</b>	structures built of non-combustible materials permitted
	<b>Flood liable:</b>	the installation of sewer drainage fixtures not permitted
		structures built of flood compatible materials permitted (see <i>Development Control Plan No 115</i> )
	<b>Siting:</b>	no part of the structure located in front of the Council's building line
		located a minimum of 1.2m from side or rear boundaries (measurement is from boundary to edge of water)
	<b>Height:</b>	pool coping and decking no more than 500mm above ground level
	<b>Fencing:</b>	minimum of 1.2m in height with self latching gate
		to comply with the provisions of the <i>Swimming Pools Act 1992</i> and AS 1926.1—1993, <i>Swimming pool safety, Part 1: Fencing for swimming pools</i>

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Type of development	Development standards
<b>Noise:</b>	filtration or pumps do not exceed a noise level 5dBA above the ambient background level measured at the property boundary
<b>Overflow:</b>	backwash disposed of to sewer  overflow pipe provided and connected to sewer  wherever sewer is not available, backwash and overflow is to be directed to a suitable on site location that does not affect adjoining properties or pollute any natural watercourse
<b>Drainage:</b>	coping graded and drained so as not to cause a nuisance to adjoining property
<b>Tree protection:</b>	no part of the structure located within 6m of an existing tree
<b>Flood liable:</b>	permitted subject to electrical fixtures being located above the 1% Annual Exceedance Probability

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Type of development	Development standards	
<b>4 Alterations or additions to a dwelling (not including awnings, enclosures and the like)</b>		
(a) Minor internal alterations (structural and non-structural) to a dwelling, and minor additions or alterations to detached single storey dwelling-house	<b>Siting:</b>	setback of external walls: <ul style="list-style-type: none"> <li>• no part of the structure located in front of the Council's building line</li> <li>• from side and rear boundary—minimum of 900mm</li> </ul>
		setback of eaves and gutters overhang a minimum of 675mm from side and rear boundaries
	<b>Maximum area:</b>	maximum floor space of 50m <sup>2</sup>  maximum floor space ratio of 0.5:1
	<b>Structure:</b>	maximum height of: <ul style="list-style-type: none"> <li>• 2.7m from floor level to underside of eaves</li> <li>• 500mm from ground level to ground floor level</li> </ul>
		roof pitch compatible with the pitch of the existing dwelling

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Type of development	Development standards
(b) Major additions or alterations to detached single storey dwelling-house	<p data-bbox="788 624 879 656"><b>Privacy:</b></p> <p data-bbox="1018 624 1267 763">windows in a habitable room having an outlook to an adjoining dwelling and within 3m of a boundary:</p> <ul data-bbox="1018 792 1267 1155" style="list-style-type: none"> <li data-bbox="1018 792 1267 902">• are at least 0.5m from the window of the adjoining dwelling, or</li> <li data-bbox="1018 909 1267 987">• have sill heights of 1.5m above floor level, or</li> <li data-bbox="1018 994 1267 1155">• have fixed opaque glass in any part of the windows less than 1.5m above floor level</li> </ul>
	<p data-bbox="788 1184 975 1216"><b>Tree protection:</b></p> <p data-bbox="1018 1184 1267 1263">no part of the structure located within 6m of an existing tree</p>
	<p data-bbox="788 1296 903 1328"><b>Structure:</b></p> <p data-bbox="1018 1296 1267 1352">maximum floor space ratio of 0.5:1</p> <p data-bbox="1018 1382 1267 1413">maximum height of:</p> <ul data-bbox="1018 1420 1267 1630" style="list-style-type: none"> <li data-bbox="1018 1420 1267 1520">• 2.7m from floor level to underside of eaves</li> <li data-bbox="1018 1527 1267 1630">• 500mm from ground level to ground floor level</li> </ul> <p data-bbox="1018 1659 1267 1718">roof pitch a maximum of 25 degrees</p>

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Type of development	Development standards
	<p><b>Siting:</b> setback of external walls:</p> <ul style="list-style-type: none"> <li>• no part of the structure located in front of the Council's building line</li> <li>• from side and rear boundary—minimum of 900mm</li> </ul> <p>setback of eaves and gutters overhang a minimum of 675mm from side and rear boundaries</p> <p><b>Carparking:</b> 1 carparking space provided behind front building line. Each space has minimum dimensions of 2.7m x 5.5m</p> <p><b>Privacy:</b> windows in a habitable room having an outlook to an adjoining dwelling and within 3m of a boundary:</p> <ul style="list-style-type: none"> <li>• are at least 0.5m from the window of the adjoining dwelling, or</li> <li>• have sill heights of 1.5m above floor level, or</li> <li>• have fixed opaque glass in any part of the window less than 1.5m above floor level</li> </ul>

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Type of development	Development standards
	<p><b>Energy efficiency:</b> satisfies a 3.5 star rating (Sustainable Energy Development Authority (SEDA) scorecard or Nationwide House Energy Rating Software for Australian Conditions (NatHERS) report)</p> <p><b>Standards:</b> the next door property's main area of private open space or any habitable rooms are not in shadow between 10am and 3pm on 21 June as a result of the development</p> <p>a minimum of 20% of the site has no hard surfaces</p> <p>no more than one-third of the front setback area is paved or sealed</p> <p><b>Tree protection:</b> no part of the structure located within 6m of an existing tree</p>

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## Schedule 1 Amendment of Gosford Planning Scheme Ordinance

Type of development	Development standards	
<b>5 Erection and use of dwelling-house</b>		
(a) New detached single storey dwelling-house on land other than land in Zone No 9 (b)	<b>Siting:</b>	<p>setback of external walls:</p> <ul style="list-style-type: none"> <li>• at least 6m from front boundary in residential zoned areas</li> <li>• no part of the structure located in front of the Council's building line</li> <li>• waterfront reserves—in accordance with the Council's <i>Building Line Development Control Plan</i></li> <li>• from side and rear boundary—minimum of 900mm</li> </ul>
		<p>setback of eaves and gutters overhang a minimum of 675mm from side and rear boundaries</p>
	<b>Carparking:</b>	<p>1 carparking space provided behind front building line</p>
	<b>Roof pitch:</b>	<p>maximum of 25 degrees</p>

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Type of development	Development standards
	<p><b>Structure:</b> maximum floor space ratio of 0.5:1</p> <p>maximum height of:</p> <ul style="list-style-type: none"> <li>• 2.7m from floor level to underside of eaves</li> <li>• 500mm from ground level to ground floor level</li> </ul>
	<p><b>Privacy:</b> windows in a habitable room having an outlook to an adjoining dwelling and within 3m of a boundary:</p> <ul style="list-style-type: none"> <li>• are at least 0.5m from the window of the adjoining dwelling, or</li> <li>• have sill heights of 1.5m above floor level, or</li> <li>• have fixed opaque glass in any part of the window less than 1.5m above floor level</li> </ul>
	<p><b>Energy efficiency:</b> satisfies a 3.5 star rating (Sustainable Energy Development Authority (SEDA) scorecard or Nationwide House Energy Rating Software for Australian Conditions (NatHERS) report)</p>



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Type of development	Development standards
(b) New detached two storey dwelling-house in the urban development program	<b>Tree protection:</b> no part of the structure located within 6m of an existing tree
	<b>Impact:</b> the next door property's main area of private open space or any habitable rooms are not in shadow between 10am and 3pm on 21 June as a result of the development
	<b>Landscaping:</b> a minimum of 20% of the site has no hard surfaces  no more than one-third of the front setback area is paved or sealed
	<b>Siting:</b> setback of external walls: <ul style="list-style-type: none"> <li>• 6m from front boundary in residential zones areas</li> <li>• no part of the structure located in front of the Council's building line</li> <li>• waterfront reserves—in accordance with the Council's <i>Building Line Development Control Plan</i></li> <li>• from side and rear boundary—minimum of 900mm</li> </ul>

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Type of development	Development standards
	setback of eaves and gutters overhang a minimum of 675mm from side and rear boundaries
<b>Carparking:</b>	1 carparking space provided behind front building line
<b>Roof pitch:</b>	maximum of 25 degrees
<b>Structure:</b>	maximum floor space ratio of 0.5:1
	maximum height of: <ul style="list-style-type: none"> <li>• 5.5m from floor level to underside of eaves</li> <li>• 500mm from ground level to ground floor level</li> </ul>
<b>Privacy:</b>	windows in a habitable room having an outlook to an adjoining dwelling and within 3m of a boundary: <ul style="list-style-type: none"> <li>• are at least 0.5m from the window of the adjoining dwelling, or</li> <li>• have sill heights of 1.5m above floor level, or</li> <li>• have fixed opaque glass in any part of the window less than 1.5m above floor level</li> </ul>

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Type of development	Development standards
	<p><b>Energy efficiency:</b> satisfies a 3.5 star rating (Sustainable Energy Development Authority (SEDA) scorecard or Nationwide House Energy Rating Software for Australian Conditions (NatHERS) report)</p> <p><b>Tree protection:</b> no part of the structure located within 6m of an existing tree</p> <p><b>Impact:</b> the next door property's main area of private open space or any habitable rooms are not in shadow between 10am and 3pm on 21 June as a result of the development</p> <p><b>Landscaping:</b> a minimum of 20% of the site has no hard surfaces</p> <p>no more than one-third of the front setback area is paved or sealed</p>
<p><b>6 Change of use of a building</b></p>	
(a) Light industry to light industry	<ul style="list-style-type: none"> <li>• the total floor space of the building does not exceed 500m<sup>2</sup></li> <li>• the building has either rear service access or access to off-street loading facilities</li> <li>• the building has been lawfully constructed to be used for the purposes of a light industry</li> </ul>

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Type of development	Development standards
(b) Shop to shop or commercial premises to commercial premises	<ul style="list-style-type: none"> <li>• the curtilage of the building is not intended to be used for storage or display purposes</li> <li>• the hours of operation do not extend outside 6am and 6pm</li> <li>• conditions of consent relating to previous use or construction of the building concerning matters of maintenance, of landscaping, the parking of vehicles or the provision of space for the loading or unloading of goods or vehicles are complied with</li> <li>• the building has been lawfully constructed to be used for a shop or commercial premises</li> <li>• the building is not to be used as premises in which: <ul style="list-style-type: none"> <li>(a) a category 1 restricted publication, a category 2 restricted publication or a RC publication (within the meaning of the <i>Classification (Publications, Films and Computer Games) Act 1995</i> of the Commonwealth) is displayed or sold or otherwise rendered accessible or available to the public, or</li> <li>(b) there is conducted a business an object of which is the display or sale of any article, material, compound, preparation, device or other thing (whether of the same or of a different kind or nature) that is primarily concerned with, or is used or intended to be used in connection with, sexual behaviour but is not printed matter</li> </ul> </li> <li>• the proposed use is not that of a brothel</li> </ul>

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Type of development	Development standards
<b>7 Alterations (non-residential)</b>	<ul style="list-style-type: none"> <li>• the curtilage of the shop or commercial premises is not intended to be used for storage or display purposes</li> <li>• the hours of operation of the shop or commercial premises do not extend outside the hours during which the shop or commercial premises was so used immediately before the commencement of the new use</li> <li>• conditions of consent relating to the previous use or construction of the building concerning matters of maintenance, of landscaping, the parking of vehicles or the provision of space for the loading or unloading of goods or vehicles are complied with</li> <li>• the existing building and any proposed alterations to comply with the fire safety provisions of the <i>Building Code of Australia</i></li> <li>• certification is obtained from a qualified practising structural engineer</li> <li>• the alteration involves only the internal fabric or appearance of the building</li> <li>• the development does not involve the enlargement or extension of the work</li> <li>• the existing building and any proposed alterations to comply with the fire safety provisions of the <i>Building Code of Australia</i></li> </ul>
<b>8 Machinery or hay sheds associated with agricultural activities on the property</b>	<p>non-rural zones including conservation and scenic protection zones:</p> <ul style="list-style-type: none"> <li>• maximum total area of 120m<sup>2</sup> for all sheds</li> <li>• a maximum of 3 sheds totalling 120m<sup>2</sup> for any one property</li> </ul>

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<b>Type of development</b>	<b>Development standards</b>
	properties less than 10 hectares in area:
	<ul style="list-style-type: none"><li>• maximum height of 6m</li></ul>
	nominated exclusion areas:
	<ul style="list-style-type: none"><li>• minimum setback of 5m from side and rear property boundaries</li><li>• located behind the building line and not in front of the dwelling</li></ul>

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## Schedule 2 Amendment of Interim Development Order No 122—Gosford

(Clause 4 (1) (b))

### [1] Clause 3

Omit the definition of *Bed and breakfast accommodation* from clause 3 (1).

Insert instead:

*Bed and breakfast accommodation* means a room or suite of rooms capable of being used as bedrooms that are within or attached to a single dwelling-house and that are used for the provision, by the permanent residents of the dwelling-house, of short-term paid accommodation.

### [2] Clause 3 (1), definition of “Cluster development”

Omit the definition. Insert instead:

*Cluster development* means the erection of 3 or more dwellings on a single allotment of land.

### [3] Clause 3 (1), definition of “Motel”

Omit the words “or residential flat building”.

Insert instead “, residential flat building or bed and breakfast accommodation”.

### [4] Clause 3 (1)

Insert in alphabetical order:

*Prostitution* includes acts of prostitution between persons of different sexes or of the same sex, and includes:

- (a) sexual intercourse (as defined in section 61H of the *Crimes Act 1900*) for payment, and
- (b) masturbation committed by one person on another for payment.

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*Tourist unit* means a room or suite of rooms occupied or used, or so constructed or adapted as to be able to be occupied or used, on a temporary basis for the accommodation of tourists only.

**[5] Clause 3 (1), definition of “residential flat building”**

Omit “but does not include anything elsewhere defined in this Order”.

**[6] Clause 5 Zone objectives and development control table**

Insert “home industries;” in alphabetical order in item 2 of the matter relating to Zone No 1 (a) in the Table to the clause.

**[7] Clause 5, Table**

Insert “rural tourist facilities; rural tourist units” in alphabetical order in item 2 of the matter relating to Zone Nos 1 (a) and 1 (b).

**[8] Clause 5, Table**

Insert “dual occupancies—attached;” in alphabetical order in item 2 of the matter relating to Zone No 7 (b).

**[9] Clause 5, Table**

Omit “motel;” from item 2 of the matter relating to Zone No 7 (c3).

**[10] Clause 5, Table**

Insert “tourist units;” in alphabetical order in item 2 of the matter relating to Zone No 7 (c3).

**[11] Clause 24 Tourist units**

Omit “A motel”. Insert instead “Tourist units”.

**[12] Clause 24 (2) and (3)**

Omit “a motel” wherever occurring. Insert instead “tourist units”.



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**[13] Clause 30A**

Insert after clause 30:

**30A Bed and breakfast accommodation**

The Council must not grant consent to the carrying out of development for the purposes of bed and breakfast accommodation if the proposed development involves more than 4 bedrooms or accommodation for more than 8 guests.

**[14] Clause 40C Complying development**

Insert “and the development of which would cause disturbance of those acid sulphate soils” after “soils” in clause 40C (3) (a) (iii).

**[15] Clause 40C (3A)**

Insert after clause 40C (3):

(3A) Despite subclause (3), development for the purposes of swimming pools or spas is not prevented from being complying development despite the fact that it is carried out on land that is flood liable or subject to a high bushfire hazard as shown on a map held by the Council.

**[16] Schedules 3 and 4**

Omit the Schedules. Insert instead:

**Schedule 3 Exempt development**

(Clause 40B)

Type of development	Limit
<b>1 Erection and use of a business identification sign listed below</b>	
(a) Business signs in Business Zones	
Suspended under awning	<b>Maximum size:</b> 1.5m <sup>2</sup> in area

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Type of development	Limit
sign	<p><b>Siting:</b> if over a public road, erected at a minimum height of 3m above ground level</p> <p><b>Structure:</b> one per premises securely fixed by metal supports</p> <p><b>Heritage:</b> not erected on an item of environmental heritage</p>
Vertical or horizontal projecting wall signs	<p><b>Maximum size:</b> 2.5m<sup>2</sup> in area</p> <p><b>Siting:</b> if over a public road, erected at a minimum height of 3m above ground level</p> <p><b>Structure:</b> one per premises</p> <p><b>Heritage:</b> not erected on an item of environmental heritage</p>
Flush wall signs	<p><b>Maximum size:</b> 2.5m<sup>2</sup> in area</p> <p><b>Siting:</b> if over a public road, erected at a minimum height of 3m above ground level</p> <p><b>Structure:</b> securely fixed</p> <p><b>Heritage:</b> not erected on an item of environmental heritage</p>

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Type of development	Limit	
(b) Business identification signs in Industrial Zones	<b>Maximum size:</b>	2.5m <sup>2</sup> in area
	<b>Siting:</b>	if over a public road, erected at a minimum height of 3m above ground level
	<b>Structure:</b>	securely fixed
(c) Business identification signs in Residential Zones	<b>Maximum size:</b>	0.75m <sup>2</sup> in area
	<b>Siting:</b>	if over a public road, erected at a minimum height of 3m above ground level
<b>2 Ancillary development relating to a dwelling, being the erection and use of a structure listed below on land other than land in Zone No 4, 5, 6 (a), 6 (b) or 6 (d)</b>		
(a) Air conditioning units	<b>Siting:</b>	attached to an external wall or ground mounted involving fully integrated systems
		all mechanical components and their enclosures located a minimum of 6m from any property boundary and behind building line to any street frontage

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Type of development	Limit
(b) Awnings, canopies and storm blinds	<p><b>Maximum area:</b> 10m<sup>2</sup> per structure maximum aggregate area of 30m<sup>2</sup></p> <p><b>Siting:</b> located wholly within property boundaries</p> <p><b>Drainage:</b> incorporates drainage to prevent discharge of stormwater to adjoining properties and provides discharge to appropriate outlets</p>
(c) Barbecues	<p><b>Maximum size:</b> 10m<sup>2</sup> in area</p> <p><b>Maximum height:</b> 2.1m</p> <p><b>Siting:</b> located behind the building line and not located in a prominent location</p> <p>located in an area not to cause a nuisance to those on adjoining allotments</p> <p>minimum of 450mm from boundary</p>
(d) Bird aviaries, cabanas, cubbyhouses, garden sheds, greenhouses and shadehouses and workshops and the like	<p><b>Maximum size:</b> maximum floor area of 12m<sup>2</sup> maximum height of 2.4m</p> <p><b>Siting:</b> minimum of 450mm from boundary</p> <p>located in the rear yard</p> <p>not located in a highly visible or prominent position</p>

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Type of development	Limit
(e) Children's play equipment (other than cubbyhouses)	<p><b>Structure:</b> one per premises</p> <p><b>Drainage:</b> adequate disposal of stormwater stormwater not directed to adjoining properties not where structure will impede floodways or overland flowpaths</p> <p><b>Bushfire control:</b> no structure consisting of highly flammable materials on land shown as high bushfire hazard on a map held by the Council</p> <p><b>Usage:</b> for domestic purposes only</p> <p><b>Maximum size:</b> maximum height of 2.4m (except for basketball backboards and poles—maximum height of 3.5m)</p> <p><b>Siting:</b> located behind building line to any street frontage located at least 900mm from any property boundary</p>
(f) Clothes lines	<p><b>Siting:</b> located behind building line to any street frontage and not within the front yard</p> <p><b>Installation:</b> to manufacturer's specifications</p>

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Type of development	Limit
(g) Decks	<p data-bbox="788 622 1272 824"><b>Maximum size:</b> maximum area of 30m<sup>2</sup> maximum width of 3m maximum height of 500mm above finished ground level</p> <p data-bbox="788 846 1272 1326"><b>Siting:</b> located behind building line minimum side boundary setback of 3m not within a secondary overflow path or natural watercourse not over an easement or right of carriageway not within the zone of influence of an existing sewer main or drainage easement</p> <p data-bbox="788 1348 1272 1630"><b>Structure:</b> not roofed or enclosed on sides structurally sound and of good quality all timbers to be of a minimum durability class 2 or adequately treated</p> <p data-bbox="788 1653 1272 1827"><b>Bushfire control:</b> no structure consisting of highly flammable materials on land shown as high bushfire hazard on a map held by the Council</p>

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Type of development	Limit	
(h) Driveways within the property boundaries	<b>Heritage:</b>	not on land affected by <i>Gosford Local Environmental Plan No 183, Development Control Plan No 34—Items of Environmental Heritage</i> , the <i>Heritage Act 1977</i> or <i>Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)</i>
	<b>Maximum size:</b>	maximum width of 3.5m
	<b>Siting:</b>	located at or near ground level so as not to require retaining or filling to depths greater than 600mm
	<b>Structure:</b>	complies with the requirements of AS 2890.1—1993, <i>Parking facilities, Part 1: Off-street car parking</i>
<b>Drainage:</b>	incorporates drainage to prevent discharge of surface water to adjoining properties and to provide discharge to appropriate outlets  does not affect the overland flowpath of surface water so as to adversely affect adjoining properties	

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Type of development	Limit
(i) Fences—front	<p data-bbox="788 622 1259 824"><b>Tree protection:</b> driveways located within 3m of existing trees are constructed of loose pavers to allow minor ground movement due to root system</p> <p data-bbox="788 846 1259 987"><b>Maximum height:</b> open style (eg picket or pool fencing): 1.2m solid (eg decorative brick or timber): 1m</p> <p data-bbox="788 1016 1259 1189"><b>Siting:</b> on or behind the building line gates do not obstruct pedestrian access along a public roadway</p> <p data-bbox="788 1218 1259 1525"><b>Structure:</b> of materials compatible with streetscape not made of solid metal materials no fences with high flammability on land shown as high bushfire hazard on a map held by the Council</p> <p data-bbox="788 1554 1259 1691"><b>Tree protection:</b> no strip footing construction where a tree is located within 3m on either private or public property</p>



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Type of development	Limit	
(j) Fences—side and rear	<b>Maximum size:</b>	maximum height of 1.8m
	<b>Siting:</b>	not where fence will impede floodways or overland flowpaths  behind building line  does not interfere with traffic visibility at intersections
	<b>Tree protection:</b>	no strip footing construction where a tree is located within 3m on either private or public property
	<b>Privacy screens:</b>	open style privacy screens such as lattice must have a maximum length of 3m and a maximum height above the fence of 450mm and must not be attached to the fence structure
(k) Flagpoles	<b>Maximum size:</b>	maximum height of 6m above existing ground level
	<b>Siting:</b>	located at least 1m from any boundaries
	<b>Structure:</b>	one only for any single allotment of land  structurally adequate
(l) Lighting	<b>General:</b>	not for a tennis court or sportsfield
(m) Paving (not including paths)	<b>Maximum size:</b>	maximum area of 30m <sup>2</sup>

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Type of development	Limit	
(n) Pergolas and sails	<b>Siting:</b>	at ground level
	<b>Drainage:</b>	incorporates drainage to prevent discharge of surface water to adjoining properties and to provide discharge to appropriate outlets
		does not affect the overland flowpath of surface water so as to adversely affect adjoining properties
	<b>Tree protection:</b>	areas of paving located within 3m of existing trees are constructed of loose pavers to allow minor ground movement due to root system
	<b>Maximum size:</b>	maximum area of 30m <sup>2</sup>  maximum height of 2.4m above ground or, if the building has a deck, above existing deck level
	<b>Siting:</b>	minimum side boundary setback of 900mm  behind building line  not within the zone of influence of an existing sewer main or drainage easement  not over an easement or right of carriageway

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Type of development	Limit
	not within a secondary overflow path or natural watercourse
	<b>Bushfire control:</b> no pergolas with high flammability on land shown as high bushfire hazard on a map held by the Council
	<b>Drainage:</b> not where pergolas will impede floodways or overland flowpaths
	<b>Structure:</b> only one per lot and not exceeding an aggregate area of 30m <sup>2</sup>
	not roofed or enclosed on sides
	not attached to fences
	structurally sound and of good quality
	all timbers to be of a minimum durability class 2 or adequately treated
	sails to be made of a pervious material and to comply with the manufacturer's specifications

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Type of development	Limit	
(o) Rainwater tanks on land other than on land in Zone No 1 (a), 1 (b), 1 (c), 1 (d), 7 (a), 7 (b), 7 (c2), 7 (c3), 7 (c4), 7 (c5), 7 (c6), 7 (d) or 7 (e)	<b>Heritage:</b>	not on properties affected by <i>Gosford Local Environmental Plan No 183, Development Control Plan No 34—Items of Environmental Heritage, the Heritage Act 1977 or Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)</i>
	<b>Maximum size:</b>	maximum volume of 4,500 litres
	<b>Specifications:</b>	complies with AS/NZS 2179.1:1994, <i>Specifications for rainwater goods, accessories and fasteners, Part 1: Metal shape or sheet rainwater goods, and metal accessories and fasteners</i> and AS 2180—1986, <i>Metal rainwater goods—Selection and installation</i>
	<b>Siting:</b>	maximum height of 1.8m above ground level  located at least 900mm from any property boundaries  located behind building line to any street frontage

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Type of development	Limit
(p) Rainwater tanks on land in Zone No 1 (a), (b), 1 (c), 7 (a), 7 (b), 7 (c2), 7 (c3), 7 (c4), 7 (c5), 7 (c6), 7 (d) or 7 (e)	<p data-bbox="1015 624 1222 707">not located over stormwater or sewer pipes</p> <p data-bbox="1015 736 1246 792">not resting on the edge of wall footings</p> <p data-bbox="783 822 1246 931"><b>Drainage:</b> provision made to prevent overflow running onto adjoining properties</p> <p data-bbox="783 960 1214 1128"><b>Structure:</b> support structure to manufacturer's specifications or requirements of a qualified practising structural engineer</p> <p data-bbox="1015 1158 1246 1267">all openings are sealed or protected to prevent ingress of animals and insects</p> <p data-bbox="783 1296 1246 1435"><b>Water connection:</b> no connection or cross-connection between the reticulated town water supply and tank water</p> <p data-bbox="783 1464 1246 1854"><b>Specifications:</b> complies with AS/NZS 2179.1:1994, <i>Specifications for rainwater goods, accessories and fasteners, Part 1: Metal shape or sheet rainwater goods, and metal accessories and fasteners</i> and AS 2180—1986, <i>Metal rainwater goods—Selection and installation</i></p>

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Type of development	Limit
(q) Retaining walls	<p data-bbox="1018 629 1214 792">support structure to manufacturer's specifications or requirements of qualified practising structural engineer</p> <p data-bbox="788 824 1251 878"><b>Structure:</b> not resting on the edge of wall footings</p> <p data-bbox="788 909 1257 987"><b>Maximum area:</b> maximum height of 1m above or below natural ground level</p> <p data-bbox="788 994 1235 1048"><b>Siting:</b> located on slopes not greater than 20%</p> <p data-bbox="1018 1079 1241 1133">located no closer than 5m apart</p> <p data-bbox="1018 1164 1241 1243">not constructed over sewer mains or sewer manholes</p> <p data-bbox="788 1274 1246 1328"><b>Structure:</b> structurally sound and of good quality</p> <p data-bbox="1018 1359 1264 1657">masonry walls comply with: AS 3700.2001, <i>Masonry structures</i>, AS 3600—2001, <i>Concrete structures</i>, AS/NZS 1170.1:2002, AS/NZS 1170.2:2002 and AS 1170.4—1993 (Minimum design loads on structures)</p>

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Type of development	Limit
(r) Satellite dishes	<p data-bbox="1015 622 1264 931">timber walls comply with: AS 1720.1—1997, AS 1720.2—1990 and AS 1720.4—1990 (Timber structures) AS/NZS 1170.1:2002, AS/NZS 1170.2:2002 and AS 1170.4—1993 (Minimum design loads on structures)</p> <p data-bbox="783 958 1264 1070"><b>Drainage:</b> do not impede the natural flow of stormwater drainage or run-off</p> <p data-bbox="783 1099 1264 1155"><b>Tree protection:</b> not constructed within 3m of an existing tree</p> <p data-bbox="783 1182 1264 1238"><b>Maximum size:</b> maximum diameter of 1.2m</p> <p data-bbox="783 1267 1264 1357"><b>Siting:</b> maximum height of 1.5m above lowest point of roof</p> <p data-bbox="1015 1384 1264 1496">behind the building line and located no closer than 900mm to side boundaries</p> <p data-bbox="1015 1525 1264 1581">no detrimental effect on adjoining properties</p> <p data-bbox="783 1608 1264 1659"><b>Usage:</b> for domestic purposes only</p>

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Type of development	Limit	
(s) Skylights and roof windows (including solar tubes or similar installations)	<b>Maximum area:</b>	maximum area of skylight does not exceed 1m <sup>2</sup>
	<b>Siting:</b>	located not less than 900mm from a property boundary and not less than 900mm from a wall separating attached dwellings
	<b>Structure:</b>	building work will not reduce the structural integrity of the building or involve structural alterations  any openings created by the installation are adequately weatherproofed
(t) Solar water heaters	<b>Installation:</b>	installed to manufacturer's specifications  installed by a licensed person and in accordance with the provisions of the relevant Australian Standards
	<b>Structure:</b>	does not reduce the structural integrity of the building  any opening is sealed by the use of adequate weatherproofing



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Type of development	Limit	
(u) Solid fuel heaters	<b>Structure:</b>	<p>complies with AS/NZS 4013:1999, <i>Domestic solid fuel burning appliances—Method for determination of flue gas emission</i></p> <p>rain excluders, if used, are of a type which do not impede the vertical flow of exhaust gases</p>
	<b>Installation:</b>	<p>in accordance with AS/NZS 2918:2001, <i>Domestic solid fuel burning appliances—Installation</i> and undertaken by licensed installer</p>
	<b>Siting:</b>	<p>chimney or flue a minimum of 300mm above any structure within a 3.6m horizontal radius</p>
	<b>Point of discharge:</b>	<p>the top of the chimney or flue must be at least 1m higher than any other building within a 15m radius</p>
	<b>Height of chimney or flue:</b>	<p>maximum height of 6m above roof</p>
(v) Television aerials or antennae	<b>Maximum size:</b>	<p>maximum height of 6m above roof</p> <p>maximum width of 1.5m</p>

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Type of development	Limit	
(w) Temporary buildings: <ul style="list-style-type: none"> <li>• builders' sheds</li> <li>• portaloos</li> <li>• scaffolds</li> </ul> associated with construction sites where development consent or construction certificate approval exists	<b>Siting:</b>	located within property boundaries
	<b>Structure:</b>	structurally adequate  on site for a period of not more than 5 months within any 12-month period
	<b>Drainage:</b>	stormwater not directed to adjoining properties
(x) Water heaters (other than solar systems)	<b>Installation:</b>	carried out by a licensed person
(y) Access ramps and stairs	<b>Maximum size:</b>	maximum height of 1m  maximum grade of 1:14 (ramps)
	<b>Location:</b>	behind building alignment
	<b>Standard:</b>	In accordance with the <i>Building Code of Australia</i> and AS 1428.1—2001, <i>Design for access and mobility, Part 1: General requirements for access—New building work</i>

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Type of development	Limit
<p><b>3 Demolition on land</b> (other than demolition of a heritage item affected by <i>Gosford Local Environmental Plan No 183, Development Control Plan No 34—Items of Environmental Heritage, the Heritage Act 1977 or Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)</i> or demolition requiring a waste management plan under <i>Development Control Plan 106—Controls for Site Waste Management</i>)</p>	<p>Demolition is carried out in accordance with AS 2601—2001, <i>Demolition of structures</i></p>
<p><b>4 Maintenance to an existing dwelling or part of a dwelling or associated structure on land other than land in Zone No 4, 5, 6 (a), 6 (b) or 6 (d) and other than on land that is within 50m of a beach that has been subject to a coastal processes study prepared by the Council</b></p>	<p>Rotten or white ant affected timbers may only be replaced with new timber or recycled timber of the same or similar dimensions</p> <p>Damaged, rotten or deteriorated doors and windows may only be replaced with new materials of similar overall dimensions in the same locations</p> <p>Wall and ceiling sheet cladding materials may only be replaced with new sheet cladding materials</p> <p>Where materials are external, the replacement of masonry is not permitted</p> <p>Roofing materials may only be replaced with new roofing of the same type, to the same slope and framework as previously existed, that is, with no change to the roofline</p> <p>Includes a change from tiles to metal sheeting, but only if stormwater is to be directed to an approved drainage system</p>

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Type of development	Limit
	Includes the replacement of floor and wall tiles and plumbing fittings and prime cost items within the building
	Kitchen cabinets may only be replaced with new kitchen cabinets and benchtops in the same kitchen room area as existed
	<p>The movement, deletion or inclusion of doorways within the structure may occur only if:</p> <ul style="list-style-type: none"> <li>(a) it does not cause a change in archways, room sizes or layout of the existing dwelling or part of the existing dwelling, and</li> <li>(b) the work is non-structural, and</li> <li>(c) there is no reduction of light and ventilation to existing rooms, and</li> <li>(d) the work is internal only</li> </ul>
	All exterior materials are to be of low reflectivity. Works to comply with the provisions of the <i>Building Code of Australia</i> and relevant Australian Standards
	Does not include any increase in floor area or the movement of walls, replacement of one type of wall with another (such as replacing a timber frame wall with brickwork), building decks, moving kitchens to other areas or changing the roof shape, pitch or height
	Does not involve the total rebuilding of a structure by virtue of dilapidation or deterioration

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Type of development	Limit
<b>5 Minor internal alterations to, or replacement of, a building or work not associated with a dwelling on land other than land in Zone No 6 (d) and other than on land that is within 50m of a beach that has been subject to a coastal processes study prepared by the Council</b>	<p><b>Heritage:</b> not on properties affected by <i>Gosford Local Environmental Plan No 183, Development Control Plan No 34—Items of Environmental Heritage</i>, the <i>Heritage Act 1977</i> or <i>Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)</i></p> <p><b>Structure:</b> alteration involves only the internal fabric or the appearance of the building or work or alterations to the external fabric or appearance of the building or work (being changes that involve the repair or renovation of painting, plastering or other decoration of the building or work)</p> <p>the development does not involve the enlargement or extension of the work</p> <p>non-structural work only</p> <p>no reduced light or ventilation from windows, no reduced doorways for egress purposes and no enclosure of open areas</p>

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Type of development	Limit
	alterations or renovations to previously completed buildings only
	no change to roofline
	no changes to configuration of rooms, whether by removal of existing walls or partitions or by other means
	building before and after alterations complies with safety provisions of the <i>Building Code of Australia</i>
	<b>Materials:</b> materials other than masonry
	external materials of low reflectivity
	<b>Heritage:</b> not on properties affected by <i>Gosford Local Environmental Plan 183, Development Control Plan No 34—Items of Environmental Heritage</i> , the <i>Heritage Act 1977</i> or <i>Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)</i>
	<b>Drainage:</b> stormwater directed to an approved drainage system

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Type of development	Limit
<p><b>6 Carrying out of minor works in public areas being the erection and use of a structure listed below on land other than land in Zone No 4 or 6 (d) and other than on land that is within 50m of a beach that has been subject to a coastal processes study prepared by the Council</b></p>	
(a) Access ramps	<p><b>Maximum size:</b> maximum height of 1m</p> <p>maximum grade of 1:14 (for ramps)</p> <p><b>Standard:</b> in accordance with the <i>Building Code of Australia</i> and AS 1428.1—2001, <i>Design for access and mobility, Part 1: General requirements for access—New building work</i></p>
(b) Bridges and staircases installed in public parks and recreation areas	<p><b>Structure:</b> bridges to maximum span of 5m and constructed by or for the Council</p> <p>design, fabrication and installation to be in accordance with AS 4100—1998 (for steel structures) and AS 1720.1—1997, AS 1720.2—1990 and AS 1720.4—1990 (for timber structures)</p>

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Type of development	Limit	
(c) Goal posts, sight screens and similar ancillary sporting structures on sporting or playing fields for the use in playing or performance of sporting events (excluding grandstands, dressing sheds and other such structures)	<b>Standards:</b>	construction by or for the Council or sporting organisation and installed in accordance with relevant Australian Standards
(d) Parks and street furniture including seats, bins, picnic tables and minor shelters	<b>Standards:</b>	construction by or for the Council and installed in accordance with relevant Australian Standards
(e) Playground equipment on community land	<b>Standards:</b>	constructed by or for the Council and designed, fabricated and installed in accordance with the relevant Australian Standards
<b>7 Development for the purpose of recreation and sporting facilities of minor environmental significance</b>	<b>General:</b>	in accordance with a plan of management prepared by the Council
<b>8 Subdivisions of minor environmental significance on land other than land in Zone No 6 (d)</b>	<b>General:</b>	subdivision for one of the following purposes only: <ul style="list-style-type: none"> <li data-bbox="1015 1572 1203 1626">• widening a public road</li> </ul>



## Gosford Local Environmental Plan No 429

## Schedule 2      Amendment of Interim Development Order No 122—Gosford

Type of development	Limit
	<ul style="list-style-type: none"> <li>• making an adjustment to a boundary between allotments, being an adjustment that does not involve the creation of any additional allotment</li> </ul>
	<ul style="list-style-type: none"> <li>• making an adjustment to a boundary between allotments that does not constitute a resubdivision</li> </ul>
	<ul style="list-style-type: none"> <li>• a minor adjustment that does not significantly change the size or shape of the allotments by more than 10%</li> </ul>
	<ul style="list-style-type: none"> <li>• rectifying an encroachment on an allotment</li> </ul>
	<ul style="list-style-type: none"> <li>• creating a public reserve</li> </ul>
	<ul style="list-style-type: none"> <li>• consolidating allotments</li> </ul>

Gosford Local Environmental Plan No 429

Amendment of Interim Development Order No 122—Gosford

Schedule 2

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**Type of development**

**Limit**

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- excising from an allotment land which is, or is intended to be, used for public purposes, including drainage purposes, the purposes of a rural fire brigade or other rescue service, or for public conveniences
- making an adjustment to a boundary between allotments, being an adjustment that does not involve allotments with a split land use zone classification, flood liable classification, bushfire hazard classification or requiring geotechnical assessment

Gosford Local Environmental Plan No 429

Schedule 2 Amendment of Interim Development Order No 122—Gosford

## Schedule 4 Complying development

(Clause 40C)

Type of development	Development standards	
<b>1 Ancillary development (other than exempt development) relating to a dwelling, being the erection and use of:</b>	<b>Size:</b>	minimum area of 10m <sup>2</sup> and maximum area of 20m <sup>2</sup>  maximum height of 2.4m above ground level or existing deck level (awnings only)
<ul style="list-style-type: none"> <li>• Awnings, canopies or storm blinds</li> <li>• Cabanas, gazebos or greenhouses</li> <li>• Cubbyhouses</li> <li>• Garden sheds</li> <li>• Workshops and the like</li> <li>• Screen enclosures</li> </ul>		screen enclosures to remain open for two-thirds of the perimeter of the structure
	<b>Siting:</b>	no part of the structure is located in front of the Council's building line  external wall of the structure set back at least 900mm from a side or rear boundary  posts of awnings or pergolas may extend to the allotment boundary provided no part of the structure encroaches beyond that boundary  roof covering set back 500mm from boundary  only screen materials permitted in open areas

Gosford Local Environmental Plan No 429

Amendment of Interim Development Order No 122—Gosford

Schedule 2

Type of development	Development standards	
<b>2 Erection and use of a garage, carport or awning associated with a dwelling</b>	<b>Materials:</b>	non-reflective external walling and roofing materials
	<b>Stormwater:</b>	stormwater disposal for roofed structures connected to street gutter or disposal area
	<b>High bushfire hazard:</b>	only structures built of non-combustible materials permitted
	<b>Flood liable:</b>	structures built of flood compatible materials permitted (see <i>Development Control Plan No 115</i> )
	(a) Carports and awnings	<b>Maximum size:</b>
	<b>Maximum height:</b>	250cm from ground level to ground floor level
		2.7m from floor level to underside of eaves
		maximum roof pitch of 25 degrees
	<b>Siting:</b>	no part of the structure is located in front of the Council's building line
		external wall of the structure set back at least 900mm from a side or rear boundary

## Gosford Local Environmental Plan No 429

## Schedule 2 Amendment of Interim Development Order No 122—Gosford

Type of development	Development standards
	<b>Materials:</b> non-reflective external walling and roofing materials
	<b>Stormwater:</b> stormwater disposal for roofed structures connected to street gutter or disposal area
	<b>High bushfire hazard:</b> only structures built of non-combustible materials permitted
	<b>Flood liable:</b> structures built of flood compatible materials permitted (see <i>Development Control Plan No 115</i> )
	<b>Streetscape:</b> where facing a public road or access way—maximum width of 6m or 50% of the frontage, whichever is less
	<b>Setback:</b> carport or awning posts may extend to the allotment boundary provided no part of the structure encroaches beyond that boundary  roof covering set back 500mm from boundary
	<b>Tree protection:</b> no part of the structure located within 6m of an existing tree

Gosford Local Environmental Plan No 429

Amendment of Interim Development Order No 122—Gosford

Schedule 2

Type of development	Development standards
(b) Garages	<p data-bbox="788 622 1264 654"><b>Maximum size:</b> maximum area of 50m<sup>2</sup></p> <p data-bbox="1018 680 1264 712">maximum height of:</p> <ul data-bbox="1018 712 1264 931" style="list-style-type: none"> <li data-bbox="1018 712 1264 819">• 250mm from ground level to ground floor level</li> <li data-bbox="1018 819 1264 931">• 2.7m from floor level to underside of eaves</li> </ul> <p data-bbox="1018 963 1264 1021">maximum roof pitch of 25 degrees</p> <p data-bbox="788 1048 1264 1133"><b>Siting:</b> no part of the structure located in front of the Council's building line</p> <p data-bbox="1018 1160 1264 1267">external wall of the structure set back at least 900mm from a side or rear boundary</p> <p data-bbox="788 1294 1264 1379"><b>Tree protection:</b> no part of the structure located within 6m of an existing tree</p> <p data-bbox="788 1406 1264 1491"><b>Materials:</b> non-reflective external walling and roofing materials</p> <p data-bbox="788 1518 1264 1693"><b>Streetscape:</b> where facing a public road or access way—maximum width of 6m or 50% of the frontage, whichever is the lesser</p> <p data-bbox="788 1720 1264 1805"><b>Stormwater:</b> stormwater connected to street gutter or disposal area</p>

## Gosford Local Environmental Plan No 429

## Schedule 2 Amendment of Interim Development Order No 122—Gosford

Type of development	Development standards	
3 Construction and use of spas and swimming pools associated with a dwelling	<b>High bushfire hazard:</b>	structures built of non-combustible materials permitted
	<b>Flood liable:</b>	the installation of sewer drainage fixtures not permitted
		structures built of flood compatible materials permitted (see <i>Development Control Plan No 115</i> )
	<b>Siting:</b>	no part of the structure located in front of the Council's building line
		located a minimum of 1.2m from side or rear boundaries (measurement is from boundary to edge of water)
	<b>Height:</b>	pool coping and decking no more than 500mm above ground level
	<b>Fencing:</b>	minimum of 1.2m in height with self latching gate
		to comply with the provisions of the <i>Swimming Pools Act 1992</i> and AS 1926.1—1993, <i>Swimming pool safety, Part 1: Fencing for swimming pools</i>

Gosford Local Environmental Plan No 429

Amendment of Interim Development Order No 122—Gosford

Schedule 2

Type of development	Development standards
<b>Noise:</b>	filtration or pumps do not exceed a noise level 5dBA above the ambient background level measured at the property boundary
<b>Overflow:</b>	backwash disposed of to sewer  overflow pipe provided and connected to sewer  wherever sewer is not available, backwash and overflow is to be directed to a suitable on site location that does not affect adjoining properties or pollute any natural watercourse
<b>Drainage:</b>	coping graded and drained so as not to cause a nuisance to adjoining property
<b>Tree protection:</b>	no part of the structure located within 6m of an existing tree
<b>Flood liable:</b>	permitted subject to electrical fixtures being located above the 1% Annual Exceedance Probability



## Gosford Local Environmental Plan No 429

## Schedule 2 Amendment of Interim Development Order No 122—Gosford

Type of development	Development standards	
<b>4 Alterations or additions to a dwelling (not including awnings, enclosures and the like)</b>		
(a) Minor internal alterations (structural and non-structural) to a dwelling, and minor additions or alterations to detached single storey dwelling-house	<b>Siting:</b>	setback of external walls: <ul style="list-style-type: none"> <li>• no part of the structure located in front of the Council's building line</li> <li>• from side and rear boundary—minimum of 900mm</li> </ul>
		setback of eaves and gutters overhang a minimum of 675mm from side and rear boundaries
	<b>Maximum area:</b>	maximum floor space of 50m <sup>2</sup>  maximum floor space ratio of 0.5:1
	<b>Structure:</b>	maximum height of: <ul style="list-style-type: none"> <li>• 2.7m from floor level to underside of eaves</li> <li>• 500mm from ground level to ground floor level</li> </ul>
		roof pitch compatible with the pitch of the existing dwelling

Gosford Local Environmental Plan No 429

Amendment of Interim Development Order No 122—Gosford

Schedule 2

Type of development	Development standards
(b) Major additions or alterations to detached single storey dwelling-house	<p><b>Privacy:</b> windows in a habitable room having an outlook to an adjoining dwelling and within 3m of a boundary:</p> <ul style="list-style-type: none"> <li>• are at least 0.5m from the window of the adjoining dwelling, or</li> <li>• have sill heights of 1.5m above floor level, or</li> <li>• have fixed opaque glass in any part of the windows less than 1.5m above floor level</li> </ul>
	<p><b>Tree protection:</b> no part of the structure located within 6m of an existing tree</p>
	<p><b>Structure:</b> maximum floor space ratio of 0.5:1</p> <p>maximum height of:</p> <ul style="list-style-type: none"> <li>• 2.7m from floor level to underside of eaves</li> <li>• 500mm from ground level to ground floor level</li> </ul> <p>roof pitch a maximum of 25 degrees</p>

Gosford Local Environmental Plan No 429

Schedule 2 Amendment of Interim Development Order No 122—Gosford

Type of development	Development standards
	<p data-bbox="783 607 863 640"><b>Siting:</b></p> <p data-bbox="1015 607 1206 674">setback of external walls:</p> <ul data-bbox="1015 696 1254 954" style="list-style-type: none"> <li data-bbox="1015 696 1254 842">• no part of the structure located in front of the Council's building line</li> <li data-bbox="1015 842 1254 954">• from side and rear boundary—minimum of 900mm</li> </ul> <p data-bbox="1015 987 1230 1122">setback of eaves and gutters overhang a minimum of 675mm from side and rear boundaries</p> <p data-bbox="783 1144 919 1178"><b>Carparking:</b></p> <p data-bbox="1015 1144 1238 1323">1 carparking space provided behind front building line. Each space has minimum dimensions of 2.7m x 5.5m</p> <p data-bbox="783 1346 879 1379"><b>Privacy:</b></p> <p data-bbox="1015 1346 1262 1491">windows in a habitable room having an outlook to an adjoining dwelling and within 3m of a boundary:</p> <ul data-bbox="1015 1514 1262 1883" style="list-style-type: none"> <li data-bbox="1015 1514 1262 1626">• are at least 0.5m from the window of the adjoining dwelling, or</li> <li data-bbox="1015 1626 1262 1715">• have sill heights of 1.5m above floor level, or</li> <li data-bbox="1015 1715 1262 1883">• have fixed opaque glass in any part of the window less than 1.5m above floor level</li> </ul>

Gosford Local Environmental Plan No 429

Amendment of Interim Development Order No 122—Gosford

Schedule 2

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Type of development	Development standards
	<p data-bbox="783 622 1279 880"><b>Energy efficiency:</b> satisfies a 3.5 star rating (Sustainable Energy Development Authority (SEDA) scorecard or Nationwide House Energy Rating Software for Australian Conditions (NatHERS) report)</p> <p data-bbox="783 902 1279 1137"><b>Standards:</b> the next door property's main area of private open space or any habitable rooms are not in shadow between 10am and 3pm on 21 June as a result of the development</p> <p data-bbox="1018 1160 1279 1238">a minimum of 20% of the site has no hard surfaces</p> <p data-bbox="1018 1272 1279 1350">no more than one-third of the front setback area is paved or sealed</p> <p data-bbox="783 1384 1279 1467"><b>Tree protection:</b> no part of the structure located within 6m of an existing tree</p>

## Gosford Local Environmental Plan No 429

## Schedule 2 Amendment of Interim Development Order No 122—Gosford

Type of development	Development standards	
<b>5 Erection and use of dwelling-house</b>		
(a) New detached single storey dwelling-house on land other than land in Zone No 1 (a), 1 (b), 1 (c), 1 (d), 7 (b), 7 (c2), 7 (c3), 7 (c4), 7 (c5), 7 (c6), 7 (d) or 7 (e)	<b>Siting:</b>	<p>setback of external walls:</p> <ul style="list-style-type: none"> <li>• at least 6m from front boundary in residential zoned areas</li> <li>• no part of the structure located in front of the Council's building line</li> <li>• waterfront reserves—in accordance with the Council's <i>Building Line Development Control Plan</i></li> <li>• from side and rear boundary—minimum of 900mm</li> </ul>
		<p>setback of eaves and gutters overhang a minimum of 675mm from side and rear boundaries</p>
	<b>Carparking:</b>	<p>1 carparking space provided behind front building line</p>
	<b>Roof pitch:</b>	<p>maximum of 25 degrees</p>

Gosford Local Environmental Plan No 429

Amendment of Interim Development Order No 122—Gosford

Schedule 2

Type of development	Development standards
	<p><b>Structure:</b> maximum floor space ratio of 0.5:1</p> <p>maximum height of:</p> <ul style="list-style-type: none"> <li>• 2.7m from floor level to underside of eaves</li> <li>• 500mm from ground level to ground floor level</li> </ul> <p><b>Privacy:</b> windows in a habitable room having an outlook to an adjoining dwelling and within 3m of a boundary:</p> <ul style="list-style-type: none"> <li>• are at least 0.5m from the window of the adjoining dwelling, or</li> <li>• have sill heights of 1.5m above floor level, or</li> <li>• have fixed opaque glass in any part of the window less than 1.5m above floor level</li> </ul> <p><b>Energy efficiency:</b> satisfies a 3.5 star rating (Sustainable Energy Development Authority (SEDA) scorecard or Nationwide House Energy Rating Software for Australian Conditions (NatHERS) report)</p>

## Gosford Local Environmental Plan No 429

## Schedule 2 Amendment of Interim Development Order No 122—Gosford

Type of development	Development standards
(b) New detached two storey dwelling-house in the urban development program	<b>Tree protection:</b> no part of the structure located within 6m of an existing tree
	<b>Impact:</b> the next door property's main area of private open space or any habitable rooms are not in shadow between 10am and 3pm on 21 June as a result of the development
	<b>Landscaping:</b> a minimum of 20% of the site has no hard surfaces  no more than one-third of the front setback area is paved or sealed
	<b>Siting:</b> setback of external walls: <ul style="list-style-type: none"> <li>• 6m from front boundary in residential zones areas</li> <li>• no part of the structure located in front of the Council's building line</li> <li>• waterfront reserves—in accordance with the Council's <i>Building Line Development Control Plan</i></li> <li>• from side and rear boundary—minimum of 900mm</li> </ul>

Gosford Local Environmental Plan No 429

Amendment of Interim Development Order No 122—Gosford

Schedule 2

Type of development	Development standards
	setback of eaves and gutters overhang a minimum of 675mm from side and rear boundaries
	<b>Carparking:</b> 1 carparking space provided behind front building line
	<b>Roof pitch:</b> maximum of 25 degrees
	<b>Structure:</b> maximum floor space ratio of 0.5:1
	maximum height of: <ul style="list-style-type: none"> <li>• 5.5m from floor level to underside of eaves</li> <li>• 500mm from ground level to ground floor level</li> </ul>
	<b>Privacy:</b> windows in a habitable room having an outlook to an adjoining dwelling and within 3m of a boundary: <ul style="list-style-type: none"> <li>• are at least 0.5m from the window of the adjoining dwelling, or</li> <li>• have sill heights of 1.5m above floor level, or</li> <li>• have fixed opaque glass in any part of the window less than 1.5m above floor level</li> </ul>



Gosford Local Environmental Plan No 429

Schedule 2 Amendment of Interim Development Order No 122—Gosford

Type of development	Development standards
	<p><b>Energy efficiency:</b> satisfies a 3.5 star rating (Sustainable Energy Development Authority (SEDA) scorecard or Nationwide House Energy Rating Software for Australian Conditions (NatHERS) report)</p> <p><b>Tree protection:</b> no part of the structure located within 6m of an existing tree</p> <p><b>Impact:</b> the next door property's main area of private open space or any habitable rooms are not in shadow between 10am and 3pm on 21 June as a result of the development</p> <p><b>Landscaping:</b> a minimum of 20% of the site has no hard surfaces</p> <p>no more than one-third of the front setback area is paved or sealed</p>
<p><b>6 Change of use of a building</b></p>	
(a) Light industry to light industry	<ul style="list-style-type: none"> <li>• the total floor space of the building does not exceed 500m<sup>2</sup></li> <li>• the building has either rear service access or access to off-street loading facilities</li> <li>• the building has been lawfully constructed to be used for the purposes of a light industry</li> </ul>

Gosford Local Environmental Plan No 429

Amendment of Interim Development Order No 122—Gosford

Schedule 2

Type of development	Development standards
(b) Shop to shop or commercial premises to commercial premises	<ul style="list-style-type: none"> <li>• the curtilage of the building is not intended to be used for storage or display purposes</li> <li>• the hours of operation do not extend outside 6am and 6pm</li> <li>• conditions of consent relating to previous use or construction of the building concerning matters of maintenance, of landscaping, the parking of vehicles or the provision of space for the loading or unloading of goods or vehicles are complied with</li> <li>• the building has been lawfully constructed to be used for a shop or commercial premises</li> <li>• the building is not to be used as premises in which: <ul style="list-style-type: none"> <li>(a) a category 1 restricted publication, a category 2 restricted publication or a RC publication (within the meaning of the <i>Classification (Publications, Films and Computer Games) Act 1995</i> of the Commonwealth) is displayed or sold or otherwise rendered accessible or available to the public, or</li> <li>(b) there is conducted a business an object of which is the display or sale of any article, material, compound, preparation, device or other thing (whether of the same or of a different kind or nature) that is primarily concerned with, or is used or intended to be used in connection with, sexual behaviour but is not printed matter</li> </ul> </li> </ul>

Gosford Local Environmental Plan No 429

Schedule 2      Amendment of Interim Development Order No 122—Gosford

Type of development	Development standards
<b>7 Alterations (non-residential)</b>	<ul style="list-style-type: none"> <li>• the proposed use is not that of a brothel</li> <li>• the curtilage of the shop or commercial premises is not intended to be used for storage or display purposes</li> <li>• the hours of operation of the shop or commercial premises do not extend outside the hours during which the shop or commercial premises was so used immediately before the commencement of the new use</li> <li>• conditions of consent relating to the previous use or construction of the building concerning matters of maintenance, of landscaping, the parking of vehicles or the provision of space for the loading or unloading of goods or vehicles are complied with</li> <li>• the existing building and any proposed alterations to comply with fire safety provisions of the <i>Building Code of Australia</i></li> <li>• certification is obtained from a qualified practising structural engineer</li> <li>• the alteration involves only the internal fabric or appearance of the building</li> <li>• the development does not involve the enlargement or extension of the work</li> <li>• the existing building and any proposed alterations to comply with fire safety provisions of the <i>Building Code of Australia</i></li> </ul>

Gosford Local Environmental Plan No 429

Amendment of Interim Development Order No 122—Gosford

Schedule 2

Type of development	Development standards
<b>8 Machinery or hay sheds associated with agricultural activities on the property</b>	<p>non-rural zones including conservation and scenic protection zones:</p> <ul style="list-style-type: none"> <li>• maximum total area of 120m<sup>2</sup> for all sheds</li> <li>• a maximum of 3 sheds totalling 120m<sup>2</sup> for any one property</li> </ul> <p>properties less than 10 hectares in area:</p> <ul style="list-style-type: none"> <li>• maximum height of 6m</li> </ul> <p>nominated exclusion areas:</p> <ul style="list-style-type: none"> <li>• minimum setback of 5m from side and rear property boundaries</li> <li>• located behind the building line and not in front of the dwelling</li> </ul>



## **Hurstville Local Environmental Plan 1994 (Amendment No 47)**

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*. (S03/02158/S69)

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

Clause 1            Hurstville Local Environmental Plan 1994 (Amendment No 47)

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## **Hurstville Local Environmental Plan 1994 (Amendment No 47)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Hurstville Local Environmental Plan 1994 (Amendment No 47)*.

### **2 Aims of plan**

The aims of this plan are as follows:

- (a) to describe Council's objectives regarding advertising and signage in Hurstville,
- (b) to prohibit certain types of development relating to advertising and signage,
- (c) to apply certain criteria for proposed advertising that must be satisfied prior to Council granting development consent,
- (d) to remove the requirement that advertising is only permitted with development consent in Zone Nos 2 (Residential Zone), 6 (a) (Open Space Zone) and 6 (b) (Private Open Space Zone) in accordance with *State Environmental Planning Policy No 64—Advertising and Signage*,
- (e) to amend the definition of **commercial sign** in clause 5 (1) of *Hurstville Local Environmental Plan 1994* to remove references to illuminated signs.

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

This plan applies to all land to which *Hurstville Local Environmental Plan 1994* applies.

### **4 Amendment of Hurstville Local Environmental Plan 1994**

*Hurstville Local Environmental Plan 1994* is amended as set out in Schedule 1.

Hurstville Local Environmental Plan 1994 (Amendment No 47)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 5 Interpretation

Omit “means an advertisement, whether illuminated or not,” from the definition of *commercial sign* in clause 5 (1).

Insert instead “means a non-illuminated advertisement,”

### [2] Part 2 General restrictions on development of land

Omit “Advertising; animal” from item 2 (Only with development consent) of the matter relating to Zone No 2 (Residential Zone) in the Table to the Part.

Insert instead “Animal”.

### [3] Part 2, Table

Omit “Advertising; buildings” from item 2 (Only with development consent) of the matter relating to Zone No 6 (a) (Open Space Zone).

Insert instead “Buildings”.

### [4] Part 2, Table

Omit “Advertising; buildings” from item 2 (Only with development consent) of the matter relating to Zone No 6 (b) (Private Open Space Zone).

Insert instead “Buildings”.

### [5] Clause 25A

Insert after clause 25:

#### 25A Advertising and signage

- (1) The objectives of this clause are as follows:
  - (a) to provide for a variety of advertising that is compatible with the purpose for which the land is zoned and with the character of the area,
  - (b) to permit advertising that is complementary in scale, form and location with the surrounding natural or built environment,

## Hurstville Local Environmental Plan 1994 (Amendment No 47)

## Schedule 1 Amendments

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- (c) to ensure that advertising does not detract from the safety, efficiency or appearance of any public thoroughfare.
- (2) Before granting consent for development that will result in the displaying of an advertisement, the council must consider the objectives of this clause.
- (3) The council must not grant consent for any such development unless it is satisfied that:
- (a) the advertisement will not detract from the amenity of the local environment because of its appearance, size, design, illumination or location, or as a result of the number and location of other advertisements within the vicinity, and
  - (b) the size and likely impacts of the advertisement are compatible with the size and design of the premises on which the advertisement is to be placed or constructed and with the size and design of the surrounding buildings, and
  - (c) the advertisement will not detract from any item of scenic, historic, architectural, scientific or cultural interest, and
  - (d) appropriate setbacks, clearances and structural features are incorporated into the proposed advertisement to ensure safe pedestrian and vehicular traffic circulation.
- (4) Development that will result in the display of the following kinds of advertisements is prohibited:
- (a) posters on poles or other structures in public places,
  - (b) temporary signs of a commercial nature on land whether zoned or unzoned,
  - (c) flag pole signs,
  - (d) advertisements that uses flashing lights,
  - (e) advertisements in a foreshore scenic protection area, within the meaning of clause 19B.





## **Leeton Local Environmental Plan No 42**

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*. (Q02/00230/PC)

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

Clause 1            Leeton Local Environmental Plan No 42

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## **Leeton Local Environmental Plan No 42**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Leeton Local Environmental Plan No 42*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to rezone part of the land to which this plan applies to Zones Nos 2 (a) and 2 (c) (Residential), Zone No 3 (b) (Special Business) and Zone No 4 (a) (General Industrial) under *Leeton Local Environmental Plan No 4*, and
- (b) to allow development that would be otherwise prohibited to be carried out on certain State Rail Authority land within Zone No 5 (b) (Special Uses) under *Leeton Local Environmental Plan No 4*, but only if the development is permitted (with or without consent) on adjoining land, and
- (c) to prohibit development for the purposes of boarding houses, car repair stations and certain dwellings on certain State Rail Authority land, and
- (d) to allow a part of the land to which this plan applies to be used for the purposes of storage and warehousing, and
- (e) to allow a part of the land to which this plan applies to be used for the purposes of rural worker's dwellings, and
- (f) to permit development for the purpose of frost control fans within Zone Nos 1 (a) and 1 (b) (Rural) under *Leeton Local Environmental Plan No 4* only with consent, and
- (g) to provide that development for the purpose of a frost control fan is advertised development under clause 29 of *Leeton Local Environmental Plan No 4*.

Leeton Local Environmental Plan No 42

Clause 3

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**3 Land to which plan applies**

This plan applies to the following land:

- (a) State Rail Authority land as shown edged heavy black and marked with diagonal black lines on Sheet 1 of the map marked "Leeton Local Environmental Plan No 42" deposited in the office of Leeton Shire Council and as shown edged heavy black and marked "2 (a)" and "3 (b)" on Sheet 1 of that map,
- (b) Lot 3, DP 1014641, corner Oak Street and Railway Avenue, Leeton, part Lot 13, Section 3, DP 758606 Church Street, Leeton, Lots 1 and 2, Section 9, DP 1029409, corner Church Street and Linden Lane, Leeton as shown edged heavy black on Sheet 1 of that map,
- (c) part Lot 1, DP 578051, corner Brady Way and Caloro Street, Leeton as shown edged heavy black on Sheet 1 of that map,
- (d) part Lot 9, Section 31, DP 759086 Melbergen Street, Whitton, as shown edged heavy black on Sheet 2 of that map,
- (e) Lots 1 and 3, DP 751693, Kooba Station Regional Road 539, Whitton,
- (f) all land within Zone No 1 (a) or 1 (b) under *Leeton Local Environmental Plan No 4*.

**4 Amendment of Leeton Local Environmental Plan No 4**

*Leeton Local Environmental Plan No 4* is amended as set out in Schedule 1.

Leeton Local Environmental Plan No 42

Schedule 1 Amendments

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 5 Interpretation

Insert in alphabetical order in clause 5(1):

*frost control fan* means a structure used for the dispersal of frost and includes a device used for that purpose that consists of a tower with a propeller or blade at the top. An engine may be mounted at the base of the tower to drive the propeller or blade.

### [2] Clause 5 (1)

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

Leeton Local Environmental Plan No 42

### [3] Clause 8 Carrying Out of Development

Insert “or frost control fans” after “intensive livestock keeping establishments” wherever occurring in Column II of the matter relating to Zones Nos 1 (a) and 1 (b) in the Table to clause 8.

### [4] Clause 29

Omit the clause. Insert instead:

#### **29 Advertised development**

The following development is identified as advertised development for the purposes of the Act:

- (a) development for the purpose of a residential flat building,
- (b) development for the purpose of a frost control fan.

### [5] Clause 30C

Insert after clause 30B:

#### **30C Development on State Rail Authority Land**

- (1) This clause applies to State Rail Authority land as shown edged heavy black and marked with diagonal black lines on Sheet 1 of the map marked “Leeton Local Environmental Plan No 42” and as shown edged heavy black and marked “2 (a)” and “3 (b)” on Sheet 1 of that map.

Leeton Local Environmental Plan No 42

Amendments

Schedule 1

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- (2) Despite any other provision of this plan, a person must not carry out development for any of the following purposes on land shown edged heavy black and marked “3 (b)” on Sheet 1 of the map marked “Leeton Local Environmental Plan No 42”:
- (a) a boarding house,
  - (b) a car repair station,
  - (c) a dwelling associated with any other purpose included in Column IV of the Table to clause 8 in the matter relating to Zone No 3 (b).
- (3) A person may with development consent carry out development on land to which this clause applies (other than land described in subclause (2)) that would in the absence of this clause be prohibited, but only if the development would be permitted (with or without consent) on land adjoining the land on which the development is proposed to be carried out.

**[6] Schedule 6 Development for certain additional purposes**

Insert at the end of the Schedule:

Land bounded by Acacia Avenue and Oak Street, Leeton as shown edged heavy black and marked “3 (b)” on Sheet 1 of the map marked “Leeton Local Environmental Plan No 42”—storage and warehousing.

Lots 1 and 3, DP 751693, Kooba Station Regional Road 539, Whitton—rural worker’s dwellings.



## **Leeton Local Environmental Plan No 44**

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*. (Q03/00250/S69)

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

Clause 1            Leeton Local Environmental Plan No 44

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## **Leeton Local Environmental Plan No 44**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Leeton Local Environmental Plan No 44*.

### **2 Aims of plan**

This plan aims:

- (a) to rezone part of the land to which this plan applies to Zone No 3 (a) General Business under *Leeton Local Environmental Plan No 4*, and
- (b) to zone the remaining land (being unzoned land) to the General Business zone.

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

This plan applies to Lot 1, DP 131602 and Lot 2, DP 831223, Acacia Avenue, Leeton, as shown edged heavy black and lettered "3 (a)" on the map marked "Leeton Local Environmental Plan No 44" deposited in the office of Leeton Shire Council.

### **4 Amendment of Leeton Local Environmental Plan No 4**

*Leeton Local Environmental Plan No 4* is amended by inserting in appropriate order in the definition of *the map* in clause 5 (1) the following words:

Leeton Local Environmental Plan No 44



New South Wales

## **Murray Local Environmental Plan 1989 (Amendment No 10)**

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*. (Q03/00036/PC)

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



Clause 1 Murray Local Environmental Plan 1989 (Amendment No 10)

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## **Murray Local Environmental Plan 1989 (Amendment No 10)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Murray Local Environmental Plan 1989 (Amendment No 10)*.

### **2 Aims of plan**

This plan aims to rezone the land to which this plan applies to Zone No 2 (v1) (Low Density Residential) under *Murray Local Environmental Plan 1989* so as to allow development for low density residential purposes.

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

This plan applies to part of Lot 15, DP 751159, fronting Perricoota Road and Winbi Lane, Moama, Parish of Tataila and County of Cadell, as shown edged heavy black and lettered "2 (v1)" on the map marked "Murray Local Environmental Plan 1989 (Amendment No 10)" deposited in the offices of the Council of the Shire of Murray.

### **4 Amendment of Murray Local Environmental Plan 1989**

*Murray Local Environmental Plan 1989* is amended by inserting in appropriate order in the definition of *the map* in clause 5 (1) the following words:

Murray Local Environmental Plan 1989 (Amendment No 10)



## **Muswellbrook Local Environmental Plan 1985 (Amendment No 94)**

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*. (N03/00132/S69)

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

Clause 1 Muswellbrook Local Environmental Plan 1985 (Amendment No 94)

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## **Muswellbrook Local Environmental Plan 1985 (Amendment No 94)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Muswellbrook Local Environmental Plan 1985 (Amendment No 94)*.

### **2 Aims of plan**

The aim of this plan is to allow, with the consent of Muswellbrook Shire Council, development of the land to which this plan applies for the purposes of a truck storage and workshop facility.

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

This plan applies to Lots 6 and 7, DP 25935, 125–129 Maitland Street, Muswellbrook, as shown edged heavy black on the map marked “Muswellbrook Local Environmental Plan 1985 (Amendment No 94)” deposited in the office of Muswellbrook Shire Council.

### **4 Amendment of Muswellbrook Local Environmental Plan 1985**

*Muswellbrook Local Environmental Plan 1985* is amended by inserting at the end of Schedule 3 the following matter:

Lots 6 and 7, DP 25935, 125–129 Maitland Street, Muswellbrook, as shown edged heavy black on the map marked “Muswellbrook Local Environmental Plan 1985 (Amendment No 94)” — truck storage and workshop facility.



New South Wales

## **Nambucca Local Environmental Plan 1995 (Amendment No 45)**

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*. (G00/00152/S69)

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

Clause 1 Nambucca Local Environmental Plan 1995 (Amendment No 45)

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## **Nambucca Local Environmental Plan 1995 (Amendment No 45)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Nambucca Local Environmental Plan 1995 (Amendment No 45)*.

### **2 Aims of plan**

This plan aims to rezone the land to which this plan applies from Zone No 3 (a) General Business to Zone No 2 (a) Residential (Low-Medium Density) under *Nambucca Local Environmental Plan 1995*.

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

This plan applies to land known as Lot 21, DP 853585, 2 Max Graham Drive, Valla Beach, as shown coloured pink and edged heavy black on the map marked “Nambucca Local Environmental Plan 1995 (Amendment No 45)” deposited in the office of the Nambucca Shire Council.

### **4 Amendment of Nambucca Local Environmental Plan 1995**

*Nambucca Local Environmental Plan 1995* is amended by inserting in appropriate order in the definition of *the map* in clause 5 (1) the following words:

Nambucca Local Environmental Plan 1995 (Amendment No 45)



New South Wales

## **Parramatta Local Environmental Plan 2001 (Amendment No 11—Old Toongabbie/Wentworthville)**

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*. (P03/00383/S69)

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

Clause 1 Parramatta Local Environmental Plan 2001 (Amendment No 11—Old Toongabbie/Wentworthville)

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## **Parramatta Local Environmental Plan 2001 (Amendment No 11—Old Toongabbie/Wentworthville)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Parramatta Local Environmental Plan 2001 (Amendment No 11—Old Toongabbie/Wentworthville)*.

### **2 Aims of plan**

This plan aims to rezone an area of Old Toongabbie/Wentworthville from 2B Residential to 2A Residential under *Parramatta Local Environmental Plan 2001*.

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

This plan applies to land shown edged heavy red on the map marked “Parramatta Local Environmental Plan 2001 (Amendment No 11—Old Toongabbie/Wentworthville)” deposited in the office of 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:

Parramatta Local Environmental Plan 2001 (Amendment No 11—Old Toongabbie/Wentworthville)

### **5 Savings provision**

A development application lodged, but not finally determined, before the commencement of this plan in relation to land to which this plan applies is to be determined as if this plan had not been made.



## **Port Stephens Local Environmental Plan 2000 (Amendment No 10)**

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*. (N03/00219/S69)

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



Clause 1 Port Stephens Local Environmental Plan 2000 (Amendment No 10)

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## **Port Stephens Local Environmental Plan 2000 (Amendment No 10)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Port Stephens Local Environmental Plan 2000 (Amendment No 10)*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to provide environmental planning controls that will result in the management of any disturbance to acid sulfate soils in the Port Stephens local government area, and
- (b) to require development consent for works that would disturb soils or groundwater levels in areas identified as having acid sulfate soils, and
- (c) to incorporate appropriate provisions for environmental assessment and management of certain development on land identified as being subject to risks associated with the disturbance of acid sulfate soils.

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

This plan applies to lands within the local government area of Port Stephens classified as either 1, 2, 3, 4 or 5 land on the map marked "Acid Sulfate Soils Planning Map" deposited in the office of Port Stephens Council.

### **4 Amendment of other environmental planning instruments**

- (1) *Port Stephens Local Environmental Plan 2000* is amended as set out in Schedule 1.
- (2) *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Complying Development* is amended by inserting at the end of Schedule 1 to that Policy:

Clause 51A of *Port Stephens Local Environmental Plan 2000*.

Port Stephens Local Environmental Plan 2000 (Amendment No 10)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 49 What is exempt and complying development?

Insert “except for clause 51A (Acid sulfate soils)” after “despite any other provision of this plan” in clause 49 (1).

### [2] Clause 51A

Insert after clause 51:

#### 51A Development on land identified on Acid Sulfate Soils Planning Maps

- (1) This clause applies to all land identified on the Acid Sulfate Soils Planning Map and classified as either 1, 2, 3, 4 or 5 land.
- (2) A person must not, without development consent, carry out works of the kind listed in Column 2 of Table 1 on land of the class specified for those works in Column 1 of that Table, except as otherwise provided by this clause:

**Table 1**

Column 1	Column 2
Class of land as shown on Acid Sulfate Soils Planning Maps	Works
1	Any works
2	Works below the natural ground surface Works likely to lower the watertable
3	Works more than 1 metre below the natural ground surface Works likely to lower the watertable to a depth of more than 1 metre below the natural ground surface

## Port Stephens Local Environmental Plan 2000 (Amendment No 10)

## Schedule 1 Amendments

Column 1	Column 2
Class of land as shown on Acid Sulfate Soils Planning Maps	Works
4	Works more than 2 metre below the natural ground surface Works likely to lower the watertable to a depth of more than 2 metres below the natural ground surface
5	Works within 500 metres of Class 1, 2, 3 or 4 land which are likely to lower the watertable below 1 metre AHD on the adjacent Class 1, 2, 3 or 4 land

- (3) The Council must not grant 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 Manual*, 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, and
  - (d) where consent is sought for drainage works or maintenance of open drains—any comments from NSW Fisheries received within 21 days of the Council having sent that Department a copy of the development application and the related Acid Sulfate Soils Management Plan.

Port Stephens Local Environmental Plan 2000 (Amendment No 10)

Amendments

Schedule 1

- 
- (4) This clause does not require consent for the carrying out of works as described in subclause (2) if:
- (a) a copy of a preliminary assessment of the proposed works undertaken in accordance with the *Acid Sulfate Soils Manual* 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 Manual*.
- (5) Despite subclause (4), an Acid Sulfate Soils Preliminary Assessment or an Acid Sulfate Management Plan will not be required:
- (a) where the proposed works already require development consent under another clause in this plan, and
  - (b) total soil disturbance at or below the depth specified in Table 1 is less than one tonne.
- (6) In approving any consent for works described in subclause (5), the Council must apply one or more consent conditions requiring appropriate management of potential or actual acid sulfate soils.
- (7) Despite subclause (2), routine maintenance works may be carried out by the Council, a public authority or private drainage board without consent where an Acid Sulfate Soils Plan of Management relating to such works has been:
- (a) prepared in accordance with the *Acid Sulfate Soils Manual*, and
  - (b) approved by the Council after considering any comments received from the Department of Infrastructure, Planning and Natural Resources and NSW Fisheries within 21 days of the Council having sent those Departments a copy of the draft Acid Sulfate Soils Plan of Management.
- (8) An Acid Sulfate Soils Plan of Management, as referred to in subclause (7), must be reviewed at least every 5 years and only has effect for 5 years from the date on which it is made.

## Port Stephens Local Environmental Plan 2000 (Amendment No 10)

## Schedule 1 Amendments

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- (9) Despite subclause (2), the Council or a public authority may carry out emergency works without consent if the Council or public authority properly deals with those soils in accordance with the Acid Sulfate Soils Manual so as to minimise the actual or potential impact to the environment arising from the disturbance of the soils.
- (10) In this clause:
- acid sulfate soils*** means actual acid sulfate soils or potential acid sulfate soils.
- Acid Sulfate Soils Management Plan*** means a plan, prepared in accordance with the *Acid Sulfate Soils Manual*, which identifies the extent and nature of acid sulfate soils on a particular site, assesses the likely impacts of any proposed activity upon those acid sulfate soils (including the consequence of no action), and detail the prescriptive measures to be taken to minimise environmental impacts resulting from interaction between the acid sulfate soils and the proposed activity or inaction.
- Acid Sulfate Soils Manual*** means the *Acid Sulfate Soils Manual* as published from time to time by the NSW Acid Sulfate Soils Management Advisory Committee.
- Acid Sulfate Soils Plan of Management*** means a plan prepared by the Council, a private drainage board, or public authority in accordance with the *Acid Sulfate Soils Manual*.
- Acid Sulfate Soils Planning Map*** means the series of sheets (1–9) of the map marked “Acid Sulfate Soils Planning Map” kept in the office of the Council.
- actual acid sulfate soils*** are soils containing highly acidic soil horizons or layers resulting from the oxidation of soil materials that are rich in sulfides, primarily pyrite. This oxidation produces acidity in excess of the sediment’s capacity to neutralise the acidity resulting in soils of pH 4 or less.
- emergency works*** means the repair or replacement of any part of a utility installation or associated infrastructure:
- (a) to address or prevent malfunction or damage resulting from natural disaster, accident, vandalism or similar events, and

Port Stephens Local Environmental Plan 2000 (Amendment No 10)

Amendments

Schedule 1

- 
- (b) includes work reasonably necessary to prevent or limit any further damage or malfunction.

***potential acid sulfate soils*** are soils which contain iron sulfides or sulphuric material which have not been exposed to air and oxidised. The field pH of these soils in their unoxidised state is pH>4 and may be neutral or slightly alkaline.

***routine maintenance works*** means works occurring on a regular or recurrent basis which maintain public utility installations and associated infrastructure in good working order, but does not include works intended to increase the design capacity of an installation, extension of reticulation systems or works which involve the deepening of any drain. Such works include periodic inspection, replacement of existing pipes or cable, cleaning, clearing of drains to a depth or profile specified in an Acid Sulfate Soils Plan of Management.

***works*** includes:

- (a) any disturbance of more than one tonne of soil at or below the depth specified in the table to subclause (2) (including, but not limited to, the construction or maintenance of drains, extractive industries, agriculture, dredging, the construction of artificial waterbodies (including canals, dams and detention basins) or foundations, or flood mitigation works), or
- (b) any other works that are likely to lower the watertable.



## Ryde Local Environmental Plan No 141

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*. (S02/00492/S69)

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

Clause 1 Ryde Local Environmental Plan No 141

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## **Ryde Local Environmental Plan No 141**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Ryde Local Environmental Plan No 141*.

### **2 Aim of plan**

The aim of this plan is to allow, with consent, the land to which this plan applies to be used for the purposes of a motor showroom but only if the City of Ryde Council is satisfied that:

- (a) the development is to be undertaken in conjunction with development carried out on certain adjoining allotments, and
- (b) the land to which this plan applies and those adjoining allotments are to be consolidated to form a single allotment within 12 months after the granting of the consent.

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

This plan applies to land situated in the City of Ryde being Lot B, DP 105335, and known as 607 Blaxland Road, Eastwood.

### **4 Amendment of Ryde Planning Scheme Ordinance**

*Ryde Planning Scheme Ordinance* is amended as set out in Schedule 1.



Ryde Local Environmental Plan No 141

Amendment

Schedule 1

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## Schedule 1 Amendment

(Clause 4)

### Clause 72ZE

Insert after clause 72ZD:

#### **72ZE Certain development on land in Blaxland Road, Eastwood**

- (1) This clause applies to land being Lot B, DP 105335, and known as 607 Blaxland Road, Eastwood.
- (2) Despite any other provision of this Ordinance, the Council may consent to the carrying out of development for the purposes of a motor showroom on the land to which this clause applies but only if the Council is satisfied that:
  - (a) the development is to be undertaken in conjunction with development carried out on the adjoining allotments, being Lots A, B and C, DP 313830, and known as 601–605 Blaxland Road, Eastwood, and
  - (b) the land to which this clause applies and Lots A, B and C, DP 313830 are to be consolidated to form a single allotment within 12 months after the granting of the consent.

## Natural Resources

### WATER ACT 1912

Notice Under Section 117E

Lifting of Restrictions

NOTICE is hereby given that as from 26 March 2004, the Department of Infrastructure, Planning and Natural Resources has CANCELLED the notification that placed a 7:00 p.m. to 7:00 a.m. limit on extraction of groundwater for irrigation purposes from any bore, well or excavation from within the alluviums of the Peel Valley, Groundwater Management Area 005, which includes the Peel River Valley, Moore Creek Valley, Goonoo Goonoo Creek Valley, Timbumburi Creek Valley, Attunga Creek Valley and Dungowan Creek Valley.

This restriction was applied on 4 November 2002.

RANDALL HART,  
Regional Director,  
Barwon Region.

### WATER ACT 1912

Notice Under Section 22B

Lifting of Restrictions

NOTICE is hereby given that as from 26 March 2004, the Department of Infrastructure, Planning and Natural Resources has CANCELLED the notification of restriction on extraction of water from the Piallamore Ana Branch of the Peel River.

This restriction was applied on 12 September 2003.

RANDALL HART,  
Regional Director,  
Barwon Region.

### WATER ACT 1912

Notice Under Section 22B

Lifting of Restrictions

NOTICE is hereby given that as from 26 March 2004, the Department of Infrastructure, Planning and Natural Resources has CANCELLED the notification of restriction on extraction of water from the Wallamore Ana Branch of the Peel River.

This restriction was applied on 12 September 2003.

RANDALL HART,  
Regional Director,  
Barwon Region.

### WATER ACT 1912

Volumetric Water Allocation Scheme

Section 20Z of the Water Act 1912

THE Water Administration Ministerial Corporation notifies entitlement holders (licences, authorities and group licences) that the Peel Regulated River water source is unlikely to have sufficient water available to meet the requirements of general

security water entitlements. Accordingly, water allocations for general security entitlements will be reduced to 35% as from 26 March 2004, until a further notification varying this notification is published.

Dated this 26th day of March 2004.

Signed for the Water Administration Ministerial Corporation:

RANDALL HART,  
Regional Director,  
Barwon Region,  
Department of Infrastructure, Planning and  
Natural Resources  
(by delegation).

### WATER ACT 1912

Groundwater Allocation – Peel Valley Groundwater  
Management Area Sub-zone 1 Alluvium

Section 117E of the Water Act 1912

THE Water Administration Ministerial Corporation notifies groundwater entitlement holders that the Peel Valley Groundwater Sub-zone 1 Alluvium is unlikely to have sufficient water available to meet the requirements of persons authorised by law to take water from this water source or to meet other requirements for water previously determined by the Ministerial Corporation

Accordingly, except as provided for hereunder, all groundwater allocations will be reduced to 70% as from 26 March 2004, until a further notification varying this notification is published.

This reduction does not apply to the allocations under entitlements for town water supply and stock and domestic purposes.

Dated this 26th day of March 2004.

Signed for the Water Administration Ministerial Corporation:

RANDALL HART,  
Regional Director,  
Barwon Region,  
Department of Infrastructure, Planning and  
Natural Resources  
(by delegation).

### WATER ACT 1912

Volumetric Water Allocation Scheme

Section 20Z of the Water Act 1912

THE Water Administration Ministerial Corporation notifies entitlement holders (licences, authorities and group licences) that the Gwydir Regulated River water source is unlikely to have sufficient water available to meet the requirements of general security water entitlements. Accordingly, water allocations for general security entitlements will be reduced to 30% as from 26 March 2004, until a further notification varying this notification is published.

Dated this 26th day of March 2004.

GA2:472262.

Signed for the Water Administration Ministerial Corporation:

RANDALL HART,  
Regional Director,  
Barwon Region,  
Department of Infrastructure, Planning and  
Natural Resources  
(by delegation).

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### WATER ACT 1912

Volumetric Water Allocation Scheme

Section 20Z of the Water Act 1912

THE Water Administration Ministerial Corporation notifies entitlement holders (licences, authorities and group licences) that the Lower Namoi Regulated River water source is unlikely to have sufficient water available to meet the requirements of general security water entitlements. Accordingly, water allocations for general security entitlements will be reduced to 44% as from 26 March 2004, until a further notification varying this notification is published.

Dated this 26th day of March 2004.

GA2:472261.

Signed for the Water Administration Ministerial Corporation:

RANDALL HART,  
Regional Director,  
Barwon Region,  
Department of Infrastructure, Planning and  
Natural Resources  
(by delegation).

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### WATER ACT 1912

APPLICATIONS for a licence under Part 5 of the Water Act 1912, as amended has been received from:

Paul William Walker POWELL for alteration to an existing artesian bore (reconditioning), Lot 6246, DP 769102, County of Finch, for stock and domestic purposes (replacement licence 80BL240472) (Reference: 80BL239918).

Alan Victor Charles MURRAY for a proposed artesian bore, Lot 3850, DP 766293, County of Finch, for stock and domestic purposes (new license) (Reference: 80BL241918).

WALGETT SHIRE COUNCIL for a proposed artesian bore, Lot 1, DP 45034, Parish of Cumborah, County of Finch, for water supply for town water (new licence – Cumborah Town Water Supply drought contingency – subject application is re-advertised as a result of local community consultation and further hydrogeological advice).

GA2:494467.

Any inquires regarding the above should be directed to the undersigned (telephone: (02) 6872 2144).

Formal objections with grounds stating how your interests may be affected must be lodged by Friday, 16 April 2004, as prescribed by the Act.

ALLAN AMOS,  
Natural Resource Project Officer  
(Resource Access).

Department of Infrastructure, Planning and  
Natural resources,  
PO Box 342, Bourke, NSW 2840.

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### WATER ACT 1912

AN application under Part 2 of the Water Act 1912, being within a proclaimed (declared) local area under section 5(4) of the Water Act 1912.

An application for a licence under section 10 of Part 2 of the Water Act 1912, has been received as follows:

*Murray River Valley*

John Theodore PERRIGNON for 2 pumps on the Niemur River on Lot 3, DP 134906, Parish of Nyang, County of Wakool, for irrigation (replacement licence due to additional pump) (Reference: 50SL75615) (GA2:477298).

APPLICATION for an authority under section 20 of Part 2 of the Water Act 1912, has been received as follows:

*Murray River Valley*

COMMUNITY ASSOCIATION, DP 270046, for pumps on the Edward River on Lot 1, DP 270046, Parish of South Deniliquin, County of Townsend, for water supply for stock, domestic and industrial purposes and irrigation (replacement authority due to permanent transfer) (Reference: 50SA6629) (GA2:477299).

Any enquiries regarding the above should be directed to the undersigned (telephone: [03] 5881 9200).

Written objections to the application specifying the grounds thereof may be made by any statutory authority or a local occupier within the proclaimed area and must be lodged at the Department's Office at Deniliquin within twenty-eight (28) days of the date of this publication.

L. J. HOLDEN,  
Senior Natural Resource Officer,  
Murray Region.

Department of Infrastructure, Planning and  
Natural Resources,  
PO Box 205, Deniliquin, NSW 2710.

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### WATER ACT 1912

APPLICATIONS for a licence under Part 2 of the Water Act 1912, being within a proclaimed (declared) local area under section 5(4) of the Water Act 1912.

Applications for a licence under section 10 of Part 2 of the Water Act 1912, has been received as follows:

*Lachlan River Valley*

Peter John FARLEY and Gail Nita FARLEY for a pump on Lachlan River on Lots 61 and 62, DP 4963, Parish of Bangaroo, County of Bathurst, for water supply for stock

and domestic purposes and irrigation (162.00 hectares) (wheat, oats, lucerne and beans) (new licence – replacing existing entitlement – alteration to works – no increase in allocation – no increase in area) (Reference: 70SL090970) (GA2:466319).

Raymond Glen AGUSTIN for a bywash dam on Bridge Creek on Lots 96/750157, Parish of Eugowra, County of Ashburnham, for the conservation of water for water supply for domestic and stock purposes (new licence) (Reference: 70SL090968) (GA2:466318).

D F HERBERT PTY LIMITED for a pump on the Lachlan River on Lots 55 and 56/750182, Parish of Tarjere, County of Ashburnham, for water supply for irrigation of 45.5 hectares (new licence – increase in allocation – combining existing entitlement with additional entitlement obtained by way of permanent transfer scheme) (Reference: 70SL090966) (GA2:466318).

Written objections specifying grounds thereof, may be made by any statutory authority or local occupier within the proclaimed local area whose interests may be effected must be lodged with the Department within twenty-eight (28) days of the date of this publication as prescribed by the Act.

VIV RUSSELL,  
Resource Access Manager,  
Central West Region.

Department of Infrastructure, Planning and  
Natural Resources,  
PO Box 136, Forbes, NSW 2871,  
Telephone: (02) 6852 1222.

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### WATER ACT 1912

AN application under Part 2 within a proclaimed (declared) local area under section 5(4) of the Water Act 1912.

An application for a licence under section 10 for works within a proclaimed (declared) local area as generally described hereunder has been received from:

*Murrumbidgee Valley*

VERNAVILLE PTY LTD for 2 pumps on the Murrumbidgee River on TS and CR 20734 and an off river storage Lot 72, DP 750895, Parish of Mulburruga, County of Boyd, for a water supply for stock purposes and irrigation of 362 hectares (rice and other cereal crops) (replacement licence to accommodate a permanent transfer of 300 megalitres) (Reference: 40SL70949).

Any enquiries regarding the above should be directed to the undersigned (telephone: (02) 6953 0700).

Formal objections to the application specifying the grounds thereof, may be made by any statutory authority or a local occupier within the proclaimed area and must be lodged with the Department's Regional Director at Leeton within the twenty-eight (28) days as fixed by the Act.

S. F. WEBB,  
Resource Access Manager,  
Murrumbidgee Region.

Department of Infrastructure, Planning and  
Natural Resources  
PO Box 156, Leeton, NSW 2705.

### WATER ACT 1912

Notice Under Section 20Z

Water Allocation Announcement

Regulated Bega/Brogo River System including  
Tributaries

THE Water Administration Ministerial Corporation, pursuant to section 20Z of the Water Act 1912, is satisfied that the water source known as the Bega/Brogo regulated river system (being subject to a Volumetric Allocation scheme as Gazetted under section 20W), is unlikely to have sufficient water available to meet the requirements during the 2003/2004 water year of those persons authorised by law to take water from the water source.

By this Order, the Ministerial Corporation being satisfied of the above hereby announces the water allocations under the said scheme for the 2003/2004 water year to be the proportions specified in Schedule 1. This Order shall have effect from the date of publication to 30 June 2004 and supersedes earlier announcements. This Order applies to all entitlements subject to the Volumetric Allocation Scheme other than high security users.

Dated this 19th day of March 2004.

Signed for the Water Administration Ministerial Corporation.

NEIL McGAFFIN,  
A/Regional Director,  
Sydney/South Coast Region.

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### SCHEDULE 1

Water allocation for the full 2003/2004 water year is now 60% of entitlement.

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### WATER ACT 1912

APPLICATIONS under Part 2, being within a proclaimed (declared) local area under section 10 of the Water Act 1912, as amended.

Applications for a licence for works within a proclaimed local area as generally described hereunder has been received as follows:

*Namoi River Valley*

TAMWORTH CITY COUNCIL for three pumps on the Peel River on a road reserve adjoining Lot 14, DP 975280, Parish of Calala, County of Parry, for irrigation of 92 hectares (replacement licence – permanent transfer of an existing entitlement) (LO Papers: 90SL100753) (GA2:472265).

PECHELBA PTY LIMITED for a 610mm pump on the Namoi River on Lot 39, a diversion pipe on Myall Camp Warrambool on Lot 26, a bywash dam and a 300mm pump on an unnamed watercourse on Lot 62 (all except diversion pipe presently authorised) and a 610mm pump on an unnamed watercourse on Lot 63, all DP 753929, Parish Drildool, County Jamison, for water supply for stock and domestic purposes and irrigation of 219.5 hectares (to include permanent transfer of 245 mls of existing Namoi River entitlement and to authorise new works – this notice replaces a previous notice due to incorrect description of works) (LO Papers: 90SL100739).

PECHELBA PTY LIMITED for a 610mm pump on the Namoi River on Lot 39, a diversion pipe on Myall Camp Warrambool on Lot 26, a bywash dam and a 300mm pump on an unnamed watercourse on Lot 62 (all except diversion pipe presently authorised) and a 610mm pump on an unnamed watercourse on Lot 63, all DP 753929, Parish of Drildool, County of Jamison, for irrigation of 243 hectares (to replace existing licence to include new works) (LO Papers: 90SL100737H) (GA2:472267).

Written objections to the applications specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed (declared) area, whose interest may be affected and must be lodged with the Department's Manager, Resource Access, Tamworth, within twenty-eight (28) days as specified in the Act.

GEOFF CAMERON,  
Manager,  
Resource Access.

Department of Infrastructure, Planning and  
Natural Resources,  
PO Box 550, Tamworth, NSW 2340.

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## Department of Lands

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### FAR WEST REGIONAL OFFICE

**45 Wingewarra Street (PO Box 1840), Dubbo, NSW 2830**

**Phone: (02) 6883 3000      Fax: (02) 6883 3099**

#### ALTERATION OF PURPOSE OF A WESTERN LANDS LEASE

IT is hereby notified that in pursuance of the provisions of section 18J, Western Lands Act 1901, the purpose and conditions of the undermentioned Western Lands Lease have been altered as shown.

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

—————  
*Administrative District — Cobar;*  
*Shire — Cobar;*  
*Parish — Tinderra, Ramsay & Woodhouse;*  
*County — Yanda;*  
*Parish — Walla;*  
*County — Cowper*

The purpose of Western Lands Lease 6863, being the land contained within Folio Identifier 3749/766162 has been altered from "Grazing, Farm Tourism and Recreational Hunting" to "Grazing" effective from 22 March 2004.

As a consequence of the alteration of purpose the special conditions as published in the Government Gazette of 2 July 1999 Folios 4667-4669 previously annexed to Western Lands Lease 6863 by gazette of 22 September 2000 have been revoked.

#### ALTERATION OF CORPORATE NAME OF RESERVE TRUST

Pursuant to section 92(3) of the Crown Lands Act 1989, the corporate name of the reserve trust specified in Schedule 1 hereunder, which is trustee of the reserve referred to in Schedule 2, is altered to the corporate name specified in Schedule 3.

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

—————  
SCHEDULE 1

Neilpo Public Recreation (R97997) Reserve Trust

—————  
SCHEDULE 2

Reserve No. 97997.

Public Purpose: Public Recreation.

Notified: 22 November 1985.

File Reference: WL86R49.

—————  
SCHEDULE 3

Perry Sandhills Reserve Trust.

**GOULBURN OFFICE**  
**159 Auburn Street (PO Box 748), Goulburn, NSW 2580**  
**Phone: (02) 4828 6725 Fax: (02) 4828 6730**

**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. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

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

DESCRIPTION

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

Lots 1 & 2 DP 1022455 (being land in Vol 675 Fol 171).

File Reference GB 99 H 21: MB.

Note: On closing the land in Lots 1 & 2 DP 1022455 becomes vested in the Crown as Crown land.

**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 terms of office specified in that Column, 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.

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Maxwell James Baker (re-appointment) Shirley Lilian Trudgett (re-appointment) Christopher John Schiller (new member) Philip Benjamin Cooper (new member)	Bribbaree Recreation Reserve Trust	Reserve No. 54721 Public Purpose: Public Recreation Notified: 22 July 1921 File Reference: GB80R241

For a term commencing the date of this notice and expiring 11 March 2009.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Lorna May Fazldeen (new member) Brett Robert Stone (new member) Tony Graham Dowling (new member) June Pye (new member) Maree June Daniel (new member) Kenneth Maxwell Southwell (re-appointment)	Dalton Public Hall Reserve Trust	Reserve No. 48480 Public Purpose: Public Hall Notified: 15 January 1913 File Reference: GB80R147

For a term commencing the date of this notice and expiring 25 March 2009.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Dorothy Louise Baer (new member)	Frogmore Hall and Recreation Reserve Trust	Reserve No. 43919 Public Purpose: Public Recreation Notified: 19 May 1909 Reserve No. 53290 Public Purpose: Public Recreation Notified: 9 May 1919 Reserve No. 53384 Public Purpose: Public Hall Notified: 11 July 1919 File Reference: GB80R240

For a term commencing the date of this notice and expiring 25 May 2005.

**GRAFTON OFFICE****76 Victoria Street (Locked Bag 10), Grafton, NSW 2460****Phone: (02) 6640 2000 Fax: (02) 6640 2035****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 terms of office specified in that Column, 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)

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**SCHEDULE**

COLUMN 1	COLUMN 2	COLUMN 3
Charles Peter Corlis (new member)	Rileys Hill Dry Dock Heritage Reserve	Reserve No. 1004288 Public Purpose: Tourist
Raymond Francis Jeffrey (new member)	Trust	Facilities and Services Services Notified: 14 February 2003
Patrick Daniel Wilde (new member)		File Reference: GF03R9
Wendy Ann Laird (new member)		

For a term commencing 26 March 2004 and expiring  
4 September 2008.

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**GRIFFITH OFFICE**  
**2nd Floor, Griffith City Plaza,**  
**120–130 Banna Avenue (PO Box 1030), Griffith NSW 2680**  
**Phone: (02) 6962 7522 Fax: (02) 6962 5670**

**ERRATUM**

THE notice appearing in the *Government Gazette* of 19th March 2004 folio 1453, under the 'GRAFTON OFFICE' under the headings 'Revocation of Reservation of Crown Land' for Reserve No.s 71914, 78056 and 82326 and 'Reservation of Crown Land' for Reserve No. 1010108 is hereby removed.

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

**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: Mirrool  
 Local Government Area:  
 Griffith City Council  
 Locality: Griffith

Lot	Sec.	D.P. No.	Parish	County
3	86	758476	Jondaryan	Cooper
2	86	758476	Jondaryan	Cooper
1	86	758476	Jondaryan	Cooper

Area: 10.35ha

File Reference: GH02R69/1

Notes: Reserve No.s 71914, 78056 and 82326 revoked and amalgamated to create a new reserve with Griffith City Council as trust manager

**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: Mirrool  
 Local Government Area:  
 Griffith City Council  
 Locality: Griffith  
 Reserve No. 71914  
 Public Purpose:  
 Public Recreation  
 Notified: 10 May 1946  
 File Reference: GH02R69/1

Notes: The Land upon revocation will be re-reserved and amalgamated for the purpose of public recreation and community purposes.

**COLUMN 2**

The whole being  
 Lot Sec. D.P. No. Parish County  
 1 86 758476 Jondaryan Cooper  
 of an area of 9.682ha

**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: Mirrool  
 Local Government Area:  
 Griffith City Council  
 Locality: Jondaryan  
 Reserve No. 78056

Public Purpose:  
 Public Recreation  
 Addition  
 Notified: 4 November 1955  
 File Reference: GH02R69/1

Notes: The land upon revocation will be re-reserved and amalgamated for the purpose of public recreation and community purposes.

**COLUMN 2**

The whole being  
 Lot Sec. D.P. No. Parish County  
 2 86 758476 Jondaryan Cooper  
 of an area of 4350m2

**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: Mirrool	The whole being
Local Government Area: Griffith City Council	<i>Lot Sec. D.P. No. Parish County</i> 3 86 758476 Jondaryan Cooper
Locality: Griffith	of an area of 2314m <sup>2</sup>
Reserve No. 82326	
Public Purpose: Public Recreation Addition	
Notified: 29 January 1960	
File Reference: GH02R69/1	
Notes: The Land upon revocation will be re-reserved and amalgamated for the purpose of public recreation and community purposes.	

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**MAITLAND OFFICE**

**Cnr Newcastle Road & Banks Street (PO Box 6), East Maitland, NSW 2323**

**Phone: (02) 4934 2280 Fax: (02) 4934 2252**

**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 terms of office specified in that Column, 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)

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**SCHEDULE**

COLUMN 1	COLUMN 2	COLUMN 3
Peter John Hedges (re-appointment)	East Maitland War Memorial and Rest Park	Dedication No. 570070
Maxwell John Lantry (new Trust member)		Public Purpose: War Memoria Rest Park
Gregory Joseph Sattler (new member)		Notified: 11 February 1955
Peter Charles Harvey (new member)		File Reference: MD80R196/2
Mike Zaroyko (new member)		
Neil Bridgeman Cromarty (new member)		
Harold James Croft (re-appointment)		

For a term commencing this day and expiring 25 March 2009.

**NOWRA OFFICE**  
**5 O'Keefe Avenue (PO Box 309), Nowra, NSW 2541**  
**Phone: (02) 4428 6900      Fax: (02) 4428 6988**

**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: Bega	Reserve No. 83225
Local Government Area: Bega Valley Shire Council	Public Purpose: Public Recreation
Locality: Bermagui	Notified: 9 June 1961
<i>Lot Sec. D.P. No. Parish County</i>	<i>Lot Sec. D.P. No. Parish County</i>
7049 1029574 Bermagui Dampier	2 1 758095 Bermagui Dampier
Area: 840m2	3 1 758095 Bermagui Dampier
File Reference: NA80R392	304 729202 Bermagui Dampier
	5 1 758095 Bermagui Dampier
	7023 752130 # Bermagui Dampier
	2 792637 Bermagui Dampier
	701 1020261 Bermagui Dampier
	1 1 758095 Bermagui Dampier
	4 1 758095 Bermagui Dampier
	6 1 758095 Bermagui Dampier
	7035 752130 # Bermagui Dampier
	7037 752130 # Bermagui Dampier
	7036 1020260 Bermagui Dampier
	7024 1055107 Bermagui Dampier
	7034 752130 # Bermagui Dampier
	7038 1056344 Bermagui Dampier
	7039 1056344 Bermagui Dampier
	7040 1057988 Bermagui Dampier
	7041 1057988 Bermagui Dampier
	7042 1057988 Bermagui Dampier
	49 752130 Bermagui Dampier
	New Area: 29.994ha

Notes: Being the road closed, this day.

Disclaimer: # Please note that the above Lot numbers marked # are for Departmental use only.

**NOTIFICATION OF CLOSING OF PUBLIC ROAD**

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

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

**Description**

*Land District — Bega;*  
*LGA — Bega Valley Shire*

Lot 7049, DP 1029574 at Bermagui, Parish Bermagui and County Dampier (not being land under the Real Property Act). NA 03 H 234.

- Note: (1) On closing, the land remains vested in the Crown as Crown land.  
 (2) The land is to be added to R. 83225 for Public Recreation, this day.

**ORANGE OFFICE****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 Schedule hereunder are appointed, for the terms of office specified in that Column, 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
The person for the time being holding the office of Regional Environmental Officer, NSW Department of Mineral Resources (ex-officio member)	Ophir (R65909) Reserve Trust	Reserve No. 65909 Public Purpose: Public Recreation Notified: 3 April 1936 File Reference: OE80R16/6
The person for the time being holding the office of Manager, City Presentation, Orange City Council (ex-officio member)		
The person for the time being holding the office of Councillor, Cabonne Council (ex-officio member)		
George Noel Rawlinson (new member)		
Peter Graham Culverson (new member)		
Brian Thomas Ostini (new member)		
William Henry Mervyn Schmich (new member)		

For a term commencing 24 April 2004 and expiring 23 April 2005.

**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 terms of office specified in that Column, 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
Una Monica Sparke (re-appointment) Dorothy Margaret Scott (re-appointment) Noma Margaret Bird (re-appointment) Warren Bullock (re-appointment) Colleen Christine Davis (re-appointment)	Neville Public Hall Reserve Trust	Reserve No. 190071 Public Purpose: Public Hall Notified: 30 December 1988 File Reference: OE90R22/3

For a term commencing this day and expiring 25 March 2009.

**SYDNEY METROPOLITAN OFFICE**  
**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 — Metropolitan;*  
*L.G.A. — Randwick*

Lots 1 to 4 inclusive, DP 1064600 at Little Bay, Parish Botany (Sheet 8), County Cumberland.

MN03H28.

Note: On closing, titles for the land in lots 1 to 4 remain vested in Randwick City Council as operational land.

—————  
 Descriptions

*Land District — Picton;*  
*L.G.A. — Wollondilly*

Lot 101, DP 1053422 at Orangeville, Parish Weromba, County Camden.

MN01H213.

Note: On closing, title for the land in lot 101 remains vested in Wollondilly Shire Council as operational land.

—————  
 Descriptions

*Land District — Metropolitan;*  
*L.G.A. — Manly*

Lot 1, DP 1052463 at Clontarf, Parish Manly Cove (Sheet 7), County Cumberland.

MN00H326.

Note: On closing, title for the land in lot 1 remains vested in Manly Council as operational land.

—————  
 Descriptions

*Land District — Metropolitan;*  
*L.G.A. — Manly*

Lot 1, DP 1060275 at Fairlight, Parish Manly Cove, County Cumberland.

MN01H149.

Notes: (1) On closing, title for the land in lot 1 remains vested in Manly Council as community land.

(2) The road is closed subject to the easement for gas main 3 wide as shown in DP 1060275.

**APPOINTMENT OF TRUST BOARD MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the person whose name is specified in Column 1 of the Schedule hereunder is appointed, for the term of Office specified in that Column, 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 Schedule.

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

—————  
 SCHEDULE

**MEMBERS APPOINTED**

COLUMN 1	COLUMN 2	COLUMN 3
Lesley Margaret ROBSON (reappointment)	Mt St Joseph Reserve Trust	Reserve 100102 at Eagle Vale notified for community purposes in the government gazette of 26 June 1987.
James Allan PITTS (reappointment)		
Maureen Elizabeth HOOK (reappointment)		

**TERM OF OFFICE**

For a period commencing  
 1 April 2004 and expiring  
 31 March 2009.

**TAREE OFFICE****102-112 Victoria Street (PO Box 440), Taree, NSW 2430****Phone: (02) 6552 2788****Fax: (02) 6552 2816****NOTIFICATION OF CLOSING OF A ROAD**

IN pursuance of the provisions of the Roads Act, 1993, the road hereunder described is 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 road are extinguished.

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

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**Description**

*Parish – Palmerston;*  
*County – Macquarie;*  
*Land District – Kempsey;*  
*Local Government Area – Kempsey*

Road being Lots 912, 913, 914, 915, 916 and 917 in DP864938.

Note: On closing the land within the former road remains vested in Kempsey Shire Council as operational land.

TE04 H 7.

**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 terms of office specified in that Column, 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)

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**SCHEDULE**

COLUMN 1	COLUMN 2	COLUMN 3
Patricia Bennett and Ivan Ronald Sillitoe (new members)	Belmore River Recreation Reserve Trust	Reserve No. 72919 Public Purpose: Public Hall, Public Recreation Notified: 3 December 1948 File Reference: TE80R108/2
Richard John Eakin, Peter Keith Notley, Pauline June Kesby, Lloyd John Davis and Julia Kirsten Sillitoe (reappointments)		

For a term commencing 01 April 2004 and expiring 31 March 2009.

**ESTABLISHMENT OF RESERVE TRUST AND APPOINTMENT OF CORPORATION TO MANAGE THE RESERVE TRUST**

PURSUANT to sections 92 (1) and 95 of the Crown Lands Act 1989 the reserve trust specified in Column 1 hereunder is established under the name stated in that Column and is appointed as trustee of the reserve specified thereto in Column 3 and the corporation specified in Column 2 hereunder is appointed to manage the affairs of the reserve trust specified in Column 1 of the Schedule.

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

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**SCHEDULE**

COLUMN 1	COLUMN 2	COLUMN 3
Krambach Quarry (R52940) Trust	Greater Taree Reserve City Council	Reserve No: 52940 Public Purpose: Quarry Notified: 16 August 1918 File:TE03R7

**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**

The Crown public road on the western boundary of Lot 10 DP732189 and Lot 37 DP753205, Parish Topi Topi, County Gloucester at Bungwahl.

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**SCHEDULE 2**

Roads Authority: Great Lakes Council.  
File No: TE04 H 48 Council Ref: DA277/2003.

**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 in Column 1, 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	COLUMN 2	COLUMN 3
Terrence John EVANS	Lansdowne (Sandy Point) Recreation Flora Reserve Trust	Reserve No. 50557 Public Purpose: Public Recreation, Preservation of Native Flora Notified: 10 Mar 1915 File Reference: TE80R186/3

For a term commencing this day and expiring 25  
September 2004

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**WAGGA WAGGA REGIONAL OFFICE**  
**Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga, NSW 2650**  
**Phone: (02) 6937 2709 Fax: (02) 6921 1851**

**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: Albury	The whole being
Local Government Area: Culcairn Shire Council	<i>Lot D.P. No. Parish County</i> 253 753741 Henty Hume
Locality: Henty	of an area of 1.986ha
Reserve No. 81492	
Public Purpose: Sanitary Purposes	
Notified: 26 March 1959	
File Reference: WA80R12	
Notes: It is intended to add this land to the adjoining Reserve 6454 for Temporary Common.	

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Albury	The whole being
Local Government Area: Culcairn Shire Council	<i>Lot D.P. No. Parish County</i> 7001 94255 Henty Hume
Locality: Henty	of an area of 5008m <sup>2</sup>
Reserve No. 85149	
Public Purpose: Sanitary Purposes	
Notified: 18 December 1964	
File Reference: WA80R12	
Notes: It is intended to add this land to the adjoining Reserve 6454 for Temporary Common.	

**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: Albury	Reserve No. 6454
Local Government Area: Culcairn Shire Council	Public Purpose: Temporary Common
Locality: Henty	Notified: 2 June 1988
<i>Lot D.P. No. Parish County</i>	<i>Lot D.P. No. Parish County</i>
241 753741 Henty Hume	7002 94254 Henty Hume
253 753741 Henty Hume	New Area: 75.33ha
7001 94255 Henty Hume	
Area: 6.533ha.	
File Reference: WA80R12.	

**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 terms of office specified in that Column, 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
Lyle J McPherson (new member)	Matong Public Hal Trust	Reserve No. 1001387 Public Purpose: Community Purposes Notified: 21 August 1998
Gordon David Jones (re-appointment)		Reserve No. 91480 Public Purpose: Public Hall Notified: 10 August 1979 File Reference: WA80R173
Roger Lindsay Hamblin (new member)		
David George Henderson (new member)		
Rupert Richardson (re-appointment)		
Patrick John Quinn (re-appointment)		
Graeme John Hatty (re-appointment)		

For a term commencing 1 May 2004 and expiring 30 April 2009.

**ROADS ACT 1993**

ORDER

Transfer of Crown Road to a Council

IN pursuance of the provisions of Section 151, Roads Act 1993, the Crown public roads specified in Schedule 1 are 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 roads specified in Schedule 1 cease to be Crown public road.

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

*Parish — Jindera;*  
*County — Goulburn;*  
*Land District — Albury;*  
*Shire — Hume*

SCHEDULE 1

Crown Public Road 20.115 metres wide and described as the road west of Lot 983 DP 588631.

SCHEDULE 2

Roads Authority: Hume Shire Council.

File No: WA03H208.



**NOTIFICATION OF CLOSING OF A ROAD**

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

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

## Description

*Parish — Bulalgee;*  
*County — Wynyard;*  
*Land District — Tumbarumba;*  
*Shire — Holbrook*

Road Closed: Lots 1 and 2 DP 1065656.

File No: WA01H30.

Note: On closing, the land within Lots 1 and 2 DP 1065656 will vest in the State of New South Wales as Crown land.

## Department of Mineral Resources

NOTICE is given that the following applications have been received:

### EXPLORATION LICENCE APPLICATIONS

(T04-0048)

No. 2310, PIONEER NICKEL LIMITED (ACN 103 423 981), area of 22 units, for Group 1, dated 15 March, 2004. (Sydney Mining Division).

(T04-0049)

No. 2311, PIONEER NICKEL LIMITED (ACN 103 423 981), area of 29 units, for Group 1, dated 15 March, 2004. (Sydney Mining Division).

(T04-0050)

No. 2312, PIONEER NICKEL LIMITED (ACN 103 423 981), area of 42 units, for Group 1, dated 15 March, 2004. (Sydney Mining Division).

(T04-0051)

No. 2313, COMET RESOURCES LIMITED (ACN 060 628 202), area of 20 units, for Group 1 and Group 2, dated 17 March, 2004. (Orange Mining Division).

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

NOTICE is given that the following applications have been granted:

### EXPLORATION LICENCE APPLICATIONS

(T03-0113)

No. 2151, now Exploration Licence No. 6206, CULLEN EXPLORATION PTY LIMITED (ACN 077 371 165), Counties of Bourke, Cooper, Dowling and Gipps, Map Sheet (8230), area of 257 units, for Group 1, dated 10 March, 2004, for a term until 9 March, 2006.

(T03-0115)

No. 2153, now Exploration Licence No. 6207, CULLEN EXPLORATION PTY LIMITED (ACN 077 371 165), Counties of Bourke and Cooper, Map Sheet (8228, 8229, 8328, 8329), area of 300 units, for Group 1, dated 10 March, 2004, for a term until 9 March, 2006.

(T03-0868)

No. 2187, now Exploration Licence No. 6203, BANLONA PTY LIMITED (ACN 106 665 767), Counties of Bligh and Phillip, Map Sheet (8833), area of 38 units, for Group 1, dated 8 March, 2004, for a term until 7 March, 2006.

(T03-0887)

No. 2206, now Exploration Licence No. 6211, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), Counties of Bland and Harden, Map Sheet (8528, 8529), area of 35 units, for Group 1, dated 16 March, 2004, for a term until 15 March, 2006.

(T03-0966)

No. 2224, now Exploration Licence No. 6204, TELMINEX NL (ACN 003 309 911), Counties of Blaxland and Cunningham, Map Sheet (8232), area of 30 units, for Group 1, dated 8 March, 2004, for a term until 7 March, 2006.

(T03-0974)

No. 2232, now Exploration Licence No. 6210, GRENFELL GOLD PTY LTD (ACN 106 245 238), County of Forbes, Map Sheet (8530), area of 15 units, for Group 1, dated 12 March, 2004, for a term until 11 March, 2006. As a result of the grant of this title, Exploration Licence No. 6060 has ceased to have effect.

(T03-0986)

No. 2244, now Exploration Licence No. 6205, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), County of Roxburgh, Map Sheet (8831), area of 8 units, for Group 1, dated 10 March, 2004, for a term until 9 March, 2006.

(T03-0989)

No. 2247, now Exploration Licence No. 6208, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), County of Cowper, Map Sheet (8236, 8237), area of 112 units, for Group 1, dated 10 March, 2004, for a term until 9 March, 2006.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

NOTICE is given that the following applications have been withdrawn:

### EXPLORATION LICENCE APPLICATIONS

(T03-0892)

No. 2211, CHAMPION RESOURCES PTY LTD (ACN 106 879 690), County of Cowper and County of Yanda, Map Sheet (8035, 8036). Withdrawal took effect on 10 March, 2004.

(T03-0894)

No. 2213, CHAMPION RESOURCES PTY LTD (ACN 106 879 690), County of Bland, Map Sheet (8429). Withdrawal took effect on 10 March, 2004.

(T03-0895)

No. 2214, CHAMPION RESOURCES PTY LTD (ACN 106 879 690), County of Bland and County of Harden, Map Sheet (8428). Withdrawal took effect on 10 March, 2004.

(T03-0896)

No. 2215, CHAMPION RESOURCES PTY LTD (ACN 106 879 690), County of Buccleuch and County of Harden, Map Sheet (8527, 8528). Withdrawal took effect on 10 March, 2004.

(T03-0897)

No. 2216, CHAMPION RESOURCES PTY LTD (ACN 106 879 690), County of Inglis and County of Parry, Map Sheet (9135). Withdrawal took effect on 10 March, 2004.

(T03-0900)

No. 2219, CHAMPION RESOURCES PTY LTD (ACN 106 879 690), County of Bligh, County of Lincoln and County of Napier, Map Sheet (8734, 8833, 8834). Withdrawal took effect on 10 March, 2004.

(T03-0976)

No. 2234, CHAMPION RESOURCES PTY LTD (ACN 106 879 690), County of Clyde, Map Sheet (8336, 8337). Withdrawal took effect on 10 March, 2004.

(T03-0977)

No. 2235, CHAMPION RESOURCES PTY LTD (ACN 106 879 690), County of Canbelego, County of Flinders, County of Gregory and County of Oxley, Map Sheet (8334, 8335). Withdrawal took effect on 10 March, 2004.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

NOTICE is given that the following applications for renewal have been received:

(T98-1121)

Exploration Licence No. 5703, NSW GOLD NL (ACN 003 307 702), area of 24 units. Application for renewal received 19 March, 2004.

(T99-0238)

Exploration Licence No. 5714, MALACHITE RESOURCES NL (ACN 075 613 268), area of 22 units. Application for renewal received 17 March, 2004.

(T99-0216)

Exploration Licence No. 5722, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), area of 16 units. Application for renewal received 19 March, 2004.

(T03-0636)

Mining Lease No. 1116 (Act 1973), HILL END GOLD LIMITED (ACN 072 692 365), area of 15.71 hectares. Application for renewal received 18 March, 2004.

(T03-0930)

Mineral Lease No. 6093 (Act 1906), MICHAEL JOHN BURKE, area of 18.41 hectares. Application for renewal received 9 March, 2004.

(T03-0927)

Mineral Lease No. 6097 (Act 1906), MICHAEL JOHN BURKE, area of 11.51 hectares. Application for renewal received 9 March, 2004.

(T03-0672)

Mining Purposes Lease No. 268 (Act 1973), GERHARD WIESENBERGER, area of 3.033 hectares. Application for renewal received 12 March, 2004.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

**RENEWAL OF CERTAIN AUTHORITIES**

NOTICE is given that the following authorities have been renewed:

(M74-6185)

Authorisation No. 72, NOVACOAL AUSTRALIA PTY. LIMITED (ACN 000 013 990), County of Durham, Map Sheet (9033), area of 508 hectares, for a further term until 24 March, 2008. Renewal effective on and from 12 March, 2004.

(M81-1457)

Authorisation No. 278, DEPARTMENT OF MINERAL RESOURCES, County of Camden, Map Sheet (8929, 9029), area of 309.1 square kilometres, for a further term until 15 November, 2006. Renewal effective on and from 10 February, 2004.

(T96-1003)

Exploration Licence No. 5152, JERVOIS MINING LIMITED (ACN 007 626 575), County of Monteagle, Map Sheet (8529, 8530), area of 35 units, for a further term until 13 November, 2005. Renewal effective on and from 16 March, 2004.

(C00-1057)

Exploration Licence No. 5860, WHITE MINING (NSW) PTY LIMITED (ACN 089 414 595) and ICRAASHTON PTY LTD (ACN 097 499 780), County of Durham, Map Sheet (9133), area of 272 hectares, for a further term until 21 May, 2005. Renewal effective on and from 3 March, 2004.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

**CANCELLATION OF A MINING LEASE FOR FAILURE TO COMPLY WITH CONDITIONS OF THE LEASE OR MINING ACT**

NOTICE is given that the following lease has been cancelled:

(T81-0937)

Mining Lease No. 951 (Act 1973), FORT BOURKE GYPSUM PTY LIMITED (ACN 058 670 983), Parish of Nidgerie, County of Gunderbooka; and Parish of Paka, County of Gunderbooka, Map Sheet (8037-4-N), area of 33.75 hectares. Cancellation took effect on 27 February, 2004.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

**Sydney**  
**COAL MINES REGULATION ACT, 1982**

FILE NO: C96/2311

DATE: March 15, 2004

**ORDER OF DECLARATION OF COAL PREPARATION PLANT**

It is hereby notified that the CHIEF INSPECTOR OF COAL MINES by virtue of delegated authority from the Minister of Mineral Resources and pursuant to the provisions of Section 145B (1) of the Coal Mines Regulation Act, 1982, as amended, DECLARES the coal preparation plant listed below to be suitable for management separately from a mine.

Plant:	Mt Owen Coal Preparation Plant Designated by
	<ul style="list-style-type: none"> <li>• Plan labelled Declared Plant Area Swamp Creek North Void and Dump Hopper dated 26 Feb 2004. This Drawing Nos SVST270 replaces previous Drawing Nos TCN-0770-1000-1-024.</li> <li>• Plan labelled Proposed Areas of Responsibility – Infrastructure and Declared Plant dated 26 Feb 2004. This Drawing Nos SVST269 replaces previous Drawing Nos TCN-0770-1000-1-020. Areas A and B to be included upon written notification to the Department from the mine.</li> </ul>
Location:	Mount Owen Open Cut
Owner:	Xstrata Coal
Operator:	Thiess Pty Ltd

The Declaration requires compliance with those Sections of the Coal Mines Regulation Act, 1982 as amended and any Regulations issued pursuant to the Act that are relevant to Declared Coal Preparation Plants.

A copy of this order and the plan shall be displayed on the Declared Plant notice board for a period of not less than 28 days so as to give all employees reasonable opportunity to view its contents and thereafter shall be retained for perusal by employees as required.

R. REGAN,  
 Chief Inspector of Coal Mines

FILE NO.	DOCUMENT NAME	PAGE NO.	DATE	AUTHOR
C96/2311	13MINERALS01	PAGE 1 OF 1	23/03/2004	G. W. COWAN

COAL MINES REGULATION ACT,  
1982

APPROVAL No. **MDA Ex ias 17057 (issue 0)**  
FILE No. **C04/0041**  
DATE: **11-Jan-04**

### **NOTICE OF PRIMARY APPROVAL**

It is hereby notified that the Approved item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate Standards or requirements and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 73 of the Coal Mines (General) Regulation, 1999.

This APPROVAL is issued to	:	<b>Austdac Pty Ltd (ABN 31 002 654 695)</b>
Address of Approval Holder	:	<b>1 / 4 Packard Avenue CASTLE HILL NSW 2154</b>
Description of Item/s & Variations :		<b>Miners Cap Lamp</b>
Manufacturer and model / type	:	<b>Type GII</b>
C.M.R.A Regulation	:	<b>Electrical Underground Clause 140 (I)</b>
Specific Approval Category	:	<b>Explosion Protected – Intrinsically Safe Ex ia Special Protection Ex s</b>

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 2000.

The Authority issuing this Approval has, for the purposes of the Occupational Health and Safety Act, 2000, appended a list of conditions / recommendations, (including drawings, documents, etc.) that are applicable to this Approved Item, as identified during test and / or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act, 2000. The onus is on the Supplier and / or User to ensure the Approved Item, and any deviation from the list of conditions / recommendations, in reference to that Item is not inferior in any way to the Item tested and / or assessed, this includes the supply, installation and continuing use of the Approved Item.

The Approval Number shall appear in a conspicuous place and in a legible manner on each approved item, unless specifically excluded.

A copy of the Approval Documentation shall be supplied to each user of the approved item and shall comprise the number of pages listed in the footer block together with supplementary documentation as listed in the schedule and in respect to drawings, all drawings as listed in the schedule or those specifically nominated for the purposes of repair and maintenance.

Any Maintenance, Repair or Overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulation Act, 1982.

G.L.M. WARING,  
Accredited Assessing Authority (MDA A2516)  
FOR CHIEF INSPECTOR OF COAL MINES

Dept File No : <b>C04/0041</b>	Doc No :d:\wes\appmaster\AusdacExias17057priapp.doc	Page 2 of 5
App Holder : Austdac Pty Ltd		

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## Roads and Traffic Authority

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### ROADS ACT 1993

#### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Blacktown  
in the Blacktown 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

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#### SCHEDULE

ALL that piece or parcel of land situated in the Blacktown City Council area, Parish of Prospect and County of Cumberland, shown as Lot 2 Deposited Plan 1063433, being part of the land in Certificate of Title 692/1060489.

The land is said to be in the possession of the Roads and Traffic Authority of New South Wales.

(RTA Papers FPP 3M4215; RO 40.12561)

### ROADS ACT 1993

Notice of Dedication of Land as Public Road  
at Albury in the Albury 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

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#### SCHEDULE

All that piece or parcel of land situated in the Albury City Council area, Parish of Albury and County of Goulburn, shown as Lot 3 Deposited Plan 626883.

(RTA Papers: 2/4.1106)

### ROADS ACT 1993

#### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Narrabri  
in the Narrabri Shire 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

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#### SCHEDULE

ALL those pieces or parcels of land situated in the Narrabri Shire Council area, Parish of Narrabri and County of Nandewar, shown as:

Lots 9 to 13 inclusive, 15 and 16 Deposited Plan 1059021, being parts of the land in Deed of Conveyance No 344 Book 3498; and

Lot 14 Deposited Plan 1059021, being part of the land in Deed of Conveyance No 676 Book 3800.

The land is said to be in the possession of Narrabri Shire Council.

(RTA Papers FPP 4M363; RO 17/319.1285)

**ROADS ACT 1993****Notice under Clause 17 of the Road Transport (Mass, Loading and Access)  
Regulation 1996**

Griffith 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 roads and road related areas on or in which Road Trains may be used subject to any requirements or conditions set out in the Schedule.

A CRAKANTHORP,  
Acting General Manager  
Griffith City Council  
(by delegation from the Minister for Roads)

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**SCHEDULE****1. Citation**

This Notice may be cited as the Griffith City Council Road Train Notice No. 1 2004.

**2. Commencement**

This Notice takes effect from the date of gazettal.

**3. Effect**

This Notice remains in force until 31 December 2009.

**4. Application**

This Notice applies to Road Trains 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****Road Train routes within the Griffith City Council**

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
RT	000	Wood Road, Yenda	Whitton Stock Route	Casella Wines – 2.2km west of Whitton Stock Route	Nil

## ROADS ACT 1993

### Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation, 1996.

I, Paul Forward, Chief Executive of the Roads & Traffic Authority, 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.

PAUL FORWARD,  
Chief Executive  
Roads & Traffic Authority

### Schedule

#### 1. Citation

This Notice may be cited as the Roads & Traffic Authority 25 Metre B-Double Notice No2/2004.

#### 2. Commencement

This Notice takes effect from the date of gazettal.

#### 3. Effect

This Notice remains in force until 31 January 2008 unless it is amended or repealed earlier.

#### 4. Application

This Notice applies to those 25 metre B-Doubles that 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 outside the Sydney Region.

TYPE	ROAD NO.	ROAD NAME	START POINT	FINISH POINT	CONDITIONS
25	0	Long Point Rd Bago Forest	Back Creek Rd	Gravel Turnaround 3.5 Kms to south	
25	0	Back Creek Rd Bago Forest	Bullongra Rd	Adelong Rd	
25	0	BB Feeder Rd Green Hills Forest	Wondalga Rd	Wilson's Road	
25	0	Kendall Feeder Rd Green Hills Forest	Wondalga Rd	Pierces Boundary Rd	
25	0	Scotties Hut Rd Green Hills Forest	Wondalga Rd	Adelong Ck Rd	One Way Only Wondalga Rd to Adelong Ck Rd
25	0	West Branch Feeder Rd Green Hills Forest	Old Tumbarumba Rd	Adelong Ck Rd	



25	0	Blowering Camp Rd Bago Forest	Foreshore Rd	Yellowin Access Rd	
25	0	Argalong Road Buccleuch Forest	Chinamans Creek Rd	Hume & Hovel Walking Track	
25	0	Barnetts Rd Buccleuch Forest	Brindabella Rd	Little Oakes Creek Rd	
25	0	Billo Short Cut Rd Buccleuch Forest	Billapaloola Rd	Cotterills Rd	
25	0	Bobby Glens Rd Buccleuch Forest	Masons Rd	Argalong Stock Route	
25	0	Boys Rd Buccleuch Forest	Hallorans Rd	Argalong Stock Route	
25	0	Bungongo Rd Buccleuch Forest	Nanangroe Rd	Timberlands Boundary	
25	0	Chinamans Ck Rd Buccleuch Forest	Hallorans Rd	Plantation Boundary	
25	0	Crupper Ck Rd Buccleuch Forest	Brindabella Rd	Crupper Creek Quarry (3300m)	
25	0	Herlihys Rd Buccleuch Forest	McDonnells Rd	Araglong Stock Route	
25	0	Micalong Rd Buccleuch Forest	Brindabella Rd	Pine Plantation Boundary	
25	0	Rosettes Rd Buccleuch Forest	Billapaloola Rd	Wyangle Rd	
25	0	Stringybark Rd Buccleuch Forest	McDonnells Rd	Webbs Rd	
25	0	Tates Rd Buccleuch Forest	Couragago Rd	Roberts Rd	
25	0	Webbs Rd Buccleuch Forest	Argalong Stock Route	Brindabella Rd	
25	0	Wyangle Rd Buccleuch Forest	Rosettes Rd	Brindabella Rd	
25	0	Yankee Ned Rd Buccleuch Forest	Wee Jasper Forest Rd	T-intersection (2.7 Km)	
25	0	Akuna Rd Carabost Forest	Downfall Rd	Railway crossing	
25	0	Arkuna Rd Carabost Forest	Akuna Rd	Kulkarine Rd	
25	0	Canaarvan Rd Carabost Forest	Downfall Rd	Downfall Rd	
25	0	Cararoo Rd Carabost Forest	Coppabella-Rosewood Rd	Wagga Wagga - Tumbarumba Rd	
25	0	Cararoo Rd Carabost Forest	Maginnity's Gap Rd	Coppabella-Rosewood Rd	
25	0	Frontage Rd Carabost Forest	Short Cut Rd	Carabost - Coppabella Rd	
25	0	Short Cut Rd Carabost Forest	Wagga Wagga - Tumbarumba Rd	Cararoo Rd	

25	0	Short Cut Rd Carabost Forest	Cararoo Rd	Western Access Rd	
25	0	Stony Ck Rd Carabost Forest	Strip Rd	Wagga Wagga - Tumbarumba Rd	
25	0	Strip Rd Carabost Forest	Short Cut Rd	Stony Ck Rd	
25	0	Umbango Ck Rd Carabost Forest	Canaarvan Rd	Umbango Rd	
25	0	Western Access Rd Carabost Forest	Western Fire Rd	Short Cut Rd	
25	0	Bago Ck Rd Green Hills Forest	Nursery Access Rd	Wondalga Rd	
25	0	Booths Access Rd Green Hills Forest	Wondalga Rd	Pine Plantation Boundary	
25	0	Carrs Rd Green Hills Forest	Wondalga Rd	Lochinvar Feeder Rd	
25	0	Horse Creek Rd Green Hills Forest	Wondalga Rd	Wondalga Rd	
25	0	Monterey Rd Green Hills Forest	Kendall Feeder Rd	Wiltys Rd	
25	0	Nursery Access Rd Green Hills Forest	Jingellic-Gilmore Rd (MR 85)	Lochinvar Feeder Rd	
25	0	Sailors Rd Green Hills Forest	Jingellic-Gilmore Rd (MR 85)	Carr's Rd	
25	0	Wombey's Feeder Rd Green Hills Forest	Lochinvar Feeder Rd	Adelong Rd	
25	0	Blue Hills Rd Munderoo Forest	Munderoo West Rd	Hardy's Rd	
25	0	Munderoo Access Rd Munderoo Forest	Munderoo West Rd	Glenroy Mannus Rd	

## ROADS ACT 1993

**Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation, 1996.**

I, Paul Forward, Chief Executive of the Roads & Traffic Authority, 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.

PAUL FORWARD,  
Chief Executive  
Roads & Traffic Authority

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**Schedule**
**1. Citation**

This Notice may be cited as the Roads & Traffic Authority 25 Metre B-Double Notice No 04/2004.

**2. Commencement**

This Notice takes effect from the date of gazettal.

**3. Effect**

This Notice remains in force until 31 January 2007 unless it is amended or repealed earlier.

**4. Application**

This Notice applies to those 25 metre 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 outside the Sydney Region.

TYPE	ROAD NO.	ROAD NAME	START POINT	FINISH POINT	CONDITIONS
25	0	Bago Forest Way	Yellowin Access Road Bago Forest	Kopsen's Road	
25	0	Bago Forest Way	Kopsen's Road Bago Forest	Bullongra Road	
25	0	Bullongra Road	Bago Forest Way Bago Forest	Back Creek Road	
25	0	Bullongra Road	Back Creek Road Bago Forest	Ash Creek Road	
25	0	Ash Creek Road	Bullongra Road Bago Forest	Elliott Way	
25	0	Bullongra Road	Bago Forest Way Bago Forest	Snubba Road	
25	0	Brown's Forest Road	Central Logging Road Bago Forest	Plantation Boundary	
25	0	Central Logging Road	Kopsen's Road Bago Forest	Back Kunama Road	
25	0	Causeway Road	Whitegate Road Buccleuch Forest	86 Feeder Road	

25	0	86 Feeder Road	Causeway Road Bucclench Forest	Plantation Boundary	
25	0	Whitegate Road	Billapaloola Road Bucclench Forest	Plantation Boundary	
25	0	Billo Trig Road	Billapaloola Road Bucclench Forest	Reedy Creek Road	
25	0	Billo Trig Road	Reedy Creek Road Bucclench Forest	Plantation Boundary	
25	0	Reedy Creek Road	Billo Trig Road Bucclench Forest	Plantation Boundary	
25	0	Hartwigs Road	Wee Jasper Forest Road Bucclench Forest	Cockatoo Road	
25	0	Tumorrana Trig Road	Wee Jasper Forest Road Bucclench Forest	Cockatoo Road	
25	0	Patterson's Road	Wee Jasper Forest Road Bucclench Forest	Mitchell's Road	
25	0	Jumper's Still Road	Halloran's Road Bucclench Forest	Hainsworth's Road	
25	0	Hainsworth's Road	Jumper's Still Road Bucclench Forest	Cpt 857 Boundary	
25	0	Pheasant's Creek Road	Wee Jasper Forest Road Bucclench Forest	Wee Jasper Forest Road	
25	0	Swamp Road	Micalong Road Bucclench Forest	Plantation Boundary	
25	0	Red Gum Flat Road	Main Road 284 (Wagga – Tumbarumba Road)	Short Cut Road	
25	0	Toners Road	Green Hills Forest Way Green Hills	Kendall Feeder Road	
25	0	65 Feeder Road	Green Hills Forest Way	Plantation Boundary	
25	0	Sharps Creek Road	Green Hills Forest Way	Cpt 846 Boundary	
25	0	Ernie's Way	Wondalga Road Green Hills Forest	Plantation Boundary	
25	0	Middle Road	Cararoo Road Carabost Forest	Coppabella – Rosewood Road	

## ROADS ACT 1993

### Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation 1996

I, Paul Forward, Chief Executive of the Roads and Traffic Authority, in pursuance to Division 2 of Part 3 of the Road Transport (Mass, Loading and Access) Regulation 1996, 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.

*[Signed – 23 March 2004]*

PAUL FORWARD,  
Chief Executive  
Roads and Traffic Authority

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### Schedule

#### Citation

This Notice may be cited as the Roads and Traffic Authority 25 metre B-Doubles Notice No 3/2004.

#### Commencement

This Notice takes effect from the date of gazettal.

#### Effect

This Notice has effect until 28 February 2006.

#### Repeal

This Notice repeals Roads and Traffic Authority 25 metre B-Doubles Notice No 1/2004, published in the Government Gazette No. 42 on 20 February 2004 at pages 777 to 778.

#### Application

This Notice applies to those 25 metre B-Doubles that 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.

#### Routes

##### 25 metre B-Double Routes in New South Wales – Sydney Region

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
		Western Distributor, Bathurst St off-ramp, Wheat Rd, Shelley St, Sussex St to Gate 3 Hickson Rd.	Western Distributor at Pymont Bridge Rd, Pymont	Gate 3, Hickson Rd Darling Harbour	See the Table below.
		Exit via Hickson Rd, Sussex St Western Distributor on-ramp (Sussex/Market Sts), Western Distributor			

Travel only in described direction

**Conditions** for B-Double travel on Hickson Rd:

- No operation between the hours of 10.30pm to 6.00am daily.
- Approval for B-Double access to and egress from the terminal (Gate 8 (North)) used by the *Spirit of Tasmania* is on a trial basis until 20 August 2004.
- Access/egress via Gate 3 may only be used in an emergency.
- If any unsafe operations of B-Doubles on the approved route, or while going into or out of the terminal facilities on Hickson Rd are identified, B-Double access approval may be withdrawn until those unsafe practices have been addressed to the satisfaction of the RTA.

## Other Notices

### APPRENTICESHIP AND TRAINEESHIP ACT 2001

#### 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) omitting from Schedule 2 the following recognised traineeship vocations:
    - Arts Administration
    - Photographic Retailing
    - Marketing and Management (Cultural Industries)
  - (b) inserting in Schedule 2 in appropriate alphabetical order the following vocation which is designated as a recognised traineeship vocation for the purpose of the Apprenticeship and Traineeship Act 2001:
    - Visual Arts Craft and Design

### 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 Visual Arts Craft and Design Industry.

#### CITATION

The order is cited as the Visual Arts Craft and Design Order.

#### ORDER

A summary of the Order is given below.

#### (a) Term of Training

##### (i) Full-time

The nominal term of training shall be given for a nominal term of 12 months for Certificate III and 24 months for Certificate IV 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	Not Allowable			
17	14	28	42	Not Allowable			
18	14	27	41	Not Allowable			
19	13	26	39	Not Allowable			
20	13	25	38	Not Allowable			
21	12	24	36	48	Not Allowable		
22	12	23	35	46	Not Allowable		
23	11	22	33	44	55	Not Allowable	
24	11	21	32	42	53	Not Allowable	
25	10	20	30	40	50	60	Not Allowable
26	10	19	29	38	48	57	Not Allowable
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 Visual Arts Craft and Design Competency Standards.

#### (c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

**Certificate III in Visual Arts and Contemporary Craft CUV30103**

**Certificate III in Aboriginal or Torres Strait Islander Cultural Arts CUV30203**

**Certificate III in Design Fundamentals CUV30303**

**Certificate III in Arts Administration CUV30403**

**Certificate IV in Photoimaging CUV40403**

#### 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 Visual Arts Craft and Design Industry.

#### CITATION

The order is cited as the Visual Arts Craft and Design Order.

#### ORDER

A summary of the Order is given below.

##### (a) Term of Training

###### (i) **Full-time**

The nominal term of training shall be given for a nominal term of 12 months for Certificate III and 24 months for Certificate IV 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	Not Allowable			
17	14	28	42	Not Allowable			
18	14	27	41	Not Allowable			
19	13	26	39	Not Allowable			
20	13	25	38	Not Allowable			
21	12	24	36	48	Not Allowable		
22	12	23	35	46	Not Allowable		
23	11	22	33	44	55	Not Allowable	
24	11	21	32	42	53	Not Allowable	
25	10	20	30	40	50	60	Not Allowable
26	10	19	29	38	48	57	Not Allowable
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 Visual Arts Craft and Design Competency Standards.

##### (c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

**Certificate III in Visual Arts and Contemporary Craft CUV30103**

**Certificate III in Aboriginal or Torres Strait Islander Cultural Arts CUV30203**

**Certificate III in Design Fundamentals CUV30303**

**Certificate III in Arts Administration CUV30403**

**Certificate IV in Photoimaging CUV40403**

#### 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 Business.

#### CITATION

The order is cited as the Business 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 each for all Certificates II, III and IV in Business except for Certificate IV in Business (Frontline Management) which shall be for a nominal term of 24 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.

#### **School based traineeships**

In the case of school-based part-time traineeships, where the nominal full-time term is twelve (12) months, training shall be for nominal terms up to 30 months within which period(s) trainees shall be required to demonstrate competencies relevant to the Vocational Training Order. Training may extend to 36 months where the Higher



School Certificate is being delivered over a three (3) year period.

Students may work full-time during school vacations. They are not required to attend on-the-job or off-the-job training for more than 7.6 hours per week during examination periods or exam preparation periods.

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	Not Allowable			
17	14	28	42	Not Allowable			
18	14	27	41	Not Allowable			
19	13	26	39	Not Allowable			
20	13	25	38	Not Allowable			
21	12	24	36	48	Not Allowable		
22	12	23	35	46	Not Allowable		
23	11	22	33	44	55	Not Allowable	
24	11	21	32	42	53	Not Allowable	
25	10	20	30	40	50	60	Not Allowable
26	10	19	29	38	48	57	Not Allowable
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 Business Competency Standards.

(c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

- Certificate II in Business (BSB20101)**
- Certificate III in Business (BSB30101)**
- Certificate IV in Business (BSB40101)**
- Certificate III in E-Business (BSB30601)**
- Certificate IV in E-Business (BSB41201)**
- Certificate III in Business Administration (BSB30201)**
- Certificate IV in Business Administration (BSB40201)**
- Certificate III in Business (Sales) (BSB30301)**

**Certificate III in Business (Recordkeeping) (BSB30401)**

**Certificate IV in Business (Recordkeeping) (BSB40301)**

**Certificate III in Business (Frontline Management) (BSB30504)**

**Certificate IV in Business (Frontline Management) (BSB41004)**

**Certificate III in Business (Legal Administration) (BSA30200)**

**Certificate IV in Business (Legal Services) (BSA40200)**

**Certificate IV in Business (Small Business Management) (BSB40401)**

**Certificate IV in Business Development ) (BSB40501)**

**Certificate IV in Business (Advertising) (BSB40601)**

**Certificate IV in Business (Marketing) (BSB40701)**

**Certificate IV in Business (Human Resources) (BSB40801)**

**Certificate IV in Business (Governance) (BSB40901)**

**Certificate IV in Business Management (BSB41101)**

**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>

**COMMERCIAL VESSELS ACT - 1979**

Notice declaring that section 30F of the Commercial Vessels Act -1979 and Clauses 7, 8 and 15 of the Commercial Vessels (Certificates of Competency & Safety Manning) Regulation -NSW do not apply to the Masters of "Vessels in Chains"

THE **WATERWAYS AUTHORITY** -(the Authority)- in pursuance of Section 48 of the *Commercial Vessels Act -1979*, declares by this notice that the provisions of section 30F of the Commercial Vessels Act -1979 and Clauses 7, 8 and 15 of the Commercial Vessels (Certificates of Competency & Safety Manning) Regulation - NSW in relation to the classes of Certificates of Competency, the requirements associated with the issue of a Certificate of Competency and the examination syllabuses related to Certificates of Competency DO NOT APPLY to a person specified in Schedule 1 PROVIDED THAT the person satisfies each of the requirements set out in Schedule 2.

Schedule 1

*Persons who may operate under this exemption*

A person acting as the Master of a "vehicular ferry operating in chains".

Schedule 2

*Conditions that must be complied with*

For this Exemption Notice to apply the person in question MUST COMPLY with EACH of the following conditions:

- (a) Provide evidence to the Waterways Authority that he/she meets the eyesight and medical fitness standards specified by the Waterway Authority to obtain a Licence to Operate a Vehicular Ferry in Chains from the Waterways Authority;
- (b) Undertake any tests that the Authority requires in relation to eyesight and medical fitness standards whilst the holder of a Licence to Operate a Vehicular Ferry in Chains;
- (c) Meet the training and examination requirements specified by the Authority for the issue of a Licence to Operate a Vehicular Ferry in Chains and obtain such a Licence;
- (d) Obtain and maintain a valid Senior First Aid Certificate from a Workcover approved training organisation whilst the holder of Licence to Operate a Vehicular Ferry in Chains; and
- (e) Pay the relevant Licence Fee for the issue of a Licence to Operate a Vehicular Ferry in Chains.

For the purpose of this exemption "Vehicular Ferry in Chains" means a vessel purpose designed to carry vehicles across a waterway and which is winched across that waterway by a system of cables and/or chains permanently fixed to each side of the shore.

If a person DOES NOT satisfy each of the requirements set out in Schedule 2, there must be full compliance with the crewing requirements set out in the Commercial Vessels Act - 1979.

The exemption notice will remain in force until revoked by the Chief Executive of the Waterways Authority.

Dated this 2nd day of March 2004.

CHRIS OXENBOULD, AO  
Acting Chief Executive

#### CO-OPERATIVES ACT 1992

Notice under section 601AA of the Corporations Law as applied by section 325 of the Co-Operatives Act 1992

NOTICE is hereby given that the Co-operative mentioned below will be deregistered when two months have passed since the publication of this notice.

NAME OF CO-OPERATIVE  
*TAMWORTH EGG FARMERS CO-OPERATIVE LIMITED*

Dated this Nineteenth day of March 2004.

C. GOWLAND,  
Delegate of The Registrar of Co-Operatives

#### CO-OPERATIVES ACT 1992

Notice under section 601AA of the Corporations Law as applied by section 325 of the Co-operatives Act 1992

NOTICE is hereby given that the Co-operative mentioned below will be deregistered when two months have passed since the publication of this notice.

NAME OF CO-OPERATIVE  
*OLIVE PRODUCERS AUSTRALIA CO-OPERATIVE LIMITED*

Dated this Nineteenth day of March 2004.

C. GOWLAND,  
Delegate of The Registrar of Co-Operatives

#### DISTRICT COURT OF NEW SOUTH WALES

Direction

PURSUANT to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:

Orange 10.00 a.m. 27th April 2004 (2 weeks)  
In lieu of 27th April 2004  
(1 week)

Dated this 17th day of March 2004.

R. O. BLANCH,  
Chief Judge

#### DISTRICT COURT OF NEW SOUTH WALES

Direction

PURSUANT to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:

Coffs Harbour 10.00 a.m. 26th July 2004 (1 week)

Dated this 18th day of March 2004.

R. O. BLANCH,  
Chief Judge

#### FAIR TRADING ACT 1987

Prohibition order section 31(1)

ERRATUM

THE notice appearing in *Government Gazette* No. 54, dated 12 March 2004, relating to the above Order did not include schedules 1 and 2 which were omitted. The notice should read as follows

I, Reba Meagher, Minister for Fair Trading, pursuant to section 31(1)(a) of the *Fair Trading Act 1987* and after considering a report and the recommendations of the Products Safety Committee:

1. revoke the Order published in the *NSW Government Gazette* No. 167 of 30 October 1987 at page 6047, conditionally prohibiting the supply of goods being frames intended to support infants in baths;
2. prohibit the supply of the goods specified in Schedule 1 unless they comply with the conditions specified in Schedule 2; and

3. declare that this Order commences on 1 August 2004.

Dated this 8th day of March 2004.

REBA MEAGHER, M.P.,  
Minister for Fair Trading

SCHEDULE 1

Goods designed to support babies while they are being bathed.

SCHEDULE 2

*Interpretation*

In this Schedule, "Warning" means a warning containing:

- (a) a notice stating "WARNING - Children have DROWNED while using bath aids. This is NOT a safety device. ALWAYS keep baby within arm's reach. NEVER leave baby in care of children."; and
- (b) two safety alert symbols, with the symbols placed immediately to the left and right of the notice.

For the purposes of paragraph (b) of the definition of "Warning", the safety alert symbol comprises an exclamation point inside an equilateral triangle with a base of at least 30 millimetres, as follows:



*Conditions*

1. The goods and any packaging in which the goods are supplied must bear the Warning.
2. On both the goods and any packaging in which the goods are supplied:
  - (a) that part of the Warning consisting of the notice must bear the:
    - (i) word "WARNING" in capital letters of at least 10 millimetres in height;
    - (ii) words "DROWNED", "NOT", "ALWAYS" and "NEVER" in capital letters of at least 5 millimetres in height;
    - (iii) remaining words in lower case of at least 2.5 millimetres in height;
  - (b) the Warning must be:
    - (i) permanently affixed to the goods and any packaging;
    - (ii) prominently and conspicuously displayed; and
    - (iii) in a contrasting colour to the colour of the goods and of any packaging.
3. The Warning on the goods must:
  - (a) be on the upper surface of the goods;
  - (b) be visible to a person when a baby is in the goods; and
  - (c) not contain any ink, colouring or other material that may run or fade when the goods are subjected to bathing conditions.
4. Any packaging in which the goods are supplied or any sign, advertisement or statement relating to or attached to the goods must not contain any indication by words,

pictures or otherwise that is inconsistent with the Warning.

5. If the packaging in which the goods are supplied is colourless and transparent and the Warning on the goods is clearly legible to a person through the packaging, the Warning is not required on that packaging.

**HERITAGE ACT, 1977**

Direction pursuant to section 34(1)(a)  
to list an item on the State Heritage Register

Old Dubbo Gaol

SHR No 1689

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". The listing is subject to the exemptions from approval under Section 57(2) of the Heritage Act, 1977, described in Schedule "C" and in addition to the standard exemptions.

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

Sydney, 10th Day of March 2004

SCHEDULE "A"

The item known as Old Dubbo Gaol, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Lots 1, 2, 3, 4, 5, 6, 8, 9, 12 and right-of-way over lots 10 and 11 marked 'A-B' in DP40398, in the Parish of Dubbo, County of Lincoln shown on the plan catalogued HC 1950 in the office of the Heritage Council of New South Wales.

SCHEDULE "C"

All works and activities in accordance with an endorsed conservation management plan.

All works and activities in accordance with an endorsed collections management policy.

**MARITIME SERVICES ACT 1935**

Notification

Limitation of speed of vessels within certain navigable waters - Maritime Services Act 1935

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*;

- (a) **Revoke** the notification appearing in *Government Gazette* No. 66 of 20 June 1997 which limits the speed

of vessels in the area described as Brisbane Water (St. Huberts Island) Area, and

- (b) Limit 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>Brisbane Water (St. Huberts Island) Area:</u>	Four Knots

The navigable waters surrounding St. Huberts Island enclosed by lines firstly in the north commencing at the northern extremity of St. Huberts Island in a northerly direction to the western extremity of Rileys Island thence secondly from the southern extremity of Rileys Island in a south-easterly direction to the wharf known as Merrits Wharf thence thirdly commencing from Daleys Point in a north-westerly direction to Solstice Point, St. Huberts Island and finally a line across the mouth of the St. Huberts Island canals known as Sandy Cove and Sandy Inlet where they junction with Brisbane Water.

Dated this 19th day of March 2004.

CHRIS OXENBOULD, AO  
Acting Chief Executive  
Waterways Authority

#### NATIONAL PARKS AND WILDLIFE ACT 1974

Kwiambal National Park and Ashford Caves Crown Reserve

Draft Plan of Management

A draft plan of management for Kwiambal National Park and Ashford Caves Crown Reserve has been prepared and will be on public exhibition until 28 June 2004.

Copies of the plan may be viewed at the Inverell Library, Campbell Street, Inverell, and obtained free of charge from the NPWS offices at 10 Miles Street Tenterfield, 87 Faulkner Street Armidale, and 68 Church Street Glen Innes; and from The National Parks Centre, 102 George Street, The Rocks. The plan is also available on the NPWS web site: [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au).

Written submissions on the plan must be received by The Planner, Kwiambal National Park, National Parks & Wildlife Service, 10 Miles Street, Tenterfield, NSW 2372 by 28 June 2004.

All submissions received by NPWS are a matter of public record and are available for public inspection upon request to NPWS. Your comments on this plan may contain information that is defined as "personal information" under

the NSW *Privacy and Personal Information Protection Act 1998*. The submission of personal information with your comments is voluntary.

#### NATIONAL PARKS AND WILDLIFE ACT 1974

Pulletop Nature Reserve  
Draft Plan of Management

A draft plan of management for Pulletop Nature Reserve has been prepared and will be on public exhibition until 28 June 2004.

Copies of the plan are available free of charge from the NPWS office at 200 Yambil Street, Griffith; and from The National Parks Centre, 102 George Street, The Rocks. The plan is also available on the NPWS website: [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au).

Written submissions on the plan must be received by the Regional Manager, PO Box 1049, Griffith NSW 2680 by 28 June 2004.

All submissions received by NPWS are a matter of public record and are available for public inspection upon request to NPWS. Your comments on this plan may contain information that is defined as "personal information" under the NSW *Privacy and Personal Information Protection Act 1998*. The submission of personal information with your comments is voluntary.

#### NATIONAL PARKS AND WILDLIFE ACT 1974

Gamilaroi Nature Reserve  
Plan of Management

A plan of management for Gamilaroi Nature Reserve was adopted by the Minister on 19 January 2004.

Copies of the plan may be obtained at a cost of \$8.50 from The National Parks Centre, 102 George Street, The Rocks, NSW 2655; and from the NPWS office at 1/100 Maitland Street, Narrabri, NSW 2390.

The plan is also available on the NPWS web site: [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au).

Office of the Commissioners of Inquiry for Environment and Planning

#### ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Notice of Commission of Inquiry into the Proposed Construction and Operation of a New Container Terminal at Port Botany, Botany Bay City

PURSUANT to section 119 of the Environmental Planning and Assessment Act 1979 the Honourable Craig Knowles MP, Minister for Infrastructure and Planning and Minister for Natural Resources directed that a Commission of Inquiry be held with respect to 'all environmental aspects' of the proposal by Sydney Ports Corporation to construct and operate a new container terminal and associated infrastructure on Lot 2 DP 1009870, Lot 6 DP 1053768, Lot 302 DP 712992, Lot 301 DP 712992, Part of Crown Reserve R91288, Lot 205 DP 712991, Lot 203 DP 712991, Lot 401 DP 816961 in

the Botany local government area (DA-494-11-2003-i). The Commission is to have particular emphasis on:

- i. Justification of the proposal;
- ii. The terrestrial and marine environment;
- iii. The hydrodynamics of Botany Bay;
- iv. The acoustic environment;
- v. Air and water quality, including groundwater;
- vi. Safety, both in terms of shipping navigation and the operations of Kingsford-Smith Airport;
- vii. Local and regional traffic road and rail networks;
- viii. Local and regional infrastructure including the implications on container movements and growth within NSW;
- ix. Recreational opportunities in and around Botany Bay, in particular Foreshore Beach and Reserve;
- x. Cumulative impacts of the proposal in the context of the total port environs taking into account any relevant strategy for Botany Bay; and
- xi. The social and economic implications of the development, including the implications to the State of not proceeding.

The Minister has appointed Commissioner Kevin Cleland, Deputy Chairperson to constitute the Commission of Inquiry. Two specialist advisers will assist the Commission. The Commissioners of Inquiry are independent of Government and its departments/agencies and Councils.

The Minister will determine the matter after considering the findings and recommendations of the Commission of Inquiry. Each party appearing before the Inquiry will be advised of the Commission's findings and recommendations.

**HEARING SESSIONS:** Public hearing sessions will commence at the Office of the Commissioners of Inquiry, Level 13, 301 George Street, Sydney at 10:00am, Monday 31 May 2004. Afternoon and evening sittings will be held at the Stamford Airport Hotel, O'Riordan Street, Mascot on dates to be advised.

The Commission will be conducted in two sessions and will be open to the public. The first session is for parties to present relevant information relating to the proposal contained in their primary submissions. The second session (date to be advised at first session) is for the purpose of enabling parties to present a submission in reply summing up their primary submission and/or responding to submissions made by other parties at the first session.

**LODGING SUBMISSIONS AND REGISTERING FOR APPEARANCE:** Persons seeking to make a submission to the Commission of Inquiry are required to register by sending TWO COPIES of their primary submission in writing, together with any supporting submissions to the Office of the Commissioners of Inquiry (GPO Box 3415, Sydney 2001) by 4:00pm, Wednesday 5 May 2004.

If you have made a submission to the Department of Infrastructure, Planning and Natural Resources (DIPNR) in relation to the proposal, your submission will be considered a submission to the Commission unless you have requested confidentiality. The Commission will contact you to ask if you wish to present your submission to the Commission.

All submissions to the Commission are public documents and will be placed on public exhibition unless confidentiality is requested and upheld by the Commission.

Please indicate in your submission if you wish to appear before the Commission of Inquiry, the venue at which you wish to present your submission, whether you wish to present your submission at an out-of-business hours sitting, and the estimated time you require to present your submission.

**INSPECTING DOCUMENTS:** Any person may inspect the Development Application, Environmental Impact Statement and other relevant documents from 12:00pm, Tuesday 30 March 2004 and submissions to the Commission from 12:00pm, Monday 17 May 2004 at the following locations:

- Office of the Commissioners of Inquiry, Level 13, 301 George Street, Sydney;
- Botany Bay City Council, 141-143 Coward Street, Mascot;
- Botany Bay City Library, Eastgardens Shopping Centre, Pagewood;
- Kogarah Municipal Council, 2 Belgrave Street, Kogarah;
- Randwick City Council, 30 Frances Street, Randwick;
- Randwick City Branch Library, 1203 Anzac Parade, Matraville;
- Rockdale City Council, 2 Bryant Street, Rockdale; and
- Sutherland Central Library, 30-36 Belmont Street, Sutherland.

**QUESTIONS AND RESPONSES:** Procedures and timing for lodging written questions and receiving responses will be determined during the first session of the Commission.

Further information on the preparation of submissions and conduct of the Commission of Inquiry is available on the Internet at <http://www.coi.nsw.gov.au> or from Mrs Paula Poon on (02) 9299 2904.

PAUL FREEMAN,  
Registrar

### PIPELINES ACT 1967

Marsden to Dubbo Gas Pipeline  
Licence No. 25

Notification of Grant of Variation No. 1 to Licence Area

IT is hereby notified that, pursuant to section 19 of the Pipelines Act 1967 Her Excellency the Governor, with the advice of the Executive Council, has approved of a grant to APT Pipelines (NSW) Pty Ltd (ACN 080 842 360) of Variation No. 1 to Marsden to Dubbo Gas Pipeline, Pipeline Licence No. 25. The grant varies the Licence Area to include the lands specified in the Schedule.

#### SCHEDULE

The pieces or parcels of land described in the instruments annexed to Deposited Plans lodged at the Office of Land and Property Information NSW, Sydney as listed below.

Deposited Plan Number
DP 499 109
DP 499 110
DP 499 111

Signed at Sydney, this 17th day of March 2004.

FRANK SARTOR, M.P.,  
Minister for Energy and Utilities

**PIPELINES ACT 1967**

## Notification of Vesting of Easements

## Marsden to Dubbo Gas Pipeline – Licence No. 25

HER Excellency the Governor with the advice of the Executive Council, pursuant to the provisions of sections 21 of the Pipelines Act 1967, hereby declares that the easements over the lands described in the Schedules are vested in APT Pipelines (NSW) Pty Ltd (ACN 080 842 360) being Variation No. 1 to Pipeline Licence 25.

Signed at Sydney, this 17th day of March 2004.

Professor MARIE BASHIR, A.C.,  
Governor

By Her Excellency's Command

FRANK SARTOR, M.P.,  
Minister for Energy and Utilities

**SCHEDULE 1**

## Lands Affected by Easements for Pipeline Licence No. 25

The pieces or parcels of land described in the instruments annexed to the Deposited Plans lodged at the Office of Land and Property Information NSW, Sydney as listed below.

## Deposited Plan Number

DP 499 109  
DP 499 110  
DP 499 111

**SCHEDULE 2**

## Restrictions as to User

Without affecting the generality of any requirement imposed by the Pipelines Act or regulations thereunder, the owner or occupier of land over which there is an easement for pipeline must not within the easement, except with the prior consent in writing of the person in whom the easement is vested:

- (a) Excavate (including blasting), drill or dig.
- (b) Erect, place or permit to be erected or placed any building, structure (including fence posts), plant, apparatus or equipment, earthworks, utility services or other improvements whether permanent or temporary on, over or under the land.
- (c) Alter or disturb existing levels, contours or gradients.
- (d) Plant or cultivate any tree within 3 metres of the pipeline or any apparatus or works.
- (e) Place on or use any part of the land for the transport, carriage or support of any heavy object, vehicle or implement, which could in any way cause or be likely to cause damage to the pipeline.
- (f) Undertake any other activity that represents a danger to the pipeline or is a danger to the operation of the pipeline or its apparatus or works including signs, vent pipes and cathodic protection systems including anode beds and electrolysis test points.

**PIPELINES ACT 1967**

## Marsden to Dubbo Gas Pipeline

## Licence No. 25

## Notification of Grant of Variation No. 2 to Licence Area

IT is hereby notified that, pursuant to section 19 of the Pipelines Act 1967 Her Excellency the Governor, with the advice of the Executive Council, has approved of a grant to APT Pipelines (NSW) Pty Ltd (ACN 080 842 360) of Variation No. 2 to Marsden to Dubbo Gas Pipeline, Pipeline Licence No. 25. The grant varies the Licence Area to include the lands specified in the Schedule.

**SCHEDULE**

The pieces or parcels of land described in the instruments annexed to Deposited Plans lodged at the Office of Land and Property Information NSW, Sydney as listed below.

## Deposited Plan Number

DP 499 084  
DP 499 085  
DP 499 086  
DP 499 087  
DP 499 088  
DP 499 089  
DP 499 090  
DP 499 091  
DP 499 092  
DP 499 093  
DP 499 094  
DP 499 095  
DP 499 096  
DP 499 097  
DP 499 098  
DP 499 099

Signed at Sydney, this 17th day of March 2004.

FRANK SARTOR, M.P.,  
Minister for Energy and Utilities

**PIPELINES ACT 1967**

## Notification of Vesting of Easements

## Marsden to Dubbo Gas Pipeline – Licence No. 25

HER Excellency the Governor with the advice of the Executive Council, pursuant to the provisions of sections 21 of the Pipelines Act 1967, hereby declares that the easements over the lands described in the Schedules are vested in APT Pipelines (NSW) Pty Ltd (ACN 080 842 360) being Variation No. 2 to Pipeline Licence 25.

Signed at Sydney, this 17th day of March 2004.

Professor MARIE BASHIR, A.C.,  
Governor

By Her Excellency's Command

FRANK SARTOR, M.P.,  
Minister for Energy and Utilities

## SCHEDULE 1

## Lands Affected by Easements for Pipeline Licence No. 25

The pieces or parcels of land described in the instruments annexed to the Deposited Plans lodged at the Office of Land and Property Information NSW, Sydney as listed below.

## Deposited Plan Number

DP 499 084  
 DP 499 085  
 DP 499 086  
 DP 499 087  
 DP 499 088  
 DP 499 089  
 DP 499 090  
 DP 499 091  
 DP 499 092  
 DP 499 093  
 DP 499 094  
 DP 499 095  
 DP 499 096  
 DP 499 097  
 DP 499 098  
 DP 499 099

## SCHEDULE 2

## Restrictions as to User

Without affecting the generality of any requirement imposed by the Pipelines Act or regulations thereunder, the owner or occupier of land over which there is an easement for pipeline must not within the easement, except with the prior consent in writing of the person in whom the easement is vested:

- (a) Excavate (including blasting), drill or dig.
- (b) Erect, place or permit to be erected or placed any building, structure (including fence posts), plant, apparatus or equipment, earthworks, utility services or other improvements whether permanent or temporary on, over or under the land.
- (c) Alter or disturb existing levels, contours or gradients.
- (d) Plant or cultivate any tree within 3 metres of the pipeline or any apparatus or works.
- (e) Place on or use any part of the land for the transport, carriage or support of any heavy object, vehicle or implement, which could in any way cause or be likely to cause damage to the pipeline.
- (f) Undertake any other activity that represents a danger to the pipeline or is a danger to the operation of the pipeline or its apparatus or works including signs, vent pipes and cathodic protection systems including anode beds and electrolysis test points.

## PIPELINES ACT 1967

## Marsden to Dubbo Gas Pipeline – Licence No. 25

## Lands to be Excluded

THE Honourable Frank Sartor, Minister for Energy and Utilities pursuant to the provisions of sections 21A of the Pipelines Act 1967, hereby declare that the easements over the lands described in the Schedule are divested from APT Pipelines (NSW) Pty Ltd (ACN 080 842 360) being Variation No. 2 to Pipeline Licence 25.

## Schedule

All those pieces or parcels of land described in the instrument annexed to the following Deposited Plans lodged at the Land and Property Information NSW, Sydney office.

## Deposited Plan Number

DP 267 919  
 DP 267 920  
 DP 267 921  
 DP 267 922  
 DP 267 923  
 DP 267 924

Signed at Sydney, this 17th day of March 2004.

FRANK SARTOR, M.P.,  
 Minister for Energy and Utilities

## PIPELINES ACT 1967

## Hoskinstown to ACT Gas Pipeline

## Licence No. 29

## Notification of Grant of Variation No. 1 to Licence Area

IT is hereby notified that, pursuant to section 19 of the Pipelines Act 1967 Her Excellency the Governor, with the advice of the Executive Council, has approved of a grant to ACTEW Distribution Ltd (ABN 83 073 025 224) and AGL Gas Company (ACT) Pty Ltd (ABN 24 008 552 663) of Variation No. 1 to Hoskinstown to ACT Gas Pipeline, Pipeline Licence No. 29. The grant varies the Licence Area to include the lands specified in the Schedule.

## SCHEDULE

The pieces or parcels of land described in the instruments annexed to the Deposited Plans and their associated instruments, and Memorandum No. 7444598C lodged at the Office of Land and Property Information NSW, Sydney as listed below.

## Deposited Plan Number

DP 102 9583  
 DP 102 9584  
 DP 102 9585  
 DP 102 9586  
 DP 102 9587  
 DP 102 9588

Signed at Sydney, this 17th day of March 2004.

FRANK SARTOR, M.P.,  
 Minister for Energy and Utilities

**PIPELINES ACT 1967**

## Notification of Vesting of Easements

## Hoskinstown to ACT Gas Pipeline – Licence No. 29

HER Excellency the Governor with the advice of the Executive Council, pursuant to the provisions of sections 21 of the Pipelines Act 1967, hereby declares that the easements over the lands described in the Schedules are vested in ACTEW Distribution Ltd (ABN 83 073 025 224) and AGL Gas Company (ACT) Pty Ltd (ABN 24 008 552 663) being Variation No. 1 to Pipeline Licence 29.

Signed at Sydney, this 17th day of March 2004.

Professor MARIE BASHIR AC  
Governor

By Her Excellency's Command

FRANK SARTOR, M.P.,  
Minister for Energy and Utilities

**SCHEDULE 1**

## Lands Affected by Easements for Pipeline Licence No. 29

The pieces or parcels of land described in the instruments annexed to the Deposited Plans lodged at the Office of Land and Property Information NSW, Sydney as listed below.

## Deposited Plan Number

DP 102 9583  
DP 102 9584  
DP 102 9585  
DP 102 9586  
DP 102 9587  
DP 102 9588

**SCHEDULE 2**

## Restrictions as to User

Without affecting the generality of any requirement imposed by the Pipelines Act or regulations thereunder, the owner or occupier of land over which there is an easement for pipeline must not within the easement, except with the prior consent in writing of the person in whom the easement is vested:

- (a) Excavate (including blasting), drill or dig.
- (b) Erect, place or permit to be erected or placed any building, structure (including fence posts), plant, apparatus or equipment, earthworks, utility services or other improvements whether permanent or temporary on, over or under the land.
- (c) Alter or disturb existing levels, contours or gradients.
- (d) Plant or cultivate any tree within 3 metres of the pipeline or any apparatus or works.
- (e) Place on or use any part of the land for the transport, carriage or support of any heavy object, vehicle or implement, which could in any way cause or be likely to cause damage to the pipeline.
- (f) Undertake any other activity that represents a danger to the pipeline or is a danger to the operation of the pipeline or its apparatus or works including signs, vent pipes and cathodic protection systems including anode beds and electrolysis test points.

**PIPELINES ACT 1967**

## Hoskinstown to ACT Gas Pipeline – Licence No. 29

## Lands to be Excluded

THE Honourable Frank Sartor, Minister for Energy and Utilities pursuant to the provisions of sections 21A of the Pipelines Act 1967, hereby declare that the easements over the lands described in the Schedule are divested from ACTEW Distribution Ltd (ABN 83 073 025 224) and AGL Gas Company (ACT) Pty Ltd (ABN 24 008 552 663) being Variation No. 1 to Pipeline Licence 29.

**Schedule**

All those pieces or parcels of land described in the instrument annexed to the following Deposited Plans lodged at the Land and Property Information NSW, Sydney office.

## Deposited Plan Number

DP 101 9469  
DP 101 9470  
DP 101 9471  
DP 101 9472  
DP 101 9482

Signed at Sydney, this 17th day of March 2004.

FRANK SARTOR, M.P.,  
Minister for Energy and Utilities

**POULTRY MEAT INDUSTRY ACT 1986**

## Price Order No. 35

THE Poultry Meat Industry Committee, pursuant to sections 6 (c) and 10 of the Poultry Meat Industry Act 1986, determined on 16 February 2004, the base rates for the following classes of batch poultry to be paid by processors to growers for designated poultry, namely chickens (*Gallus gallus*) which are not more than 18 weeks old, and turkeys (*Meleagris gallopavo*) from 1 January 2004, 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) tunnel and conventional, and Inghams Northern conventional as well as Inghams turkey, have not yet been determined for this period.

**Bartter Enterprises Pty Ltd:**

Tunnel shed class of batch poultry: 55.0 cents per bird, plus 56 cents per square metre cleanout fee.

Conventional shed class of batch poultry: 53.75 cents per bird, plus 56 cents per square metre cleanout fee, or a minimum fee of \$47.00 per square metre annualised gross average return, whichever is the greater.

Bartter Griffith tunnel ventilated class of batch poultry: 67.84 cents per bird.

Bartter turkey conventional shed class of batch poultry: \$2.37 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: 53.0 cents per bird.



**Inghams Enterprises Pty Ltd:**

Southern tunnel shed class of batch poultry: 54.0 cents per bird.

Northern tunnel shed class of batch poultry: 54.75 cents per bird.

**Sunnybrand Chickens Pty Ltd:**

Tunnel shed class of batch poultry: 54.7 cents per bird.

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

**Red Lea Chickens Pty Limited:**

Tunnel shed class of batch poultry: 53.75 cents per bird.

Conventional shed class of batch poultry: 53.25 cents per bird.

**Baiada Poultry Pty Limited – Tamworth:**

Baiada Tamworth tunnel shed class of batch poultry: 48.25 cents per bird plus a cleanout fee of 48.44 cents per square metre.

Baiada Tamworth conventional shed class of batch poultry: 48.25 cents per bird plus a cleanout fee of 48.44 cents per square metre.

B. BUFFIER,  
Chairman, PMIC

20 February 2004

**PUBLIC WORKS ACT, 1912**

Land Acquisition (Just Terms Compensation) Act 1991  
Compulsory Acquisition

Hastings Water Supply Augmentation

THE Minister for Energy and Utilities, with the approval of Her Excellency the Governor, declares that the land described in the Schedule hereto, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for an authorised work.

On publication of this notice in the *Government Gazette* the land is vested in the Minister for Energy and Utilities as Constructing Authority under section 4 of the Public Works Act, 1912.

FRANK ERNEST SARTOR, M.P.,  
Minister for Energy and Utilities

**SCHEDULE**

Land

Lot 10 in Deposited Plan 1059393 (SB55179)

Lot 12 in Deposited Plan 1059393 (SB55179)

Lot 13 in Deposited Plan 1059393 (SB55179)

Doc Reference 220.

**PUBLIC WORKS ACT, 1912**

Land Acquisition (Just Terms Compensation) Act 1991  
Compulsory Acquisition

Clarence Valley and Coffs Harbour Regional Water  
Supply

THE Minister for Energy and Utilities, with the approval of Her Excellency the Governor, declares that the interest in land described in the Schedule hereto, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for an authorised work.

On publication of this notice in the *Government Gazette* the interest in land is vested in the Minister for Energy and Utilities as Constructing Authority under section 4 of the Public Works Act, 1912.

FRANK ERNEST SARTOR, M.P.,  
Minister for Energy and Utilities

**SCHEDULE**

Interest in Land

Easement rights as described under the heading Water Pipeline in Memorandum E931212 filed in the Office of Land and Property Information NSW over the site shown in:

Deposited Plan 1052951 (SB55414) as:

‘(A) PROPOSED EASEMENT FOR WATER PIPELINE 7 WIDE AND VARIABLE WIDTH’ within Lot 2242 in Deposited Plan 622860 and Lot 801 in Deposited Plan 839040.

Deposited Plan 1052956 (SB55422) as:

‘(A) PROPOSED EASEMENT FOR WATER PIPELINE 7 WIDE AND VARIABLE WIDTH’ within Lot 16 in Deposited Plan 801819, Lot 97 Deposited Plan 752828, Lot 101 Deposited Plan 752828 and Lot 148 in Deposited Plan 752828.

Deposited Plan 1052961 (SB55423) as:

‘(A) PROPOSED EASEMENT FOR WATER PIPELINE 7 WIDE AND VARIABLE WIDTH’ within Lot 421 in Deposited Plan 835433, Lot 41 in Deposited Plan 752828 and Lot 422 in Deposited Plan 835433.

Doc Reference 218.

**PUBLIC WORKS ACT 1912****LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991**

Compulsory Acquisition

Clarence Valley and Coffs Harbour Regional Water  
Supply

THE Minister for Energy and Utilities, with the approval of Her Excellency the Governor, declares that the interest in land described in the Schedule hereto, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for an authorised work.

On publication of this notice in the *Government Gazette* the interest in land is vested in the Minister for Energy and Utilities as Constructing Authority under section 4 of the Public Works Act, 1912.

FRANK ERNEST SARTOR, M.P.,  
Minister for Energy and Utilities

## SCHEDULE

## Interest in Land

Easement rights as described under the heading Water Pipeline in Memorandum E931212 filed in the Office of Land and Property Information NSW over the site shown in:

Deposited Plan 1050981 (SB55399) as:

‘(A) PROPOSED EASEMENT FOR WATER PIPELINE 7 WIDE AND VARIABLE WIDTH’ within Lot 52 in Deposited Plan 752811, Lot 48 in Deposited Plan 752811 and Lot 1 in Deposited Plan 752811.

Deposited Plan 1051027 (SB55424) as:

‘(A) PROPOSED EASEMENT FOR WATER PIPELINE 7 WIDE AND VARIABLE WIDTH’ within Lot 52 in Deposited Plan 752829, Lot 46 in Deposited Plan 752829 and Lot 11 in Deposited Plan 740673.

Doc Reference 217.

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**POISONS AND THERAPEUTIC GOODS  
ACT 1966**

Order under Clause 171 (1)

**POISONS AND THERAPEUTIC GOODS**

Regulation 2002

Withdrawal of Drug Authority

IN accordance with the provisions of clause 171 (1) of the Poisons and Therapeutic Goods Regulation 2002 an order has been made on Dr Andrzej Kazmierczak of 4/135-137 Popondetta Road, Emerton, 2770 prohibiting him until further notice, as a medical practitioner from supplying or having possession of drugs of addiction as authorised by clause 101 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 76 of the Regulation.

This order is to take effect on and from Wednesday 24 March 2004.

ROBYN KRUK,  
Director-General

Department of Health, New South Wales,  
Sydney, 18 March 2004.

**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>

# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### BLACKTOWN CITY COUNCIL

Roads Act 1993, Section 10(1)

Dedication of Land as Public Road

NOTICE is hereby given by Blacktown City Council that pursuant to section 10(1), Division 1, Part 2 of the Roads Act 1993, the land described in the Schedule below is hereby dedicated as public road. IAN REYNOLDS, General Manager, Blacktown City Council, PO Box 63, Blacktown, NSW 2148.

Schedule

Lot 59 in DP 842458. [0195]

### THE COUNCIL OF CAMDEN

Roads Act 1993

Dedication of Land as Public Road

NOTICE is hereby given that pursuant to section 10 of the Roads Act 1993, the land described in the Schedule below is dedicated to the public as a road. Dated: 10 March 2004. SHERIDAN DUDLEY, General Manager, Council of Camden, 37 John Street, Camden, NSW 2570.

Schedule

Lot 147 in Deposited Plan 813909, being No. 94 Valley View Drive, Narellan. [0198]

### COFFS HARBOUR CITY COUNCIL

Roads Act 1993, Section 10

Notice of Dedication of Land as Public Road at Coffs Harbour in the Coffs Harbour City Council Area

THE Council of the City of Coffs Harbour dedicates the land described in the Schedule below as public road under section 10 of the Roads Act 1993.

Mark Ferguson, General Manager, Coffs Harbour City Council, 2 Castle Street (PO Box 155), Coffs Harbour, NSW 2450.

Schedule

All those pieces or parcels of land situated in Coffs Harbour City Council area, Parish of Coff, County of Fizroy, shown as:

Lot 20, DP 262196; Lot 23, DP 262196; Lot 26, DP 262196. [0193]

### HASTINGS COUNCIL

Local Government Act 1993, Section 553

Waste Water Service Extensions

NOTICE is hereby given pursuant to section 553 of the Local Government Act 1993, that Council's sewer mains have been extended to service the land described hereunder:

Lot 1-55, DP 1060564, Riverbreeze Estate, Crosslands;

Lot 1-41, DP 1059534, Seabreeze Estate, Bonny Hills.

Land that is not connected thereto shall become rateable for wastewater availability charges after sixty (60) days from the date of this notice, or from the date upon which the land is connected to Council's service, whichever is the earlier. B. SMITH, General Manager, Hastings Council, PO Box 84, Port Macquarie, NSW 2444. [0192]

### PARKES SHIRE COUNCIL

Roads Act 1993, Section 162.1

Naming of Public Roads – Tralee Lane, Victoria Street, Numalla Lane and Overland Road

NOTICE is hereby given that in accordance with section 162.1 of the Roads Act 1993, as amended, Council has named the roads shown hereunder:

Location	Name
Road off Hollywood Lane adjacent to Lot 26, DP 753969.	Tralee Lane.
Part back Trundle Road from Leighton Street to Moulden Street.	Victoria Street.
Numulla Lane.	Numalla Lane.
Overlander Road.	Overland Road.

No objections to the proposed names were received within the prescribed period of time. A. McCORMACK, General Manager, Parkes Shire Council, PO Box 337, Parkes, NSW 2870. [0194]

### CITY OF RYDE COUNCIL

Heritage Act 1977

Interim Heritage Order No. 1

UNDER section 25 of the Heritage Act 1977, City of Ryde Council does by this Order:

- I. make an interim heritage order to cover the item of the environmental heritage specified or described in Schedule 'A'; and
- II. declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in Schedule 'B'.

This Interim Heritage Order will lapse six months from the date that it is made unless the local council has passed a resolution before that date either:

- 1) in the case of an item which, in the council's opinion, is of local significance, to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; and
- 2) in the case of an item which in the council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.

Dated: Sydney, 23 March 2004. MICHAEL McMAHON, Chief Executive, City of Ryde, Civic Centre, Devlin Street, Ryde, NSW 2112, tel.: (02) 9952 8222.

## Schedule 'A'

The property known as 6A Eric Street, Eastwood (Lot 1, DP 505905), situated on the land described in Schedule 'B'.

## Schedule 'B'

All those pieces or parcels of land known as 6A Eric Street, Eastwood and shown edged heavy black on the plan titled City of Ryde Interim Heritage Order No. 1, 6A Eric Street, Eastwood, deposited in the office of the City of Ryde Council.



[0202]

### ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of BERYL STEWART SPENCE, late of Camden Nursing Home, Camden, in the State of New South Wales, widow, who died on 1 October 2003, must send particulars of their claim to the executors, Hugh Rostrevor Norton and Hilary Beryl Spence, c.o. Bennett Stewart & Shirvington, Solicitors, Level 1, 1 York Street, Sydney, NSW 2000, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 12 March 2004. BENNETT STEWART & SHIRVINGTON, Solicitors, Level 1, 1 York Street, Sydney, NSW 2000, tel.: (02) 9247 5563. Reference: P Court. [0191]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of LINDA MARY LANDER, late of Lady Gowrie Nursing Home, Gordon and formerly of 42 Roma Road, St Ives, in the State of New South Wales, home duties, who died on 21 November 2003, must send particulars of the claim to the executors, c.o. Deacons, Lawyers, 1 Alfred 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 of which at the time of conveyance or distribution they have notice. Probate was granted in New South Wales on

16 February 2004. DEACONS, Lawyers, 1 Alfred Street, Sydney, NSW 2000 (GPO Box 3872, Sydney 2001) (DX368, Sydney), tel.: (02) 9330 8000. [0201]

### COMPANY NOTICES

NOTICE of meetings of members.—STEGSU PTY LIMITED, ACN 000 817 701 (in liquidation).—NOTICE is hereby given that pursuant to section 509 of the Corporations Law, the final meeting of members of the abovementioned company will be held at 34 MacMahon Street, Hurstville, NSW 2200, on the 27 April 2004, at 10:00 a.m., for the purpose of laying before the meeting the liquidators' final account and report and giving any explanation thereof. Dated this 19th day of March 2004. BRUCE WILLIAM SPAUL, Liquidator, c.o. Munro Spaul, Level 1, 34 MacMahon Street, Hurstville, NSW 2200. [0197]

NOTICE of winding up.—COGGANS NEWSAGENCY PTY LIMITED, ACN 000 573 517 (in liquidation).—It was resolved as a special resolution of members on 18 March 2004, that Coggans Newsagency Pty Limited be wound up voluntarily and that George Raymond Saab be appointed liquidator. GEORGE RAYMOND SAAB, Liquidator, c.o. Cartwright Brown & Company, Level 1, 37 North Parade (PO Box 135), Campsie, NSW 2194, tel.: (02) 9718 2235. [0199]

NOTICE of voluntary winding up.—DOUGLAS HOLDINGS PTY LIMITED, ACN 001 119 348 (in voluntary liquidation).—NOTICE is hereby given that at an extraordinary general meeting of the abovenamed company, duly convened and held at the offices of Messrs Roberts & Morrow, Chartered Accountants, 137 Beardy Street, NSW, Armidale 2350, on 4 March 2004, the following special resolution was duly passed: "That the company be wound up voluntarily". On the same day pursuant to section 495(1), it was resolved that Kevin John Pike be appointed liquidator of the company for the purposes of winding up the affairs and distributing the assets of the company. Dated this 18th day of March 2004. K. J. PIKE, Liquidator, c.o. Roberts & Morrow, Chartered Accountants, 137 Beardy Street (PO Box 112), Armidale, NSW 2350, tel.: (02) 6774 8400. [0200]

### OTHER NOTICES

#### ENERGYAUSTRALIA

Electricity Supply Act 1995

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land  
Nelson Bay

ENERGYAUSTRALIA declares, with the approval of Her Excellency the Governor and the Executive Council, that the land described in Schedule 1 of this notice is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Electricity Supply Act 1995.

DATED at Sydney this 19th day of March 2004.

SIGNED, SEALED and DELIVERED for and on behalf of EnergyAustralia by GRANT KENNETH GREENE-SMITH its duly constituted Attorney pursuant to Power of Attorney registered Book 4368, No. 61, who declares that he holds the position set out beneath his signature.

G. GREENE-SMITH,  
Manager,  
Property Portfolio.

P. CAMPION,  
Witness.

\_\_\_\_\_  
Schedule 1

All that piece or parcel of land at Nelson Bay in the Local Government Area of Port Stephens, Parish of Tomaree, County Gloucester and State of New South Wales, being Lot 3541, shown in Deposited Plan No. 1044499. [0196]