



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

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LEGISLATION

Assents to Acts

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney 3 April 2006

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. 6 2006 – An Act to amend the Constitution Act 1902 to require Members of Parliament and Ministers to take a pledge of loyalty to Australia and to the people of New South Wales instead of swearing allegiance to the Queen, and to revise the oaths taken by Executive Councillors. [Constitution Amendment (Pledge of Loyalty) Bill].

Act No. 7 2006 – An Act to provide for the supervision and detention of serious sex offenders; and for other purposes. [Crimes (Serious Sex Offenders) Bill].

Act No. 8 2006 – An Act to amend the Environmental Planning and Assessment Act 1979 with respect to development contributions and to planning administrators and panels; to amend the Growth Centres (Development Corporations) Act 1974 with respect to development corporations; to amend the Redfern–Waterloo Authority Act 2004 with respect to development consent and the transfer of land; and for other purposes. [Environmental Planning and Assessment Amendment Bill].

Act No. 9 2006 – An Act to amend the Fines Act 1996 in relation to the payment of victims compensation levies; to validate certain enforcement actions; and for other purposes. [Fines Amendment (Payment of Victims Compensation Levies) Bill].

Act No. 10 2006 – An Act to amend the Greek Orthodox Archdiocese of Australia Consolidated Trust Act 1994 to provide that duty is not chargeable when property is conveyed to the Greek Orthodox Archdiocese of Australia Consolidated Trust from a person who holds that property on behalf of a Greek Orthodox parish or congregation. [Greek Orthodox Archdiocese of Australia Consolidated Trust Amendment (Duties) Bill].

Act No. 11 2006 – An Act to amend the Land Tax Management Act 1956 to increase the land tax threshold. [Land Tax Management Amendment (Tax Threshold) Bill].

RUSSELL D. GROVE, PSM,
Clerk of the Legislative Assembly

Proclamations



New South Wales

Proclamation

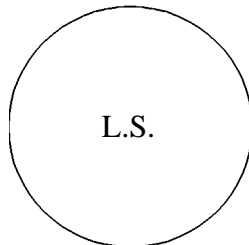
under the

Local Government Amendment (Stormwater) Act 2005 No 70

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Local Government Amendment (Stormwater) Act 2005*, do, by this my Proclamation, appoint 13 April 2006 as the day on which that Act commences.
Signed and sealed at Sydney, this 12th day of April 2006.

By Her Excellency's Command,



KERRY HICKEY, M.P.,
Minister for Local Government

GOD SAVE THE QUEEN!

Regulations



New South Wales

Liquor Amendment (Sunday Trading) Regulation 2006

under the

Liquor Act 1982

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 1982*.

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

Explanatory note

The object of this Regulation is to prescribe Sunday 16 April 2006 (Easter Sunday) as a date on which hotels can stay open until midnight.

This Regulation is made under the *Liquor Act 1982*, including section 24B (Hotel trading hours on Sundays when special events are held).

Clause 1 Liquor Amendment (Sunday Trading) Regulation 2006

Liquor Amendment (Sunday Trading) Regulation 2006

under the

Liquor Act 1982

1 Name of Regulation

This Regulation is the *Liquor Amendment (Sunday Trading) Regulation 2006*.

2 Amendment of Liquor Regulation 1996

Clause 83A (Dates prescribed for special events Sunday hotel trading) of the *Liquor Regulation 1996* is amended by inserting the following date at the end of the clause:

Sunday 16 April 2006



New South Wales

Local Government (General) Amendment (Stormwater) Regulation 2006

under the

Local Government Act 1993

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Government Act 1993*.

KERRY HICKEY, M.P.,
Minister for Local Government

Explanatory note

The object of this Regulation is to amend the *Local Government (General) Regulation 2005*:

- (a) to prescribe the maximum amount that may be charged by a council for the provision of stormwater management services, and
- (b) to provide that certain information regarding stormwater management services is to be included in a council's draft management plan, and
- (c) to provide that a council's annual report is to include certain information relating to the provision of stormwater management services.

This Regulation is made under the *Local Government Act 1993*, including sections 403 (1), 428 (2) (r), 496A and 748 (the general regulation-making power).

Clause 1 Local Government (General) Amendment (Stormwater) Regulation 2006

Local Government (General) Amendment (Stormwater) Regulation 2006

under the

Local Government Act 1993

1 Name of Regulation

This Regulation is the *Local Government (General) Amendment (Stormwater) Regulation 2006*.

2 Commencement

This Regulation commences on 13 April 2006.

3 Amendment of Local Government (General) Regulation 2005

The *Local Government (General) Regulation 2005* is amended as set out in Schedule 1.

Local Government (General) Amendment (Stormwater) Regulation 2006

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clauses 125A and 125AA

Insert after clause 125:

125A Annual charges for stormwater management services

- (1) For the purposes of section 496A of the Act, a council may make or levy an annual charge for stormwater management services only in respect of urban land that is categorised for rating purposes as residential or business.
Note. Part 3 of Chapter 15 of the Act allows a council to categorise each parcel of land within its area.
- (2) A council may not make or levy an annual charge for the provision of stormwater management services in respect of a parcel of land if:
 - (a) the parcel of land is vacant land, or
 - (b) the parcel of land is subject to a special rate or charge that has been made for or towards meeting the cost of any works, services, facilities or activities the primary purpose of which is the provision of stormwater management services.
- (3) A council may not make or levy an annual charge for the provision of stormwater management services if the council has received an instrument from the Minister under section 508 or 508A of the Act which specifies the percentage by which the council may vary its income and the instrument imposes a condition with respect to that variation to the effect that the primary purpose of the variation is to fund stormwater management services.
- (4) A council may not make or levy an annual charge for the provision of stormwater management services for a parcel of land that exceeds:
 - (a) if the anticipated cost of providing stormwater management services to the parcel of rateable land is less than the maximum annual charge in respect of the parcel of rateable land—the anticipated cost, or
 - (b) if the anticipated cost referred to in paragraph (a) is equal to or greater than the maximum annual charge in respect of the parcel of rateable land—the maximum annual charge for the parcel of rateable land.

Local Government (General) Amendment (Stormwater) Regulation 2006

Schedule 1 Amendments

(5) In this clause:

maximum annual charge, in respect of a parcel of land, means the maximum annual charge that may be made or levied by a council in respect of the parcel of rateable land in accordance with clause 125AA.

urban land means land within a city, town or village.

125AA Maximum annual charge for stormwater management services

For the purposes of section 510A of the Act, the maximum annual charge for stormwater management services that may be levied in respect of a parcel of rateable land is:

- (a) for land categorised as residential—\$25, and
- (b) for land categorised as business—\$25, plus an additional \$25 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.

[2] Clause 200A

Insert after clause 200:

200A Additional matters to be included in draft management plans—stormwater management services

- (1) For the purposes of the fifth dot point of section 403 (1) of the Act, any activity relating to stormwater management services in respect of which the council proposes to levy an annual charge is prescribed as a matter with respect to which a draft management plan must contain a statement.
- (2) The statement in a draft management plan of a council relating to any proposed activity referred to in subclause (1) must include the following:
 - (a) particulars of the stormwater management services that are to be funded by the annual charge,
 - (b) particulars of the stormwater management services that are to be funded from sources other than the annual charge,
 - (c) particulars of any stormwater management services that are to be funded from the annual charge and from other sources noting the proportion funded from other sources,
 - (d) particulars of the council's proposed expenditure for the provision of stormwater management services.
- (3) If a council proposes to levy an annual charge for stormwater management services on land for which a relevant charge has

Local Government (General) Amendment (Stormwater) Regulation 2006

Amendments

Schedule 1

been, or is to be, levied to fund works or activities that have as their primary purpose the provision of storm water management services, the statement referred to in subclause (1) must also include:

- (a) particulars of the activities to be funded by the relevant charge, and
 - (b) particulars of how those activities differ from those funded by the annual charge for stormwater management services, and
 - (c) particulars of the activities that are jointly funded by the relevant charge and the annual charge for stormwater management services, noting the proportion.
- (4) If a council proposes to levy an annual charge for stormwater management services on land that is subject to a catchment action plan, the statement referred to in subclause (1) must indicate that the council has considered the plan when preparing the statement.
- (5) In this clause:
- catchment action plan** has the same meaning as in the *Catchment Management Authorities Act 2003*.
- relevant charge** means any of the following:
- (a) a rate within the meaning of the *Hunter Water Act 1991*,
 - (b) a river management service charge, drainage service charge or flood mitigation service charge levied under section 310 to the *Water Management Act 2000*,
 - (c) a stormwater drainage area charge within the meaning of the *Sydney Water Act 1994*,
 - (d) a catchment contribution within the meaning of Schedule 4 to the *Catchment Management Authorities Act 2003*.

[3] Clause 217 Additional information for inclusion in annual report

Insert after clause 217 (1) (d):

- (e) if the council has levied an annual charge for stormwater management services—a comparison of the actual stormwater management services made available by the council during the year (measured in accordance with the criteria set out in the relevant management plan) with the projected stormwater management services that were proposed to be made available (outlined in the management plan relating to the year concerned), together with a statement of the reasons for any difference between them.



New South Wales

Residential Tenancies (Residential Premises) Amendment (Smoke Alarms) Regulation 2006

under the

Residential Tenancies Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Residential Tenancies Act 1987*.

DIANE BEAMER, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to insert provisions into the standard form residential tenancy agreement (where the tenancy is for a term of 3 years or less) requiring a landlord to install any smoke alarm that is legally required to be installed on the residential premises. A landlord is also required not to remove or interfere with the operation of any such smoke alarm, except with reasonable excuse. If any such smoke alarm has a replaceable battery, the landlord is required to ensure that the smoke alarm has a new battery installed at the beginning of the term of the agreement and, if the battery needs to be replaced at any time, and the tenant is physically unable to change the battery, to replace the battery with a new battery as soon as reasonably practicable after being notified that the battery needs to be replaced.

A tenant of residential premises under a residential tenancy agreement is required not to remove or interfere with the operation of any smoke alarm installed on the premises, except with reasonable excuse, and to notify the landlord if the smoke alarm is not functioning properly. If a smoke alarm has a replaceable battery, the tenant is to ensure that its battery is replaced whenever necessary or, if the tenant is physically unable to change the battery, to notify the landlord as soon as reasonably practicable after becoming aware that the battery needs to be replaced.

A landlord has a right of access to residential premises in order to install a smoke alarm or replace a battery, but only if the landlord gives the tenant 2 days notice.

This Regulation is made under the *Residential Tenancies Act 1987*, including sections 8 and 133 (the general regulation-making power).

Clause 1 Residential Tenancies (Residential Premises) Amendment (Smoke Alarms) Regulation 2006

Residential Tenancies (Residential Premises) Amendment (Smoke Alarms) Regulation 2006

under the

Residential Tenancies Act 1987

1 Name of Regulation

This Regulation is the *Residential Tenancies (Residential Premises) Amendment (Smoke Alarms) Regulation 2006*.

2 Commencement

This Regulation commences on 1 May 2006.

3 Amendment of Residential Tenancies (Residential Premises) Regulation 1995

The *Residential Tenancies (Residential Premises) Regulation 1995* is amended as set out in Schedule 1.

Residential Tenancies (Residential Premises) Amendment (Smoke Alarms)
Regulation 2006

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Schedule 1

Insert after item 9.7 in Part 1 of the Standard Form residential tenancy agreement (where tenancy is for a term of 3 years or less):

9.7A to install a smoke alarm or replace a battery in a smoke alarm in the residential premises, if the tenant gets 2 days' notice on each occasion, or

[2] Schedule 1, Part 1

Insert after item 19 of the Standard form residential tenancy agreement (where tenancy is for a term of 3 years or less):

SMOKE ALARMS

19A. The landlord agrees:

19A.1 to install any smoke alarms that are required by law to be installed on the residential premises, and

19A.2 not to remove or interfere with the operation of any such smoke alarm except with reasonable excuse, and

19A.3 if any such smoke alarm has a replaceable battery (other than a back up battery), to ensure that a new battery is installed in the smoke alarm at the beginning of the term of this agreement and, if the battery needs to be replaced at any time, and the tenant is physically unable to change the battery, to replace the battery with a new battery as soon as reasonably practicable after being notified that the battery needs to be replaced.

19B. The tenant agrees:

19B.1 not to remove or interfere with the operation of any smoke alarm installed on the residential premises except with reasonable excuse, and

19B.2 if any such smoke alarm has a replaceable battery (other than a back up battery), to ensure that the battery is replaced whenever necessary or, if the tenant is physically unable to change the battery, to notify the landlord as soon as reasonably practicable after becoming aware that the battery needs to be replaced, and

19B.3 to notify the landlord if any smoke alarm installed on the residential premises is not functioning properly.

[3] Schedule 1, Part 2

Insert after "security system" under the heading "GENERAL" in the **CONDITION REPORT:**

smoke alarms



New South Wales

Residential Parks Amendment (Smoke Alarms) Regulation 2006

under the

Residential Parks Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Residential Parks Act 1998*.

DIANE BEAMER, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to insert provisions into the standard form moveable dwelling agreement (where the tenancy is for a term of 3 years or less) requiring a park owner to install any smoke alarm that is legally required to be installed in the moveable dwelling. A park owner is also required not to remove or interfere with the operation of any such smoke alarm, except with reasonable excuse. If any such smoke alarm has a replaceable battery, the park owner is required to ensure that the smoke alarm has a new battery installed at the beginning of the term of the agreement and, if the battery needs to be replaced at any time, and the resident is physically unable to change the battery, to replace the battery with a new battery as soon as reasonably practicable after being notified that the battery needs to be replaced.

A resident in a moveable dwelling under a moveable dwelling agreement is required not to remove or interfere with the operation of any smoke alarm installed in the dwelling, except with reasonable excuse, and to notify the park owner if the smoke alarm is not functioning properly. If a smoke alarm has a replaceable battery, the resident is to ensure that its battery is replaced whenever necessary or, if the resident is physically unable to change the battery, to notify the park owner as soon as reasonably practicable after becoming aware that the battery needs to be replaced.

A park owner has a right of access to residential premises in order to install a smoke alarm or replace a battery, but only if the park owner gives the tenant 2 days notice.

This Regulation is made under the *Residential Parks Act 1998*, including sections 8 and 155 (the general regulation-making power).

Clause 1 Residential Parks Amendment (Smoke Alarms) Regulation 2006

Residential Parks Amendment (Smoke Alarms) Regulation 2006

under the

Residential Parks Act 1998

1 Name of Regulation

This Regulation is the *Residential Parks Amendment (Smoke Alarms) Regulation 2006*.

2 Commencement

This Regulation commences on 1 May 2006.

3 Amendment of Residential Parks Regulation 1999

The *Residential Parks Regulation 1999* is amended as set out in Schedule 1.

Residential Parks Amendment (Smoke Alarms) Regulation 2006

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Schedule 3 Standard form moveable dwelling agreement (where tenancy is for a term of 3 years or less)

Insert after item 13.8 in Part 1:

13.8A to install a smoke alarm in the residential premises or replace a battery in a smoke alarm, if the tenant gets 2 days notice on each occasion, or

[2] Schedule 3, Part 1

Insert after item 34:

SMOKE ALARMS (Cross out this clause if the resident is renting the residential site and not the moveable dwelling)

34A. The park owner agrees:

34A.1 to install any smoke alarms that are required by law to be installed on the residential premises, and

34A.2 not to remove or interfere with the operation of any such smoke alarm except with reasonable excuse, and

34A.3 if any such smoke alarm has a replaceable battery (other than a back up battery), to ensure that a new battery is installed in the smoke alarm at the beginning of the term of this agreement and, if the battery needs to be replaced at any time, and if the resident is physically unable to change the battery, to replace the battery with a new battery as soon as reasonably practicable after being notified that the battery needs to be replaced.

34B. The resident agrees:

34B.1 not to remove or interfere with the operation of any smoke alarm installed on the residential premises except with reasonable excuse, and

34B.2 if any such smoke alarm has a replaceable battery (other than a back up battery), to ensure that the battery is replaced whenever necessary or, if the resident is physically unable to change the battery, to notify the park owner as soon as reasonably practicable after becoming aware that the battery needs to be replaced, and

34B.3 to notify the park owner if any smoke alarm installed on the residential premises is not functioning properly.

[3] Schedule 3, Part 2

Insert after "carport/space" under the heading "GENERAL" in the **CONDITION REPORT**:

smoke alarms

Residential Parks Amendment (Smoke Alarms) Regulation 2006

Schedule 1 Amendments

[4] Schedule 4A Standard form agreement for residential sites or moveable dwellings in national parks

Insert after item 13.8 in Part 1:

13.8A to install a smoke alarm in the residential premises or replace a battery in a smoke alarm, if the tenant gets 2 days notice on each occasion, or

[5] Schedule 4A, Part 1

Insert after item 34:

SMOKE ALARMS (Cross out this clause if the resident is renting the residential site and not the moveable dwelling)

34A. The park owner agrees:

34A.1 to install any smoke alarms that are required by law to be installed on the residential premises, and

34A.2 not to remove or interfere with the operation of any such smoke alarm except with reasonable excuse, and

34A.3 if any such smoke alarm has a replaceable battery (other than a back up battery), to ensure that a new battery is installed in the smoke alarm at the beginning of the term of this agreement and, if the battery needs to be replaced at any time, and if the resident is physically unable to change the battery, to replace the battery with a new battery as soon as reasonably practicable after being notified that the battery needs to be replaced.

34B. The resident agrees:

34B.1 not to remove or interfere with the operation of any smoke alarm installed on the residential premises except with reasonable excuse, and

34B.2 if any such smoke alarm has a replaceable battery (other than a back up battery), to ensure that the battery is replaced whenever necessary or, if the resident is physically unable to change the battery, to notify the park owner as soon as reasonably practicable after becoming aware that the battery needs to be replaced, and

34B.3 to notify the park owner if any smoke alarm installed on the residential premises is not functioning properly.

[6] Schedule 4A, Part 2

Insert after "carport/space" under the heading "GENERAL" in the **CONDITION REPORT**:

smoke alarms



New South Wales

Retirement Villages Amendment (Smoke Alarms) Regulation 2006

under the

Retirement Villages Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Retirement Villages Act 1999*.

DIANE BEAMER, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to amend the *Retirement Villages Regulation 2000* to permit the operator of a retirement village to enter residential premises in the village to install a smoke alarm that is legally required to be installed in the residential premises and to replace a battery in any smoke alarm installed in the residential premises but only if 2 days notice has been given to the resident.

This Regulation also includes a provision to require condition reports for retirement village premises to confirm that smoke alarms are installed in residential premises and are in working order.

This Regulation is made under the *Retirement Villages Act 1999*, including sections 38, 67 (2) (g) and 203 (the general regulation-making power).

Clause 1 Retirement Villages Amendment (Smoke Alarms) Regulation 2006

Retirement Villages Amendment (Smoke Alarms) Regulation 2006

under the

Retirement Villages Act 1999

1 Name of Regulation

This Regulation is the *Retirement Villages Amendment (Smoke Alarms) Regulation 2006*.

2 Commencement

This Regulation commences on 1 May 2006.

3 Amendment of Retirement Villages Regulation 2000

The *Retirement Villages Regulation 2000* is amended as set out in Schedule 1.

Retirement Villages Amendment (Smoke Alarms) Regulation 2006

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 36A

Insert before clause 37:

36A Access to residential premises in village

For the purposes of section 67 (2) (g) of the Act, the operator of a retirement village and any person authorised by the operator may enter residential premises in the village to install a smoke alarm that is legally required to be installed in the residential premises and to replace a battery in any smoke alarm installed in the residential premises, but only if 2 days notice has been given to the resident.

[2] Schedule 2 Condition report

Insert after the matter under the heading “**Security:**”:

Fire safety:

Are smoke alarms installed on the premises? Yes/No

Are all smoke alarms on the premises in working order? Yes/No

If No, specify

Other Legislation



New South Wales

Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the following population as an endangered population under that Act and, accordingly, Schedule 1 to that Act is amended by inserting in Part 2 immediately before the heading “Rhamnaceae” (under the heading “Plants”):

Orchidaceae

Cymbidium canaliculatum R. Br.

Cymbidium canaliculatum population
in the Hunter Catchment

Dated, this 3rd day of April 2006.

Associate Professor Lesley Hughes
Chairperson of the Scientific Committee

Copies of final determination and reasons

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at www.nationalparks.nsw.gov.au,
- (b) by contacting the Scientific Committee Support Unit, by post C/- Department of Environment and Conservation, PO Box 1967, Hurstville, 2220, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the Department of Environment and Conservation Information Centre, Level 14, 59-61 Goulburn St, Sydney.



New South Wales

Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the following species as an endangered species under that Act and, as a consequence, to omit reference to it as a vulnerable species and, accordingly:

- (a) Schedule 1 to that Act is amended by inserting in Part 1 in alphabetical order under the heading “Lamiaceae” (under the heading “Plants”):

* *Prostanthera staurophylla* F. Muell. *sensu stricto*

- (b) Schedule 2 to that Act is amended by omitting from Part 1 under the heading “Lamiaceae” (under the heading “Plants”):

Prostanthera staurophylla F. Muell.

Dated, this 3rd day of April 2006.

Associate Professor Lesley Hughes
Chairperson of the Scientific Committee

Copies of final determination and reasons

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at www.nationalparks.nsw.gov.au,
(b) by contacting the Scientific Committee Support Unit, by post C/- Department of Environment and Conservation, PO Box 1967, Hurstville, 2220, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,

Notice of Final Determination

-
- (c) in person at the Department of Environment and Conservation Information Centre, Level 14, 59-61 Goulburn St, Sydney.

OFFICIAL NOTICES**Appointments****COAL MINES REGULATION ACT 1982 AND
MINES INSPECTION ACT 1901**

Extension of Temporary Appointment of an
Inspector of Electrical Engineering

Her Excellency Professor MARIE BASHIR, AC,
Governor

I, Professor MARIE BASHIR, AC, Governor of the State of New South Wales, with the advice of the Executive Council, pursuant to section 32(1) of the Mines Inspection Act 1901 and pursuant to section 7(1)(f) of the Coal Mines Regulation Act 1982 and pursuant, appoint Paul Alexander LACKEY as an Inspector of Electrical Engineering for a period commencing from this day until 14 July 2006 (inclusive).

Signed and sealed at Sydney, this 21st March day of 2006.

By Her Excellency's Command,

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

GOD SAVE THE QUEEN!

MARKETING OF PRIMARY PRODUCTS ACT 1983

Appointment of Nominated Member to the
Rice Marketing Board

HER Excellency the Governor, with the advice of the Executive Council and in pursuance of the provisions of the Marketing of Primary Products Act 1983, has been pleased to appoint the following person as a nominated member of the Rice Marketing Board:

Anthony John HAY of Baulkham Hills,
for a term commencing on appointment and expiring on 13 December 2009.

Dated this 5th day of April 2006.

IAN MACDONALD, M.L.C.,
Minister for Primary Industries

Department of Lands

ARMIDALE OFFICE
108 Faulkner Street, Armidale NSW 2350
Phone: (02) 6772 5488 Fax (02) 6771 5348

ERRATUM

THE notice appearing in the *NSW Government Gazette* No. 92 of 1 September 1989, under the heading "Extension of Term of Special Leases, Land District and Shire-Tenterfield, Parish-Kangaroo; County-Buller", the Lease Number 1968-12 is hereby amended by deleting "1968-12" where it appears in the Lease Number, and inserting "1968-2" in lieu thereof.

File No.: AE83 H 481.

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

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 a public road and the rights of passage and access that previously existed in relation to the road are extinguished. On road closure, title to the land comprising the former public road vests in the body specified in the Schedule hereunder.

TONY KELLY, M.L.C.,
Minister for Lands.

Description

Land District of Deniliquin; Council of Berrigan.

Lot 1 of DP 1094912, Parish of Finley, County of Denison.

File No.: HY01 H 10.

Note: On closing, title for the land comprised in Lot 1 remains vested in the Berrigan Shire Council as Operational Land.

GRAFTON OFFICE
76 Victoria Street (Locked Bag 10), Grafton NSW 2460
Phone: (02) 6640 2000 Fax: (02) 6640 2035

ROADS ACT 1993**ORDER**

Transfer of a Crown Road to a Council

IN pursuance of the provisions of section 151, Roads Act 1993, the Crown road specified in Schedule 1 is hereby transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from the date, the road specified in Schedule 1, ceases to be Crown road.

TONY KELLY, M.L.C.,
Minister for Lands

SCHEDULE 1

*Parish – Dundoo; County – Clarence;
Land District – Grafton; Shire – Clarence Valley Council.*

Crown public road separating Lot 53, DP 878970 from Lot 55, DP 878970.

File No.: GF04 H 214.

SCHEDULE 2

Roads Authority: Clarence Valley Council (RTA).

ROADS ACT 1993**ORDER**

Transfer of a Crown Road to a Council

IN pursuance of the provisions of section 151, Roads Act 1993, the Crown road specified in Schedule 1 is hereby transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from the date, the road specified in Schedule 1, ceases to be Crown road.

TONY KELLY, M.L.C.,
Minister for Lands

SCHEDULE 1

*Parish – Dundoo; County – Clarence;
Land District – Grafton;
L.G.A. – Clarence Valley Council.*

Crown public road separating Lot 53, DP 878970 from Lot 55, DP 878970.

File No.: GF04 H 214.

SCHEDULE 2

Roads Authority: Clarence Valley Council.

Council File: TJ:DMH:SH10(P).

ROADS ACT 1993**ORDER**

Transfer of a Crown Road to a Council

IN pursuance of the provisions of section 151, Roads Act 1993, the Crown road specified in Schedule 1 is hereby transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from the date, the road specified in Schedule 1, ceases to be Crown road.

TONY KELLY, M.L.C.,
Minister for Lands

SCHEDULE 1

*Parish – Mookima; County – Clarence;
Land District – Grafton; L.G.A. – Clarence Valley.*

The Crown public road shown by black colour on the diagram hereunder at Upper Fineflower.



Not to scale

Diagrammatic representation only

File No.: GF06 H 155.

SCHEDULE 2

Roads Authority: Clarence Valley Council.

Councils File: JP:DMH:P891(C).

MOREE OFFICE**Frome Street (PO Box 388), Moree NSW 2400****Phone: (02) 6752 5055 Fax: (02) 6752 1707****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 public road and the rights of passage and access that previously existed in relation to these roads are extinguished.

TONY KELLY, M.L.C.,
Minister for Lands

Description

*Land District – Moree; Council – Moree Plains Shire;
Parishes – Benson and Bogree;
Counties – Staphylton and Courallie.*

Lots 50, 51 and 52 in DP 1086497, Parishes Benson and Bogree, Counties Staphylton and Courallie.

File No.: ME01 H 385.

Note: Upon closure the land remains vested in the Crown as Crown Land.

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 for Lands

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Nowra	Reserve No. 69668
Local Government Area: Shoalhaven City Council	Public Purpose: Public Recreation
Locality: Sussex Inlet	Notified: 15 November 1940
<i>Lot D.P. No. Parish County</i>	<i>Lot D.P. No. Parish County</i>
7022 1057156 Farnham St Vincent	147 755937 Farnham St Vincent
Area: 6172 m2	166 723104 Farnham St Vincent
File Reference: NA 06 R 4	7016 755937 Farnham St Vincent
	7017 755937 Farnham St Vincent
	7018 755937 Farnham St Vincen
	7019 755937 Farnham St Vincent
	7020 1054901 Farnham St Vincen
	7021 755937 Farnham St Vincen
	7023 755937 Farnham St Vincen
	84 755937 Farnham St Vincent
	New Area: 26.17 hectares

Note: The whole of reserve R.82603 for future public requirements notified 27th May, 1960 is automatically revoked, this day.

NOTIFICATION OF CLOSING OF A PUBLIC ROAD

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

TONY KELLY, M.L.C.,
Minister for Lands.

Description

Land District –Bega; L.G.A. – Bega Valley.

Lots 1-6, DP 1088971 at South Pambula in the Parish of Yowaka and County of Auckland.

File No.: NA01 H 150.

Note: On closing, the land comprised in Lots 1-6 is to remain vested in the State of New South Wales as Crown Land.

ORANGE OFFICE
92 Kite Street (PO Box 2146), Orange NSW 2800
Phone: (02) 6391 4300 Fax: (02) 6362 3896

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 a public road and the rights of passage and access that previously existed in relation to the road are extinguished. On road closing, title to the land comprising the former public road vests in the body specified in the Schedules hereunder.

TONY KELLY, M.L.C.,
Minister for Lands

SCHEDULE 1

*Parish – Melrose; County – Roxburgh;
Land District – Bathurst; Shire – Bathurst Regional.*

Road Closed: Lot 1571 in Deposited Plan 1093265 at Napoleon Reef.

File No.: OE05 H 389.

Note: On closing, the land within Lot 1571, DP 1093265 remains vested in Bathurst Regional Council as operational land for the purposes of the Local Government Act 1993.

SCHEDULE 2

*Parish – Kelso; County – Roxburgh;
Land District – Bathurst; Shire – Bathurst Regional.*

Road Closed: Lot 20 in Deposited Plan 1091766 at Kelso.

File No.: OE04 H 273.

Note: On closing, the land within Lot 20, DP 1091766 remains vested in Bathurst Regional Council as operational land for the purposes of the Local Government Act 1993.

TAMWORTH OFFICE**25-27 Fitzroy Street (PO Box 535), Tamworth NSW 2340****Phone: (02) 6764 5100 Fax: (02) 6766 3805****ESTABLISHMENT OF RESERVE TRUST**

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

TONY KELLY, M.L.C.,
Minister for Lands

SCHEDULE

COLUMN 1

Kootingal Community
Hall Trust.

COLUMN 2

Reserve No. 1011408.
Public Purpose:
Community Purposes
Notified: 17 March 2006.
File No.: TH06 R 2/1.

ROADS ACT 1993**ORDER**

Transfer of Crown Road to Council

IN pursuance of 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 for Lands

SCHEDULE 1

*Parish – Nundle; County – Parry;
Land District – Tamworth;
L.G.A. – Tamworth Regional Council.*

Crown public road described as within Lot 354 and part within Lot 257 in DP 755335 (that part running between Lot 354 and the South-West corner of Lot 139, DP 755335); road South of Lots 139, 93 and 138 in DP 755335; road East of 138 in DP 755335; road on the North-Eastern boundary of Lots 348, 420, 421, 358, 359 and 360 in DP 755335 and Lot 2 in DP 869523.

SCHEDULE 2

Roads Authority: Tamworth Regional Council.

File Nos: TH99 H 110 and TH83 H 220.

Department of Natural Resources

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 Act.

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

Murray River Valley

Russell Harold PARKER for a dam on an unnamed third order watercourse, on Lot 2/1067962, Parish of Holbrook, County of Goulburn, for the purpose of conservation of water for stock and domestic use (Reference: 50SL75683) (GA2:524711).

Any enquiries regarding the above should be directed to the undersigned (telephone: [02] 6024 8852).

Written objections to the application specifying the grounds thereof, may be made by any statutory authority or local occupier within the proclaimed area whose interests may be affected, and must be lodged with the Department's office at Albury by no later than the 11th May 2006.

CRAIG MCINTYRE,
Natural Resource Officer,
Murray-Murrumbidgee Region

Department of Natural Resources,
PO Box 829, Albury NSW 2640.

WATER ACT 1912

THE Local Land Board for the Land District of Young will, at 10:00 a.m., on Thursday, 4 May 2006, at the Young Federation Motor Inn, 109-119 Main Street, Young, publicly inquire as to the desirability of granting an application for an authority under Part 2 of the Water Act 1912, by Christopher BROOKE-KELLY, Roslyn Jean BROOKE-KELLY and OTHERS, for a pump on Burrangong Creek on Lot 297, DP 754582, Parish of Burrangong, County of Monteagle, for water supply for stock and domestic purposes and irrigation of 15.83 hectares (stonefruit) (Reference 70SA009602) (GA2:522370).

Any person who thinks their interests may be affected by the granting of this application may present their case at this hearing.

VIV RUSSELL,
Resource Access Manager,
Central Western Region

Department of Natural Resources,
PO Box 136, Forbes NSW 2871, tel.: (02) 6853 9007.

WATER ACT 1912

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

Graeme Ronald SCHUHKRAFT and Christine Anne SCHUHKRAFT for a proposed earthen bywash dam (capacity 650 megalitres) and pump on a 2nd order unnamed

watercourse being Lot 320, DP 1005197, Parish of Kameruka, County of Auckland, for the conservation of water and water supply for stock purposes and the irrigation of 80.0 hectares (improved pasture) (new licence) (dam in excess of MHRDC) (replaces application 10SL055725) (not subject to the 2003 Bega River catchment embargo) (Reference: 10SL056709) (GA2:502421).

Any inquiries regarding the above should be directed to the undersigned (telephone: 4428 6919).

Written objections specifying grounds thereof must be lodged with the Department within 28 days of the date of this publication as prescribed by the Act.

WAYNE RYAN,
Natural Resource Project Officer,
Sydney/South Coast Region

Department of Natural Resources,
PO Box 309, Nowra NSW 2541.

WATER ACT 1912

AN application under Part 8, being within a proclaimed (declared) local area under section 5(4) of the Water Act 1912.

An application for approval of controlled works under section 167 within the proclaimed (declared) local area described hereunder has been received as follows:

Gwydir River Valley

SUNDOWN PASTORAL CO PTY LIMITED for controlled works consisting of a water storage on the Lower Gwydir Floodplain on Lots 49 and 50, DP 750452; Lot 1, DP 821280 and Lot 29, DP 829121, all Parish of Cudgildool, County of Benarba, on the property known as "Borrondarra" for conservation of water (Reference: 90CW810945) (GA2:472380).

Written objections to the application specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed area, whose interest may be affected must be lodged with the Department's Resource Access Manager at Tamworth by 12th May 2006.

Plans showing the location of the works referred to in the above application may be viewed at the Moree office of the Department of Natural Resources.

GEOFF CAMERON,
Manager,
Resource Access

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

WATER ACT 1912

Narrabri Local Land Board

Notice of hearing under Part 2 of the Water Act 1912

THE Local Land Board for the Land District of Narrabri will sit at the Narrabri Court House on Tuesday, 9 May 2006, commencing at 10:00 a.m. The hearing will publicly

inquire as to the desirability of granting an application by B. AND B. COTTON CO. PTY LTD and OTHERS under section 20 of the Water Act 1912, for a high flow authority for 3 pumps on Pian Creek, Portion 61, Parish of Cubbaroo North, County of Jamison, for irrigation of 600 hectares (LO Papers: 90SA2012H) (GA2:472379).

GEOFF CAMERON,
Resource Access Manager

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

Department of Planning



New South Wales

Ballina Local Environmental Plan 1987 (Amendment No 89)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G04/00033/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Ballina Local Environmental Plan 1987 (Amendment No 89)

Ballina Local Environmental Plan 1987 (Amendment No 89)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Ballina Local Environmental Plan 1987 (Amendment No 89)*.

2 Aims of plan

This plan aims to include certain buildings, works, relics, trees and places as items of environmental heritage in Schedule 1 to *Ballina Local Environmental Plan 1987*.

3 Land to which plan applies

This plan applies to certain land situated in Wardell, Meerschaum Vale, Pimlico and Empire Vale and Cabbage Tree Island, as referred to in Schedule 1 to this plan.

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 89)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Interpretation

Insert “, trees” after “relics” in the definition of *item of environmental heritage* in clause 5 (1).

[2] Schedule 1

Insert in appropriate order:

- 34 Catholic Precinct: Church, Convent/Mercy Centre, Presbytery, St Patrick’s School, Grotto and Posts (at entry to Sugartowns Pre-school) (but not including a shed on Lot 13, DP 217966), 50 Richmond Street (Lot 8, DP 759050), 54 Richmond Street (Lot 10, DP 217966) and 9 Sinclair Street (Lot 14, DP 217966), Wardell.
- 35 Fig tree (on traffic island opposite Royal Hotel), Sinclair Street, Wardell.
- 36 Fig trees, Richmond Street, Wardell.
- 37 Henderson family graves (gravesites and headstones), 126 Justelius Road (Lot 4, DP 253873), Meerschaum Vale.
- 38 Meerschaum Vale Public Hall (including honour roll), 1 Marom Creek Road (Lot 1, DP 576619), Meerschaum Vale.
- 39 Old Wardell Ferry approaches in park, Lot 80, DP 728670, Wardell.
- 40 Pimlico Hall (including honour roll), 580 Pimlico Road (Lot 3, DP 622957), Pimlico.
- 41 Post Office, 664 River Drive (Lot 3, DP 616658), Empire Vale.
- 42 Former Post Office (now residence), 929 Wardell Road (Lot 2, DP 544311), Meerschaum Vale.
- 43 Post Office, 26 Bridge Drive (Lot 3, DP 622957), Wardell.
- 44 Tramlines across River Drive, Empire Vale.
- 45 Wardell and District War Memorial Hall (including honour roll), 49 Richmond Street (Lot 1, DP 312334), Wardell.
- 46 Wardell Cemetery (including gravesites, headstones and traditional plantings), Lot 83, DP 728685, Pine Street, Wardell.
- 47 Cabbage Tree Island.



New South Wales

Ballina Local Environmental Plan 1987 (Amendment No 92)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G04/00018/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Ballina Local Environmental Plan 1987 (Amendment No 92)

Ballina Local Environmental Plan 1987 (Amendment No 92)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Ballina Local Environmental Plan 1987 (Amendment No 92)*.

2 Aims of plan

This plan aims to amend *Ballina Local Environmental Plan 1987* to deal with advertisements, including building and business identification signs.

3 Land to which plan applies

This plan applies to all land to which *Ballina Local Environmental Plan 1987* applies.

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 92)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Interpretation

Insert in alphabetical order in clause 5 (1):

advertisement means a display of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display involves the erection of a structure or the carrying out of a work.

building identification sign means a sign that identifies or names a building, and that may include the name of a business or building, the street number of a building, the nature of the business and a logo or other symbol that identifies the business, but that does not include general advertisements for products, goods or services.

business identification sign means a sign:

- (a) that indicates the name of a person carrying on a business, and the business carried on by the person, at the premises or place at which the sign is displayed, and
 - (b) that may include the address of the premises or place and a logo or other symbol that identifies the business,
- but that does not include any advertisement relating to a person who does not carry on business at the premises or place.

[2] Clause 9 Zone objectives and development control table

Omit “Advertising structures” in item 4 of the matter relating to Zone No 2 (a) in the Table to the clause.

Insert instead “Building identification signs”.

[3] Clause 9, Table

Insert “business identification signs;” after “bus stations;” in item 4 of the matter relating to Zone No 2 (a).

[4] Clause 9, Table

Omit “Institutions” from item 4 of the matter relating to Zone No 2 (b).

Insert instead “Advertisements; institutions”.

[5] Clause 9, Table

Omit “Gas holders” from item 4 of the matter relating to Zone No 2 (t).

Insert instead “Advertisements; gas holders”.

Ballina Local Environmental Plan 1987 (Amendment No 92)

Schedule 1 Amendments

[6] Clause 9, Table

Omit “Advertising structures” from item 4 of the matter relating to Zone No 4.
Insert instead “Advertisements”.

[7] Clause 9, Table

Omit “Brothels” from item 5 of the matter relating to Zone No 7 (c).
Insert instead “Advertisements (other than building identification signs and business identification signs); brothels”.

[8] Clause 9, Table

Omit “Brothels” from item 5 of the matter relating to Zone No 7 (d).
Insert instead “Advertisements; brothels”.

[9] Clause 9, Table

Omit “Advertising structures” from item 4 of the matter relating to Zones Nos 9 (a) and 9 (b).
Insert instead “Advertisements”.

[10] Clause 35 What are exempt and complying development?

Insert at the end of clause 35 (5):

Development Control Plan No 7—Exempt and Complying Development (Amendment No 6) (24 February 2005)

[11] Clause 37

Insert after clause 36:

37 Controls for advertisements**(1) Objectives**

This clause aims to ensure that advertisements:

- (a) convey the advertiser’s messages and images while complementing and conforming to both the building on which they are displayed and the character of the surrounding locality, and
- (b) do not adversely affect the area in which they are located in terms of appearance, size, illumination, overshadowing or in any other way, and
- (c) do not lead to visual clutter through the proliferation of signs, and

Ballina Local Environmental Plan 1987 (Amendment No 92)

Amendments

Schedule 1

-
- (d) are compatible with the desired amenity and visual character of an area, and
 - (e) provide effective communication in suitable locations, and
 - (f) are of high quality design and finish.

(2) **Directional signs**

Despite any other provision of this plan, the erection or display of a directional sign by the Council or another public authority does not require development consent.

(3) **Matters for assessment relating to advertisements**

When determining a development application for consent to carry out development for the purposes of an advertisement, the Council must take into consideration the following:

- (a) the size and number of advertisements both proposed and existing,
- (b) the relationship of the advertisement to the scale, character and architecture of the premises where the sign is to be sited,
- (c) the impact of the advertisement on the streetscape and heritage value (if any) of the area,
- (d) the colour, graphics and standard of presentation of the advertisement,
- (e) the impact of the advertisement on traffic safety in the area, and on residential amenity, where relevant,
- (f) *Development Control Plan No 14—Advertising Signage*, as adopted by the Council on 24 February 2005.



New South Wales

Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P99/00091/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)

Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)*.

2 Aims of plan

The aims of this plan are:

- (a) to enable urban development within the area known as the Balmoral Road Release Area, and
- (b) to create sustainable residential neighbourhoods consisting of a mix of housing types including single detached dwellings, dual occupancies, villas, town-houses, shop-top housing and apartment buildings, and
- (c) to support those residential neighbourhoods and the future population with a range of urban support uses and services including employment areas, transport, public open space, commercial, educational and utility services, and
- (d) to protect, rehabilitate and conserve areas of environmental sensitivity or significance.

3 Land to which plan applies

This plan applies to the land within the Baulkham Hills local government area, as shown by distinctive colouring, edging or lettering on the map marked “Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)” deposited in the office of Baulkham Hills Shire Council.

4 Amendment of Baulkham Hills Local Environmental Plan 2005

Baulkham Hills Local Environmental Plan 2005 is amended as set out in Schedule 1.

Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in alphabetical order in clause 5 (1):

development site means an area of land that is shown edged with a purple-coloured or black-coloured dashed line and marked “Development Site” on the map and includes buildings, works, relics, trees and places situated on the land.

[2] Clause 5 (1), definition of “the map”

Insert at the end of the definition:

Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)

[3] Clause 12 Zones indicated on the map

Omit “Rouse Hill Regional” from the matter relating to Zone 2 (a4).

Insert instead “Town”.

[4] Clause 12

Insert in appropriate order:

Zone 2 (b1) (Residential 2 (b1) Zone)—coloured light scarlet, edged red and lettered “2 (b1)”.

[5] Clause 13 Zone objectives and zoning controls

Omit “**Rouse Hill Regional**” from the heading to the matter relating to Zone 2 (a4) in the Table to the clause.

Insert instead “**Town**”.

[6] Clause 13, Table

Omit “the Rouse Hill Regional Centre” from paragraph (a) of clause 1 of the matter relating to Zone 2 (a4).

Insert instead “certain town centres”.

Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)

Schedule 1 Amendments

[7] Clause 13, Table

Insert in appropriate order:

Zone 2 (b1) (Residential 2 (b1) Zone)**1 Objectives of zone**

The objectives are:

- (a) to create residential areas of predominantly single dwelling, low-density character and to maintain that character, and
- (b) to permit the subdivision of land into residential lots of a minimum area of 700m², and
- (c) to allow people to carry out a reasonable range of activities from their homes, where such activities are not likely to adversely affect the living environment of neighbours, and
- (d) to allow a range of developments, ancillary to residential uses, that:
 - (i) are visually integrated with development carried out on the land and in the surrounding area, and
 - (ii) serve the needs of the surrounding population without conflicting with the residential intent of the zone, and
 - (iii) do not place excessive demand on services.

2 Development allowed without consent

Exempt development and development for the purpose of:
home activities.

3 Development allowed only with consent

Development for the purpose of the following (which is *notifiable development*):

attached dual occupancies; convenience stores; detached dual occupancies; telecommunications facilities.

Any other development not included in item 2 or 4.

Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)

Amendments

Schedule 1

Included in this item is the following *complying development*:

additions and alterations related to an existing dwelling-house, being an addition to the ground floor only, with neither more than 1 metre cut nor 0.6 metre fill; erection of single-storey dwelling-houses with neither more than 1 metre cut nor 0.6 metre fill.

4 Prohibited development

Development included in Schedule 3 and development for the purpose of:

apartment buildings; environmentally integrated housing; home industries; office warehouses; places of assembly; town-houses; villas.

[8] Clause 18A

Insert after clause 18:

18A Subdivision of land in Zone 2 (b1)

- (1) Land within Zone 2 (b1) must not be subdivided to create an allotment to be used for residential purposes unless the allotment has an area of not less than the minimum area, which is 700m².
- (2) Despite subclause (1), if an allotment is to include land within 20 metres of the centreline of a creek (the creek being identified as trunk drainage on the map) the minimum area of that allotment is 700m² in addition to any area of that allotment that is within 20 metres of the centreline of the creek.

[9] Clause 22 Integrated housing

Insert “, but excluding any land within Zone 2 (b1)” after “applies” in clause 22 (b).

[10] Clause 25 Protection of riparian land near creeks

Insert at the end of the clause:

- (2) Despite any other provision of this plan, development (other than development for the purpose of bridges, demolition of existing structures, environmental protection works, public open space and storm water drainage) must not be carried out on land within 20 metres of the centreline of a creek, as shown on the map marked “Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)”.

Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)

Schedule 1 Amendments

[11] Clause 42 Land within Zone 5 (a) (other than community facility or local open space land) and Zone 5 (c)

Insert after clause 42 (1) (c):

- (c1) in the case of land within Zone 5 (a) and lettered on the map “Railway Corridor”, the corporation constituted by section 8 (1) of the Act, or

[12] Clause 44 Land reserved for community facilities and local open space

Insert “or ‘Local Drainage’” before “or any land” in clause 44 (1).

[13] Clause 45A

Insert after clause 45:

45A Restriction on certain subdivisions

- (1) This clause applies to all land within Zones 2 (a1), 2 (a2), 2 (a4), 2 (b1) and 3 (a), as shown on the map marked “Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)”.
- (2) Despite any other provision of this plan, consent must not be granted for a subdivision of land to which this clause applies that will create a lot with an area of less than 40 hectares unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of regional transport infrastructure in relation to the land comprising that lot.
- (3) The object of the contribution referred to in subclause (2) is to require assistance towards the provision of regional transport infrastructure to satisfy needs that will arise from intensive urban development of land to which this clause applies.
- (4) The reference in subclause (2) to a lot with an area of less than 40 hectares does not include a reference to any such lot:
 - (a) identified in the certificate of the Director-General as a residue lot, or
 - (b) that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utilities, educational facilities, or any other public purpose.
- (5) Subclause (2) does not apply to a subdivision for the purpose of rectifying an encroachment on any existing allotment or for the purpose of realigning the boundaries of existing allotments.
- (6) *State Environmental Planning Policy No 1—Development Standards* does not apply to this clause.

Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)

Amendments

Schedule 1

[14] Clause 49 Temporary use of non-residential land

Insert “2 (b1),” after “2 (b),” in clause 49 (1).

[15] Clause 51 Vehicular access from urban land to a classified road

Insert “2 (b1),” after “2 (b),” in clause 51 (1).

[16] Clause 51 (1)

Insert “, 5 (a), 6 (a), 6 (b)” after “4 (b)”.

[17] Clause 51A

Insert after clause 51:

51A Noise attenuation for development along a classified road or bus transitway

- (1) This clause applies to land within 100 metres of a classified road or a bus transitway.
- (2) Consent must not be granted to the carrying out of development on land to which this clause applies unless the consent authority is satisfied that:
 - (a) a noise and vibration assessment has been undertaken for the development, and
 - (b) appropriate measures to minimise noise and vibration impact have been included.
- (3) If any development is identified in the noise and vibration assessment referred to in subclause (2) as being subject to high noise levels:
 - (a) noise-sensitive uses must be located away from the noise source, and
 - (b) the development must be protected by appropriate noise shielding or attenuation techniques as part of the design and construction of the development.

[18] Clauses 57–59

Insert after clause 56:

57 Transit Centre Development Site

- (1) This clause applies to all land within the area bounded by Balmoral Road, Old Windsor Road, Burns Road and Elizabeth Macarthur Creek and identified on the map by a distinctive black-coloured dashed line as a development site.

Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)

Schedule 1 Amendments

- (2) The consent authority must not consent to the carrying out of development, other than development for a public purpose, on land to which this clause applies unless:
- (a) a development control plan in relation to the land has been prepared that makes satisfactory provision for the following land use elements:
- (i) residential land use, including affordable housing,
 - (ii) commercial/retail land use,
 - (iii) public transport,
 - (iv) public open space,
 - (v) community facilities,
 - (vi) bush fire asset protection zones, and
- (b) it is satisfied that all land use elements are appropriately integrated with all other land use elements.

58 Cumberland Plain Woodland Development Site

- (1) This clause applies to all land within an area identified on the map by a distinctive purple-coloured dashed line as a development site, other than the land to which clause 57 applies.
- (2) The consent authority must not consent to the carrying out of any development involving subdivision or the clearing of native vegetation (within the meaning of the *Native Vegetation Act 2003*), other than development for a public purpose, on land to which this clause applies unless:
- (a) a development control plan in relation to the land has been prepared that makes satisfactory provision for the following land use elements:
- (i) conservation and rehabilitation of remnant Cumberland Plain Woodland,
 - (ii) residential land use,
 - (iii) bush fire asset protection zones, and
- (b) it is satisfied that all land use elements are appropriately integrated with all other land use elements.
- (3) The consent authority must not consent to any development, other than development for a public purpose, on land to which this clause applies unless it is satisfied that:
- (a) the development is consistent with the principles of ecologically sustainable development, and
 - (b) all possible measures have been taken to ensure that the development enhances the environment, in particular the

Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)

Amendments

Schedule 1

conservation and rehabilitation of remnant Cumberland Plain Woodland.

59 Development in vicinity of North West Rail Corridor

- (1) This clause applies to all land within 60 metres of the North West Rail Corridor.
- (2) Consent must not be granted to the carrying out of development on land to which this clause applies unless the consent authority is satisfied as to the following matters:
 - (a) **Noise**

The proposed development incorporates appropriate noise attenuation measures.
 - (b) **Vibration**

The proposed development incorporates appropriate vibration minimisation measures.
 - (c) **Building design and location**

The design and location of the development is such that it will not interfere with the operation of the rail line and associated facilities.
 - (d) **Settlement**

The development is designed and constructed to accommodate settlement caused by future excavation of the rail corridor.
 - (e) **Stormwater drainage**

The development disposes of its stormwater in an appropriate manner without interfering with the operation of the rail corridor and associated facilities.
- (3) In this clause, *North West Rail Corridor* means the land marked “North West Rail Corridor Alignment” and shown by distinctive colouring, edging or lettering on the map marked “Baulkham Hills Local Environmental Plan 2005 (Amendment No 5)”.



New South Wales

Cessnock Local Environmental Plan 1989 (Amendment No 115)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (NEW0000239/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Cessnock Local Environmental Plan 1989 (Amendment No 115)

Cessnock Local Environmental Plan 1989 (Amendment No 115)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Cessnock Local Environmental Plan 1989 (Amendment No 115)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies to Zone No 2 (a) (the Residential "A" Zone) under *Cessnock Local Environmental Plan 1989*.

3 Land to which plan applies

This plan applies to land situated in the City of Cessnock, being part of Lot 11, DP 1083101, Edden Street, Bellbird and parts of Lots 9 and 10, DP 1083101, 39 and 37 Kearsley Street, Bellbird, as shown edged heavy black and lettered "2 (a)" on the map marked "Cessnock Local Environmental Plan 1989 (Amendment No 115)" deposited in the office of the Cessnock City Council.

4 Amendment of Cessnock Local Environmental Plan 1989

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

Cessnock Local Environmental Plan 1989 (Amendment No 115)



New South Wales

Kogarah Local Environmental Plan 1998 (Amendment No 18)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S01/02349/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Kogarah Local Environmental Plan 1998 (Amendment No 18)

Kogarah Local Environmental Plan 1998 (Amendment No 18)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Kogarah Local Environmental Plan 1998 (Amendment No 18)*.

2 Aims of plan

This plan aims to amend *Kogarah Local Environmental Plan 1998*:

- (a) to zone certain land as Open Space 6 (a)—Open Space (Public) Zone under that plan, and
- (b) to zone certain land as Residential 2 (a)—Residential (Low Density) Zone under that plan, and
- (c) to omit clause 6 (3) of that plan, and
- (d) to omit a heritage item from Schedule 3 to that plan.

3 Land to which plan applies

This plan applies:

- (a) in respect of the aim set out in clause 2 (a), to the land shown edged heavy black and coloured dark green on sheets 1 and 2 of the map marked “Kogarah Local Environmental Plan 1998 (Amendment No 18)” deposited in the office of Kogarah Municipal Council, and
- (b) in respect of the aim set out in clause 2 (b), to the land shown edged heavy black and coloured pink on sheet 3 of that map, and
- (c) in respect of the aim set out in clause 2 (c), to all land to which *Kogarah Local Environmental Plan 1998* applies, and
- (d) in respect of the aim set out in clause 2 (d), to 1 Harris Street, Sans Souci.

4 Amendment of Kogarah Local Environmental Plan 1998

Kogarah Local Environmental Plan 1998 is amended as set out in Schedule 1.

Kogarah Local Environmental Plan 1998 (Amendment No 18)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Savings

Omit clause 6 (3).

[2] Clause 25 Dictionary

Insert in appropriate order in the definition of *land use map* in clause 25 (1):
Kogarah Local Environmental Plan 1998 (Amendment No 18)

[3] Schedule 3 Heritage items

Omit the matter relating to 1 Harris Street, Sans Souci from Part 1.



New South Wales

Kogarah Local Environmental Plan 1998 (Amendment No 44)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (SRE0000034/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Kogarah Local Environmental Plan 1998 (Amendment No 44)

Kogarah Local Environmental Plan 1998 (Amendment No 44)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Kogarah Local Environmental Plan 1998 (Amendment No 44)*.

2 Aims of plan

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

3 Land to which plan applies

This plan applies to Lot 1, DP 182999 (known as 83B Kyle Parade, Kyle Bay) and Lot 18, DP 240867 (known as 18 Burraneer Close, Allawah), as shown edged heavy black on Sheets 1 and 2, respectively, of the map marked "Kogarah Local Environmental Plan 1998 (Amendment No 44)" deposited in the office of Kogarah Municipal Council.

4 Amendment of Kogarah Local Environmental Plan 1998

Kogarah Local Environmental Plan 1998 is amended by inserting in Part 2 of Schedule 2 in alphabetical order of locality in Columns 1 and 2, respectively, the following words:

Allawah

18 Burraneer Close

Lot 18, DP 240867

Kyle Bay

83B Kyle Parade

Lot 1, DP 182999



New South Wales

Maitland Local Environmental Plan 1993 (Amendment No 80)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (NEW0000063/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Maitland Local Environmental Plan 1993 (Amendment No 80)

Maitland Local Environmental Plan 1993 (Amendment No 80)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Maitland Local Environmental Plan 1993 (Amendment No 80)*.

2 Aims of plan

This plan aims:

- (a) to rezone the land to which this plan applies from Zone 6 (a) Public Recreation to Zone 2 (a) Residential under the provisions of *Maitland Local Environmental Plan 1993 (the 1993 plan)*, and
- (b) to reclassify the land from community land to operational land within the meaning of the *Local Government Act 1993*, and
- (c) to effect minor law revision in a provision of the 1993 plan relating to the classification and reclassification of public land as operational land.

3 Land to which plan applies

This plan applies to Lot 383, DP 241451, 12 Frewin Avenue, Woodberry, as shown edged heavy black on the map marked "Maitland Local Environmental Plan 1993 (Amendment No 80)" deposited in the office of the Council of the City of Maitland.

4 Amendment of Maitland Local Environmental Plan 1993

Maitland Local Environmental Plan 1993 is amended as set out in Schedule 1.

Maitland Local Environmental Plan 1993 (Amendment No 80)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 How are terms defined in this plan?

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

Maitland Local Environmental Plan 1993 (Amendment No 80)

[2] Clause 51 Classification and reclassification of public land as operational

Omit “means the local environmental plan cited at the end of the description of the land” from clause 51 (5).

Insert instead “means the local environmental plan that inserted the description of the land into that Part of that Schedule”.

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

Insert in alphabetical order of locality in Part 3 of the Schedule in Columns 1, 2 and 3, respectively:

Woodberry

12 Frewin Avenue	Lot 383, DP 241451, as shown edged heavy black on the map marked “Maitland Local Environmental Plan 1993 (Amendment No 80)”. RZ 04011	Nil.
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New South Wales

Penrith Local Environmental Plan 1998 (Urban Land) Amendment No 20

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (SRW0000465/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Penrith Local Environmental Plan 1998 (Urban Land) Amendment No 20

Penrith Local Environmental Plan 1998 (Urban Land) Amendment No 20

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Penrith Local Environmental Plan 1998 (Urban Land) Amendment No 20*.

2 Aims of plan

The aim of this plan is to rezone the land to which this plan applies to permit, with consent, the land to be used for the purpose of a police station.

3 Land to which plan applies

This plan applies to Lot 103, DP 1083538, as shown edged by a heavy black line on the map marked "Penrith Local Environmental Plan 1998 (Urban Land) Amendment No 20" deposited in the office of the Council of the City of Penrith.

4 Amendment of Penrith Local Environmental Plan 1998 (Urban Land)

Penrith Local Environmental Plan 1998 (Urban Land) is amended by inserting in appropriate order in the definition of *the map* in Schedule 2:

Penrith Local Environmental Plan 1998 (Urban Land) Amendment No 20



New South Wales

Pittwater Local Environmental Plan 1993 (Amendment No 79)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (SRE0000076/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Pittwater Local Environmental Plan 1993 (Amendment No 79)

Pittwater Local Environmental Plan 1993 (Amendment No 79)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Pittwater Local Environmental Plan 1993 (Amendment No 79)*.

2 Aims of plan

This plan aims:

- (a) to rezone the land to which this plan applies to Zone No 2 (f) (Urban Purposes—Mixed Residential) under *Pittwater Local Environmental Plan 1993*, and
- (b) to permit the development of the land for urban purposes in accordance with the State Government's Urban Development Program, and
- (c) to enable development of land within the Warriewood Valley Urban Land Release to be implemented in stages in accordance with a planned strategy to provide adequate physical and social infrastructure, and
- (d) to provide opportunities for development to be carried out that will result in a range of housing types and wider housing choices, and
- (e) to enable development to be carried out in accordance with a planning strategy prepared for the area.

3 Land to which plan applies

This plan applies to land in the local government area of Pittwater, known as 29 Samuel Street and 4–14 Walana Crescent, Mona Vale, as shown edged heavy black on Sheet 1 of the map marked "Pittwater Local Environmental Plan 1993 (Amendment No 79)" deposited in the office of Pittwater Council.

4 Amendment of Pittwater Local Environmental Plan 1993

Pittwater Local Environmental Plan 1993 is amended as set out in Schedule 1.

Pittwater Local Environmental Plan 1993 (Amendment No 79)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Interpretation

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

Pittwater Local Environmental Plan 1993 (Amendment No 79)—
Sheet 2

[2] Clause 30B Development of UDP land in Warriewood Valley

Insert at the end of clause 30B (1):

Land at Mona Vale within Sector 20 of the Warriewood Valley
Urban Land Release shown edged heavy black on Sheet 1 of the
map marked “Pittwater Local Environmental Plan 1993
(Amendment No 79)”

[3] Clause 30C Dwelling yield

Insert in appropriate order:

Sector 20—not more than 72 dwellings.



New South Wales

Tumbarumba Local Environmental Plan 1988 (Amendment No 11)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (QUE0000234/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Tumbarumba Local Environmental Plan 1988 (Amendment No 11)

Tumbarumba Local Environmental Plan 1988 (Amendment No 11)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Tumbarumba Local Environmental Plan 1988 (Amendment No 11)*.

2 Aims of plan

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

3 Land to which plan applies

This plan applies to land situated in the local government area of Tumbarumba, being:

- (a) land known as Reserve No 64782, McMeekin Street, Tumbarumba, and
- (b) Lot 11, DP 523813, The Parade, Tumbarumba, and
- (c) Lot 186, DP 757223, Batlow Road, Willigobung.

4 Amendment of Tumbarumba Local Environmental Plan 1988

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

Tumbarumba Local Environmental Plan 1988 (Amendment No 11)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Schedule 7 Classification and reclassification of public land as operational land

Insert in alphabetical order of locality in Part 2 of the Schedule in Columns 1, 2 and 3, respectively:

Tumbarumba

McMeekin Street	Land known as Reserve No 64782	Nil.
The Parade	Lot 11, DP 523813	Acquisition purposes (DP 827849) as noted on Certificate of Title Folio Identifier 11/523813.

Willigobung

Batlow Road	Lot 186, DP 757223	Nil.
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New South Wales

Tumut Local Environmental Plan 1990 (Amendment No 23)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (Q00/00085/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Tumut Local Environmental Plan 1990 (Amendment No 23)

Tumut Local Environmental Plan 1990 (Amendment No 23)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Tumut Local Environmental Plan 1990 (Amendment No 23)*.

2 Aims of plan

The aims of this plan are:

- (a) to protect the current and future use of Tumut Airport by safeguarding the obstacle limitation surfaces and flight paths of the airport, and
- (b) to encourage the establishment of freight warehousing and distribution facilities within the Airport Development Area, and
- (c) to encourage the continued use of land for agricultural purposes within the Airport Development Area while ensuring that any proposed development will not impinge on the flight paths of Tumut Airport, and
- (d) to ensure that the consideration of any development proposal takes into account the likely impact that the proposed development will have on the operation of the airport, and on any of the following within the locality:
 - (i) residential amenity,
 - (ii) Aboriginal heritage items,
 - (iii) flooding,
 - (iv) watercourses,
 - (v) threatened species and threatened species habitat.

3 Land to which plan applies

This plan applies to land in the local government area of Tumut known as the Airport Development Area, as shown edged heavy black on the map marked "Tumut Local Environmental Plan 1990 (Amendment No 23)" deposited in the office of Tumut Council.

Tumut Local Environmental Plan 1990 (Amendment No 23)

Clause 4

4 Amendment of Tumut Local Environmental Plan 1990

Tumut Local Environmental Plan 1990 is amended as set out in Schedule 1.

Tumut Local Environmental Plan 1990 (Amendment No 23)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 37

Insert after clause 36:

37 Development within the Airport Development Area

- (1) This clause applies to land in the local government area of Tumut known as the Airport Development Area, as shown edged heavy black on the map marked "Tumut Local Environmental Plan 1990 (Amendment No 23)".
- (2) Despite any other provision of this plan, development within the Airport Development Area may be carried out only with the consent of the Council.
- (3) The Council may grant consent to development on land within the Airport Development Area for any of the following purposes:
 - (a) purposes ancillary to Tumut Airport,
 - (b) freight warehousing and freight distribution facilities,
 - (c) agricultural purposes, including buildings and structures.
- (4) Before granting consent to development on land within the Airport Development Area, the Council must be satisfied that:
 - (a) the proposed use will have no adverse effect (other than an adverse effect of an insubstantial nature) on the current and future operation of Tumut Airport, and
 - (b) the proposed use will not exceed the limitations specified in the map marked "Obstacle Limitation Surface Map".
- (5) Before granting consent to development on land within the Airport Development Area, the Council must take the following into consideration:
 - (a) any comments or advice received from the Civil Aviation Safety Authority of the Commonwealth in relation to the development application,
 - (b) Australian Standard AS 2021—2000, *Acoustics—Aircraft noise intrusion—Building siting and construction*,
 - (c) any impact the proposed development may have on the following within the locality:
 - (i) residential amenity,
 - (ii) Aboriginal heritage items,

Tumut Local Environmental Plan 1990 (Amendment No 23)

Amendments

Schedule 1

-
- (iii) flooding,
 - (iv) watercourses,
 - (v) threatened species or threatened species habitats, including aquatic habitats.

[2] Schedule 2 Development for certain additional purposes

Insert at the end of the Schedule:

Lot 1, DP 528649, Lot 3, DP 560744 and Lot 4, DP 513702 Wee Jasper Road, Bombowlee.

Development associated with aviation such as hangars or tie-down areas and associated residential development comprising dwellings.

Land on which development is to occur to be above the 1:100 year flood level and the use of all lots to be linked to the operations of Tumut Aerodrome.

Land to be part of a neighbourhood scheme under the *Community Land Management Act 1989*.



New South Wales

Wollongong Local Environmental Plan 1990 (Amendment No 235)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (W03/00175/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Wollongong Local Environmental Plan 1990 (Amendment No 235)

Wollongong Local Environmental Plan 1990 (Amendment No 235)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Wollongong Local Environmental Plan 1990 (Amendment No 235)*.

2 Aim of plan

The aim of this plan is to amend *Wollongong Local Environmental Plan 1990 (the 1990 plan)* so as:

- (a) to update the references to State legislation and statutory authorities, and
- (b) to update the meaning of a number of definitions to clarify their intent, and
- (c) to introduce the definitions of *aquaculture, bed and breakfast accommodation, car park, child care centre, demolition, ecotourism facility, flood prone land* and *high-tech industry*, and
- (d) to improve the readability of the development control table, and
- (e) to update the list of activities that can be undertaken by the City of Wollongong Council without development consent, and
- (f) to update the heritage provisions to reflect the NSW Heritage Office's model heritage local environmental plan provisions, and
- (g) to clarify the provisions for the classification and reclassification of public land, and
- (h) to introduce provisions for the development of flood prone land, and
- (i) to introduce subdivision provisions for some zones, and
- (j) to update the heritage significance of 2 properties in Schedule 1, and
- (k) to delete out-of-date "additional use" provisions in Schedule 2, and

Wollongong Local Environmental Plan 1990 (Amendment No 235)

Clause 3

-
- (l) to update the zoning boundaries of land managed by the Department of Environment and Conservation on the map supporting the 1990 plan, and
 - (m) to reclassify a number of Council-owned sites from operational land to community land, and
 - (n) to make minor amendments to the map supporting the 1990 plan.

3 Land to which plan applies

This plan applies to all land in the City of Wollongong under *Wollongong Local Environmental Plan 1990*.

4 Amendment of Wollongong Local Environmental Plan 1990

Wollongong Local Environmental Plan 1990 is amended as set out in Schedule 1.

Wollongong Local Environmental Plan 1990 (Amendment No 235)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Definitions

Omit the definitions of *archaeological site*, *boarding-house*, *brothel*, *camp or caravan site*, *educational establishment*, *granny flat*, *heavy industry*, *heritage item*, *home employment*, *hospital*, *institution*, *intensive agriculture*, *light industry*, *main road*, *mine*, *sex shop* and *transport terminal* from clause 6 (1).

[2] Clause 6 (1)

Insert in alphabetical order:

aquaculture means:

- (a) cultivating fish or marine vegetation for the purpose of harvesting the fish or marine vegetation or their progeny with a view to sale, or
- (b) keeping fish or marine vegetation in a confined area for a commercial purpose (such as a fish-out pond),

but does not include:

- (c) keeping anything in a pet shop for sale or in an aquarium for exhibition (including an aquarium operated commercially), or
- (d) anything done for the purposes of maintaining a collection of fish or marine vegetation otherwise than for a commercial purpose.

archaeological site means the site of one or more relics.

bed and breakfast accommodation means the use of a dwelling-house, part of a dwelling-house, or any ancillary building to a dwelling-house, for the purpose of offering short term (maximum of one month) paid accommodation and homestyle hospitality to visitors, by the permanent residents of the dwelling-house, where:

- (a) a maximum of 2 bedrooms are used for that use, and
- (b) the number of occupants of the establishment, including the permanent occupants, does not exceed 7 at any one time, and
- (c) breakfast is available for visitors.

boarding-house includes a house let in lodgings or a hostel, but does not include a motel or bed and breakfast accommodation.

Wollongong Local Environmental Plan 1990 (Amendment No 235)

Amendments

Schedule 1

brothel means premises habitually used for the purposes of prostitution or designed for that purpose. Premises may constitute a brothel even though used by only one prostitute for the purposes of prostitution and includes a sex-on-premises establishment.

camp or caravan site means a site used for the purpose of placing moveable dwellings (within the meaning of the *Local Government Act 1993*) for permanent accommodation or for temporary accommodation for tourists, whether or not the site is also used for the erection, assembly or placement of cabins for temporary accommodation for tourists.

car park means a building or place primarily used for the purpose of parking motor vehicles, whether operated for gain or not.

child care centre means a building or place which is used (whether or not for profit) for the purpose of educating, minding or caring for children (whether or not any of the children are related to the owner or operator), but only if the following conditions are satisfied:

- (a) the children number 6 or more,
- (b) the children are under 6 years of age,
- (c) the building or place does not provide residential care for any of the children (other than those related to the owner or operator).

demolition has the same meaning as in the Act and, for the purpose of removal of doubt, includes the destruction, dismantling or moving of all or part of a building or work.

ecotourism facility means any nature-based tourism, educational or interpretative facility that is constructed and managed so as to be ecologically sustainable and without detrimental impact on the ecology of the locality. It may include some form of guest accommodation (but not a caravan park), facilities for provision of meals and a manager's residence.

educational establishment means a building or place used for education such as teaching, and includes the following:

- (a) a school,
- (b) a tertiary institution, being a university, teachers' college, technical college, TAFE establishment or other tertiary college providing formal education which is constituted by or under an Act,

Wollongong Local Environmental Plan 1990 (Amendment No 235)

Schedule 1 Amendments

- (c) an art gallery or museum, not used to sell the items displayed in the art gallery or museum,

whether or not accommodation for staff or students is provided and whether or not conducted for the purpose of gain.

filling means the depositing of soil, rock or other material obtained from a site outside the property boundaries of a lot of land on which it is deposited, but does not include the depositing of topsoil, or feature rock imported to the lot, that is intended for use in garden landscaping, turf or garden bed establishment or topdressing of lawns.

flood prone land means land indicated as flood prone on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 235)—Flood Prone Land Map”.

granny flat means the smaller of 2 dwellings, where:

- (a) the dwellings are both on the same lot and no other dwelling is on that lot, and
- (b) the smaller dwelling has a floor space which is less than 55 square metres or half that of the larger dwelling, whichever is the smaller, and
- (c) at least one of the dwellings is occupied by the owner of the lot on which the dwellings stand.

heavy industry means an industry other than an extractive or light industry, and includes a hazardous or offensive industry that is not an extractive or light industry.

heritage impact statement means a document consisting of a statement demonstrating the heritage significance of a heritage item or heritage conservation area, or of a building, work, archaeological site, tree or place within a heritage conservation area, an assessment of the impact that proposed development will have on that significance and proposals for measures to minimise that impact.

heritage item means a building, work, archaeological site, tree or place listed in Schedule 1 and the site of which is described in Schedule 1 and shown edged heavy black or edged broken heavy black on the heritage map.

high-tech industry means an enterprise (including an enterprise carried out in a laboratory or testing facility) which has as its primary function the manufacture, development, production, processing, assembly of, or research into:

- (a) electronic and micro-electronic systems, goods or components, or
- (b) computer software or hardware, or

Wollongong Local Environmental Plan 1990 (Amendment No 235)

Amendments

Schedule 1

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- (c) instrumentation or instruments, or
 - (d) communication and telecommunication systems, goods or components, or
 - (e) biological, pharmaceutical, medical or paramedical systems, goods or components, or
 - (f) other goods, systems or components intended for use in science and technology.

home employment means an occupation which is carried on in, or from a dwelling, or within or from the curtilage of a dwelling-house or residential flats, by the permanent residents of the dwelling, and that does not involve any of the following:

- (a) the employment on the premises of persons other than those residents,
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise,
- (c) the display of goods, whether in a window or otherwise,
- (d) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited to indicate the name and occupation of those residents),
- (e) the use of premises as a brothel or bed and breakfast accommodation.

hospital means a building or place used as a hospital, sanatorium, health centre or nursing home, whether public or private, and which may contain accommodation for seniors, infirm persons, incurable persons or convalescent persons and a shop or dispensary used in conjunction with it, but does not include an institution.

institution means:

- (a) a residential centre for persons who have disabilities within the meaning of the *Disability Services Act 1993*, or
- (b) a hospital within the meaning of the *Mental Health Act 1990*, or
- (c) a correctional centre, correctional complex or periodic detention centre within the meaning of the *Crimes (Administration of Sentences) Act 1999*, or
- (d) a detention centre within the meaning of the *Children (Detention Centres) Act 1987*.

Wollongong Local Environmental Plan 1990 (Amendment No 235)

Schedule 1 Amendments

intensive agriculture means a building or place used for:

- (a) cultivating fruit, vegetable, mushroom, nut or flower crops, or
 - (b) keeping or breeding livestock, bees or poultry, or
 - (c) cultivating plants in a wholesale plant nursery, or
 - (d) breeding, boarding, training, keeping or caring for animals, or
 - (e) aquaculture,
- for commercial purposes.

light industry means an industry (including processes carried out in a laboratory), in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise.

main road means a road proclaimed to be a main road under the *Roads Act 1993*, and includes a work declared to be a tollway under that Act.

mine means any place which requires the winning or removal of any material pursuant to the *Mining Act 1992*, or the *Petroleum (Onshore) Act 1991*, and includes the storage and primary processing of the material obtained.

place of Aboriginal heritage significance means:

- (a) a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

potential place of Aboriginal heritage significance means a place that, in the opinion of the consent authority, has the potential to have Aboriginal heritage significance.

Wollongong Local Environmental Plan 1990 (Amendment No 235)

Amendments

Schedule 1

restricted premises means a building or place, other than newsagencies and pharmacies, primarily used for the purposes of business premises in which:

- (a) Category 1 and Category 2 restricted publications under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth are shown, exhibited, displayed, sold or otherwise rendered accessible or available to the public, or
- (b) articles, materials, compounds, preparations, devices or other things that are primarily concerned with, or used or intended to be used in connection with sexual behaviour are sold or otherwise rendered accessible or available for the public, or
- (c) a business to which section 578E of the *Crimes Act 1900* applies is conducted.

seniors means people of or over 55 years of age.

seniors housing means residential accommodation that is, or is intended to be, used permanently by seniors or people with a disability consisting of:

- (a) a residential care facility, or
- (b) a hostel, or
- (c) a group of self-contained dwellings, or
- (d) a combination of these,

but does not include a hospital.

transport terminal means:

- (a) a building or place used for the assembly, parking or storage of motor powered or motor drawn vehicles used in connection with a passenger transport undertaking, or
- (b) a building or place used as an airline terminal, a road transport terminal, a bus station or a bus depot, but does not include a bus stop, train station, bus/rail interchange or heliport.

waste management facilities or works means any premises used for the storage, treatment, reprocessing, recycling, sorting or the disposal of waste.

[3] Clause 6 (1), definition of “heritage map”

Insert in appropriate order:

Wollongong Local Environmental Plan 1990 (Amendment No 235)—Heritage Map

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[4] Clause 6 (1), definition of “the map”

Insert in appropriate order:

Wollongong Local Environmental Plan 1990 (Amendment No 235)—Zoning Map

[5] Clause 8 Zones indicated on the map

Omit the following:

Zone No 8 (a) (National Parks Zone)—lettered “8 (a)”

Zone No 8 (b) (State Recreation Areas Zone)—lettered “8 (b)”

Insert instead:

Zone No 8 (a) (National Parks, State Conservation Areas and Nature Reserves Zone)—lettered “8 (a)”

Zone No 8 (b) (National Parks, State Conservation Areas and Nature Reserves (Proposed) Zone)—lettered “8 (b)”

[6] Clause 9 Zone objectives and development control table

Omit clause 9 (2). Insert instead:

- (2) Except as provided otherwise by this plan, the development on land within a zone:
- (a) that may be carried out without development consent, and
 - (b) that may be carried out only with development consent, and
 - (c) that may be carried out only with development consent granted in accordance with clause 11 to a development application that has been advertised as is required for designated development, and
 - (d) that is prohibited,
- is specified in the Table to this clause under the headings “Without development consent”, “Only with development consent”, “Only with development consent granted after advertising and satisfying clause 11” and “Prohibited”, respectively, appearing in the matter relating to the zone.

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[7] Clause 9, Table

Omit the Table. Insert instead:

Table

Zone No 1 (Non-Urban Zone)

1 Objectives of zone

The objectives of the zone are:

- (a) to provide a rural atmosphere on the outskirts of the City of Wollongong and to act as a reservoir from which land suitable for:
 - (i) urban development to cater for planned natural urban growth, or
 - (ii) environmental protection,
 can be drawn, and
- (b) to allow agricultural and peri-urban pursuits which are not likely to:
 - (i) inhibit or prejudice the present environmental quality or future development potential of the land, or
 - (ii) lead to a demand for further public services or render them more difficult or expensive to provide once urban development takes place.

2 Without development consent

Development for the purpose of:

agriculture.

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; bed and breakfast accommodation; child care centres; community facilities; cottage industries; dwelling-houses; ecotourism facilities; educational establishments; extractive industries; forestry; granny flats; home employment; hospitals; institutions; intensive agriculture; leisure areas; licensed premises; mines;

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places of worship; recreation areas; recreation facilities; service stations; transport terminals; truck or heavy machinery sale yards; utility installations.

4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

boarding-houses; camp or caravan sites; health consulting rooms; helicopter landing sites; industries; motels; registered clubs; restaurants; waste management facilities or works.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 2 (a) (Low Density Residential Zone)**1 Objectives of zone**

The objectives of the zone are:

- (a) to provide land primarily for detached housing with gardens in an environment free from commercial and unsympathetic activities and buildings, and
- (b) to allow some diversity of activities and housing types provided:
 - (i) densities, scale and height are comparable to those of detached housing, and
 - (ii) there is little increase in traffic generation, and
 - (iii) there will be no significant detracting from the character of the locality or the amenity of any existing or proposed development nearby.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; bed and breakfast accommodation; child care centres; community facilities; cottage industries; dual occupancies; dwelling-houses; educational

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establishments; granny flats; home employment; leisure areas; recreation areas; residential flats; seniors housing; utility installations.

4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

boarding-houses; camp or caravan sites; commercial premises; ecotourism facilities; health consulting rooms; hospitals; institutions; licensed premises; places of worship; recreation facilities; registered clubs; restaurants; service stations; serviced apartments; shops.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 2 (a1) (Special Low Density Residential Zone)

1 Objectives of zone

The objectives of the zone are:

- (a) to cater for residential development in selected areas affected by environmental hazards, a limited supply of infrastructure or a lack of adequate utility services, and
- (b) to allow some diversity of activities that will not prejudice achievement of the objective referred to in paragraph (a) or detrimentally affect the environmental quality or character of the locality or the amenity of the locality.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; bed and breakfast accommodation; child care centres; community facilities; cottage industries; dwelling-houses; educational establishments; granny flats; home employment; leisure areas; recreation areas; recreation facilities; seniors housing; utility installations.

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4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

boarding-houses; commercial premises; ecotourism facilities; health consulting rooms; institutions; places of worship; service stations.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 2 (b) (Medium Density Residential Zone)**1 Objectives of zone**

The objectives of the zone are:

- (a) to cater for a wide range of housing types, essentially domestic in scale and character, and
- (b) to allow for a range of residential densities and for urban consolidation in appropriate locations, and
- (c) to allow some diversity of activities and densities provided:
 - (i) scale and height are comparable to those of the locality, and
 - (ii) there is little increase in traffic generation, and
 - (iii) there will be no significant detracting from the character of the locality or the amenity of any existing or proposed development nearby.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; bed and breakfast accommodation; boarding-houses; child care centres; community facilities; cottage industries; dual occupancies; dwelling-houses; educational establishments; granny flats; health consulting rooms; home employment; hospitals; leisure areas; motels; places of worship; recreation areas; residential flats; seniors housing; utility installations.

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4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

camp or caravan sites; commercial premises; ecotourism facilities; forestry; institutions; recreation facilities; registered clubs; restaurants; service stations; serviced apartments; shops; transport terminals; truck or heavy machinery sale yards; warehouses.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 2 (c) (High Density Residential Zone)

1 Objectives of zone

The objectives of the zone are:

- (a) to allow for high density residential development close to the regional centre, and
- (b) to allow some diversity of activities and densities provided:
 - (i) scale and height are comparable with those in the locality, and
 - (ii) there is little increase in traffic generation, and
 - (iii) there will be no significant detracting from the character of the locality or the amenity of any existing or proposed development nearby.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; bed and breakfast accommodation; boarding-houses; child care centres; community facilities; cottage industries; dual occupancies; dwelling-houses; educational establishments; granny flats; health consulting rooms; home employment; hospitals; leisure areas; motels; places of worship; recreation areas; residential flats; seniors housing; serviced apartments; utility installations.

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4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

camp or caravan sites; commercial premises; ecotourism facilities; extractive industries; forestry; institutions; licensed premises; recreation facilities; registered clubs; restaurants; service stations; shops; transport terminals; truck or heavy machinery sale yards; warehouses.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 3 (a) (General Business Zone)**1 Objectives of zone**

The objectives of the zone are:

- (a) to focus and consolidate retail and business development in accessible locations, and
- (b) to allow other development if it will not prejudice achievement of the objective referred to in paragraph (a) or significantly detract from the character of the locality or the operation of any existing or proposed development nearby.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; bed and breakfast accommodation; boarding-houses; bulky goods sales rooms or showrooms; car parks; child care centres; commercial premises; community facilities; cottage industries; dual occupancies; dwelling-houses; ecotourism facilities; educational establishments; granny flats; health consulting rooms; high-tech industries; home employment; leisure areas; licensed premises; light industrial retail outlets; light industries; motels; places of worship; recreation areas; recreation facilities; registered clubs; residential flats; restaurants; restricted premises; seniors housing; service stations; serviced apartments; shops; transport terminals; truck or heavy machinery sale yards; utility installations; warehouses.

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4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:
helicopter landing sites; hospitals; institutions.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 3 (b) (Neighbourhood Business Zone)

1 Objectives of zone

The objectives of the zone are:

- (a) to allow for businesses and neighbourhood activities that serve the local community and are limited in scale, and
- (b) to allow some diversity of activities of densities, scale and height comparable with those of the locality, and with little increase in traffic generation, that will not prejudice achievement of the objective referred to in paragraph (a) or significantly detract from the character of the locality or the amenity of any existing or proposed development nearby.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; bed and breakfast accommodation; boarding-houses; bulky goods sales rooms or showrooms; car parks; child care centres; commercial premises; community facilities; cottage industries; dual occupancies; dwelling-houses; educational establishments; granny flats; health consulting rooms; high-tech industries; home employment; leisure areas; licensed premises; light industrial retail outlets; motels; places of worship; recreation areas; recreation facilities; registered clubs; residential flats; restaurants; restricted premises; seniors housing; service stations; serviced apartments; shops; truck or heavy machinery sale yards; utility installations.

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4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

ecotourism facilities; hospitals; institutions; light industries; transport terminals; warehouses.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 3 (c) (Regional Business Zone)**1 Objectives of zone**

The objectives of the zone are:

- (a) to promote development that results in the growth of Wollongong Central Business District as the regional centre, and
- (b) to allow other development if it will not prejudice achievement of the objective referred to in paragraph (a) or significantly detract from the character of the locality or the operation of any existing or proposed development nearby.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; boarding-houses; bulky goods sales rooms or showrooms; car parks; child care centres; commercial premises; community facilities; cottage industries; dual occupancies; dwelling-houses; ecotourism facilities; educational establishments; granny flats; health consulting rooms; high-tech industries; home employment; leisure areas; licensed premises; light industrial retail outlets; light industries; motels; places of worship; recreation areas; recreation facilities; registered clubs; residential flats; restaurants; restricted premises; seniors housing; service stations; serviced apartments; shops; transport terminals; truck or heavy machinery sale yards; utility installations; warehouses.

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4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

helicopter landing sites; hospitals; industries (other than light industries); institutions.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 3 (d) (Commercial Services Zone)

1 Objectives of zone

The objectives of the zone are:

- (a) to allow for large scale sale rooms or showrooms trading in bulky goods and small scale services, which are not establishments normally found in a business area, to locate close to business areas, and
- (b) to allow some diversity of activities that will not prejudice achievement of the objective referred to in paragraph (a) or significantly detract from the character of the locality or the operation of any existing or proposed development in the locality.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; brothels; bulky goods sales rooms or showrooms; camp or caravan sites; car parks; child care centres; commercial premises; community facilities; cottage industries; dual occupancies; dwelling-houses; ecotourism; educational establishments; granny flats; health consulting rooms; high-tech industries; home employment; leisure areas; licensed premises; light industrial retail outlets; light industries; motels; recreation areas; recreation facilities; registered clubs; residential flats; restaurants; restricted premises; service stations; serviced apartments; transport terminals; truck or heavy machinery sale yards; utility installations; warehouses.

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4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

boarding-houses; helicopter landing sites; hospitals; industries (other than light industries); institutions; places of worship; shops.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 3 (e) (Research and Development Business Zone)**1 Objectives of zone**

The objectives of the zone are:

- (a) to permit the establishment of the “Wollongong Innovation Campus”, which comprises a research and development campus, hotel, student and campus-related residential accommodation and necessary support services and facilities on the land, and
- (b) to provide a purpose-built area where enterprises that carry out research and development as an integral part of their operations can be located, and
- (c) to promote and foster the establishment of collaborative research and development between users of land within the Wollongong Innovation Campus and the University of Wollongong and other enterprises in the Illawarra region, and
- (d) to facilitate practical links between the University of Wollongong’s research activities and initiatives of the business community, and
- (e) to encourage development of land in the zone to proceed in an orderly manner consistent with a master plan adopted by the Director-General for the site, and
- (f) to ensure that the development of land in the zone is undertaken in a manner that demonstrates design of a high quality with respect to the context of the site, scale, built form and density of the development, resources, energy and water

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efficiency, landscape, amenity, safety and security, social dimensions and aesthetics, and

- (g) to ensure that development in the zone is in harmony with the landscape quality of the coastal and foreshore setting, and
- (h) to permit the provision of University-related facilities including student and campus-related residential accommodation and support services, incidental or ancillary to research and development activities on the land.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; boarding-houses; business signs; commercial premises; commercial signs; community facilities; child care centres; dwelling-houses; educational establishments; health consulting rooms; helicopter landing sites; high-tech industries; hospitals; leisure areas; licensed premises; light industries; motels; places of worship; real estate signs; recreation areas; recreation facilities; registered clubs; residential flats; restaurants; serviced apartments; shops; utility installations; warehouses.

4 Only with development consent granted after advertising and satisfying clause 11

Nil.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 4 (a) (Light Industrial Zone)

1 Objectives of zone

The objectives of the zone are:

- (a) to cater for a wide range of manufacturing and service activities that will not interfere with the amenity of nearby residents, and

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-
- (b) to allow some diversity of activities that will not prejudice achievement of the objective referred to in paragraph (a) or significantly detract from the operation of existing or proposed manufacturing and service industries or the amenity of nearby residents.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; brothels; cottage industries; dwellings (used in conjunction with industry and situated on land on which the industry is located); forestry; high-tech industries; leisure areas; light industries; mines; recreation areas; recreation facilities; service stations; transport terminals; truck or heavy machinery sale yards; utility installations; warehouses.

4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

aquaculture; bulky goods sales rooms or showrooms; camp or caravan sites; car parks; child care centres; community facilities; educational establishments; health consulting rooms; helicopter landing sites; hospitals; industries (other than light industries); institutions; intensive agriculture; light industrial retail outlets; motels; places of worship; registered clubs; restaurants; shops (necessary to service the industry within the zone); turf farming; waste management facilities or works.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 4 (b) (Heavy Industrial Zone)**1 Objectives of zone**

The objectives of the zone are:

- (a) to provide suitable areas for those industrial enterprises that should be kept well away from residential neighbourhoods, and

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-
- (b) to make the best use of public utilities and infrastructure required by substantial enterprises, and
 - (c) to allow some diversity of activities that will not prejudice achievement of the objectives referred to in paragraphs (a) and (b) or significantly detract from the operation of existing or proposed industrial enterprises.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; community facilities; cottage industries; dwellings (used in conjunction with industry and situated on land on which the industry is located); forestry; helicopter landing sites; high-tech industries; industries; intensive agriculture; leisure areas; light industries; mines; service stations; transport terminals; truck or heavy machinery sale yards; utility installations; warehouses; waste management facilities or works.

4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

car parks; child care centres; educational establishments; heliports; light industrial retail outlets; recreation areas; recreation facilities; restaurants; shops (necessary to service the industry within the zone); turf farming.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 4 (c) (Extractive Industrial Zone)

1 Objectives of zone

The objectives of the zone are:

- (a) to manage the extractive and landfill resources of the City of Wollongong in a co-ordinated manner to meet community needs while ensuring that adverse impact on the environment and the community are minimal, and

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- (b) to ensure that development proposals for land containing extractive resources are assessed in relation to the potential problem of rendering those resources unavailable.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; extractive industries; forestry; intensive agriculture; leisure areas; mines; utility installations.

4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

recreation facilities; turf farming.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 5 (Special Uses Zone)**1 Objectives of zone**

The objective of the zone is to cater for the provision of community and public facilities and services.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; car parking; community facilities; such buildings, works, places or land uses specified in the Table to clause 15 as are marked or lettered for the land on the map; utility installations.

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4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

agriculture; boarding-houses; bulky goods sales room or showrooms; camp or caravan sites; commercial premises; cottage industries; dual occupancies; dwelling-houses; ecotourism facilities; extractive industries; forestry; granny flats; health consulting rooms; helicopter landing sites; heliports; home employment; industries; institutions; intensive agriculture; leisure areas; licensed premises; light industrial retail outlets; light industries; mines; motels; recreation areas; recreation facilities; registered clubs; residential flats; restaurants; service stations; serviced apartments; shops; transport terminals; truck or heavy machinery sale yards; turf farming; warehouses.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 6 (a) (Public Recreation Zone)

1 Objectives of zone

The objectives of the zone are:

- (a) to identify areas where recreation facilities for the general use of the community for active and passive recreation may be developed, and
- (b) to cater for the development of a wide range of facilities for the benefit of nearby communities.

2 Without development consent

Development for the purpose of:

leisure areas.

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; camp or caravan sites; car parks; child care centres; community facilities; educational establishments; forestry; recreation areas; recreation facilities; registered clubs; restaurants; utility installations.

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4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:
ecotourism facilities; helicopter landing sites; intensive agriculture.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 6 (b) (Private Recreation Zone)**1 Objectives of zone**

The objectives of the zone are:

- (a) to identify areas where private recreation facilities are and may be developed, and
- (b) to allow some diversity of activities that will not prejudice achievement of the objective referred to in paragraph (a) or significantly detract from the character of the locality or the amenity of any existing or proposed development in the locality.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:
advertisements; bed and breakfast accommodation; camp or caravan sites; car parks; dwellings (used in conjunction with a land use for which development consent is required and situated on the land on which the land use is carried out); intensive agriculture; leisure areas; recreation areas; recreation facilities; registered clubs; utility installations.

4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:
child care centres; ecotourism facilities; educational establishments; motels; places of worship; restaurants.

5 Prohibited

Any development not included in item 2, 3 or 4.

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Zone No 6 (c) (Tourism Zone)

1 Objectives of zone

The objectives of the zone are:

- (a) to identify areas of, and encourage tourist orientated development in, designated tourism precincts, and
- (b) to allow some diversity of activities that will not prejudice achievement of the objective referred to in paragraph (a) or significantly detract from the character of the locality or the amenity of any existing or proposed development in the locality.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; bed and breakfast accommodation; boarding-houses; business signs; camp or caravan sites; car parks; child care centres; community facilities; cottage industries; ecotourism facilities; educational establishments; home employment; leisure areas; licensed premises; motels; recreation areas; recreation facilities; registered clubs; restaurants; serviced apartments; transport terminals; utility installations.

4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

bulky goods sales rooms or showrooms; commercial premises or shops (principally servicing tourists); dual occupancies; dwellings-houses; places of worship.

5 Prohibited

Any development not included in item 2, 3 or 4.

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Zone No 7 (a) (Special Environmental Protection Zone)**1 Objectives of zone**

The objectives of the zone are:

- (a) to protect environmentally important land having special aesthetic, ecological or conservational value, and
- (b) to identify and protect the foreshore environment that enhances the visual amenity and possesses ecological or conservational value, and
- (c) to identify and protect land forming part of the catchment areas for water supply, and
- (d) to allow some diversity of activities on degraded land that will not prejudice achievement of the objectives referred to in paragraphs (a), (b) and (c) or significantly detract from the environmental or visual quality or character of the locality or the amenity or operation of any existing or proposed development in the locality.

2 Without development consent

Development for the purpose of any building, work, place or land use associated with the protection, enhancement and supply of water by the Sydney Catchment Authority and any purpose ordinarily incidental or subsidiary to such a purpose.

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; leisure areas; mines; utility installations.

4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

agriculture; buildings used in conjunction with agriculture; forestry.

5 Prohibited

Any development not included in item 2, 3 or 4.

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Zone No 7 (b) (Environmental Protection Conservation Zone)

1 Objectives of zone

The objectives of the zone are:

- (a) to identify, protect and enhance areas that have special conservational, aesthetic or scenic qualities that enhance the environment, and
- (b) to identify and protect escarpment areas that enhance the visual amenity and possess special aesthetic or conservational value, and
- (c) to allow some diversity of activities on degraded land that will not prejudice achievement of the objectives referred to in paragraphs (a) and (b) or significantly detract from the environmental or visual quality or character of the locality or the amenity or operation of any existing or proposed development in the locality.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; dwelling-houses; ecotourism facilities; granny flats; home employment; leisure areas; utility installations.

4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

agriculture; buildings used in conjunction with agriculture; child care centres; educational establishments; mines; recreation areas; restaurants.

5 Prohibited

Any development not included in item 2, 3 or 4.

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Zone No 7 (c) (Environmental Protection Residential Zone)**1 Objectives of zone**

The objectives of the zone are:

- (a) to cater for limited residential and village development in selected areas possessing special environmental qualities or that may be affected by environmental hazards, and
- (b) to allow some diversity of activities that will not prejudice achievement of the objective referred to in paragraph (a) or detrimentally affect the environmental quality or character of the locality or the amenity of any existing or proposed development in the locality.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; bed and breakfast accommodation; child care centres; cottage industries; dwelling-houses; ecotourism facilities; educational establishments; granny flats; home employment; leisure areas; recreation areas; utility installations.

4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

commercial premises; community facilities; health consulting rooms; hospitals; institutions; intensive agriculture; licensed premises; motels; places of worship; recreation facilities; restaurants; shops.

5 Prohibited

Any development not included in item 2, 3 or 4.

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Zone No 7 (c1) (Environmental Protection Rural Residential Zone)

1 Objectives of zone

The objectives of the zone are:

- (a) to provide for rural residential development to occur in the City of Wollongong, and
- (b) to ensure that such development is an effective transition between urban development and environmentally sensitive land such as the escarpment fringe, and
- (c) to enable a limited range of buildings and land uses that are compatible with adjoining environmentally sensitive land, and
- (d) to ensure that any development is accompanied by significant environmental enhancement.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

agriculture (including ancillary buildings); bed and breakfast accommodation; cottage industries; dwelling-houses; ecotourism facilities; home employment; intensive agriculture; leisure areas; mines; recreation areas; utility installations.

4 Only with development consent granted after advertising and satisfying clause 11

Nil.

5 Prohibited

Any development not included in item 2, 3 or 4.

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Zone No 7 (d) (Hacking River Environmental Protection Zone)**1 Objectives of zone**

The objectives of the zone are:

- (a) to identify and protect the conservation value of the relatively pristine tributaries of the Hacking River Catchment and thereby safeguard the natural qualities of the area to complement the Royal National Park, and
- (b) to allow some diversity of activities on degraded land that will not prejudice achievement of the objective referred to in paragraph (a) or detrimentally affect the environmental quality or character of the locality or the amenity of any existing or proposed development in the locality.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; dwelling-houses; home employment; leisure areas; utility installations.

4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

agriculture; buildings used in conjunction with agriculture; child care centres; educational establishments; mines; recreation areas; restaurants.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 8 (a) (National Parks, State Conservation Areas and Nature Reserves Zone)**1 Objectives of zone**

The objectives of the zone are:

- (a) to identify land that is reserved or dedicated under the *National Parks and Wildlife Act 1974*, and

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-
- (b) to allow for the management and appropriate use of that land as provided for in the *National Parks and Wildlife Act 1974*.

2 Without development consent

Any development authorised by or under the *National Parks and Wildlife Act 1974*, and any development incidental or ancillary to such a land use.

3 Only with development consent

Nil.

4 Only with development consent granted after advertising and satisfying clause 11

Nil.

5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 8 (b) (National Parks, State Conservation Areas and Nature Reserves (Proposed) Zone)

1 Objectives of zone

The objectives of the zone are:

- (a) to identify land that is to be reserved or dedicated under the *National Parks and Wildlife Act 1974*, and
- (b) to protect the values of that land for which it is proposed to be so reserved or dedicated.

2 Without development consent

Nil.

3 Only with development consent

Any development authorised by or under the *National Parks and Wildlife Act 1974*, and any development incidental or ancillary to such a land use.

4 Only with development consent granted after advertising and satisfying clause 11

Nil.

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5 Prohibited

Any development not included in item 2, 3 or 4.

Zone No 9 (Reservation Zone)**1 Objectives of zone**

The objectives of the zone are:

- (a) to ensure that land required for future essential services, roads, open space and community purposes is clearly designated, and
- (b) to provide for the acquisition of land within the zone, and
- (c) to permit development of land within the zone where it is not immediately required, and
- (d) to allow continued use of land within the zone until it is required.

2 Without development consent

Exempt development.

3 Only with development consent

Development for the purpose of:

advertisements; community facilities; such buildings, works, places and land uses specified in the Table to clause 35 and in clauses 36 and 37 as are marked or otherwise indicated for the land by lettering on the map; recreation areas; utility installations.

4 Only with development consent granted after advertising and satisfying clause 11

Development for the purpose of:

agriculture; camp or caravan sites; car parks; child care centres; cottage industries; dual occupancies; dwelling-houses; forestry; granny flats; health consulting rooms; home employment; leisure areas; places of worship; recreation facilities; restaurants; service stations; shops; transport terminals.

5 Prohibited

Any development not included in item 2, 3 or 4.

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[8] Part 3, heading

Insert before clause 10:

Part 3 Special provisions

[9] Clause 10 Development requiring consent or for a temporary period

Omit “this plan” from clause 10 (1). Insert instead “this Part”.

[10] Clause 10 (1) (a1)

Insert after clause 10 (1) (a):

- (a1) the demolition of a building or work, unless the demolition is exempt development,

[11] Clause 10 (1) (n)

Omit “carried out pursuant to a notice under section 495A (1) of the *Local Government Act 1919* or section 13 (1) of the *Bushfires Act 1949*”.

Insert instead “required or authorised to be carried out by or under Division 1 of Part 3 of the *Noxious Weeds Act 1993* or Division 2 of Part 4 of the *Rural Fires Act 1997*”.

[12] Clause 10 (1) (n1)

Insert after clause 10 (1) (n):

- (n1) bushfire hazard reduction proposed to be carried out not in accordance with the provisions of the *Rural Fires Act 1997*,

[13] Part 3, heading

Omit the heading to Part 3 occurring after clause 10.

[14] Clause 10B

Omit the clause. Insert instead:

10B Development without consent

- (1) Development carried out by or on behalf of the Council for the purpose of the following may be carried out on any land, except land within a heritage conservation area or containing a heritage item, or subject to the provisions of *State Environmental Planning Policy No 58—Protecting Sydney’s Water Supply* without development consent:

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- (a) construction or maintenance of stormwater drainage, water quality treatment devices, water tanks, flood mitigation structures, recreation areas, public amenities and temporary storage facilities,
 - (b) installation or maintenance of street furniture, such as seats, Council information signs, street signs, street lights, bus shelters, garbage and recycling containers and bins, bollards, flag poles, telephone kiosks and the like, but not fixed outdoor vending machines,
 - (c) construction and maintenance of roads, footpaths, cycleways, parking areas, fire trails, walking tracks and other public pedestrian areas, including tree planting and repaving, street surfacing, reconstruction of kerbs and gutters, and the like,
 - (d) installation or maintenance of park furniture, including seats, picnic tables, barbecue units and shelters, awnings and shade structures, gazebos and pergolas, bollards, playground equipment, flag poles, bridges, staircases, boardwalks, lighting (excluding ovals, tennis courts and the like) and Council information signs,
 - (e) installation and maintenance of goal posts, sight screens, fencing and similar ancillary sporting structures on sporting or playing fields for use in the playing or performance of sporting events (excluding grandstands, dressing sheds and other like structures),
 - (f) installation and maintenance of temporary structures for special events, including marquees, booth toilets, stages, tents, scaffolds and the like,
 - (g) bush regeneration, landscaping, gardening, tree planting, tree maintenance and tree removal,
 - (h) other works or activities approved by the Council as part of a plan of management for public land (excluding the construction of buildings or activities excluded by paragraphs (a)–(g)),
 - (i) the dedication of land owned by the Council for a public road,
 - (j) the approval of a plan of survey defining an area of public road to be closed under the *Roads Act 1993*.
- (2) Bushfire hazard reduction may be carried out under section 100C of the *Rural Fires Act 1997* without development consent.

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[15] Clause 11 Restrictions on granting certain consents

Omit “clause 54 of the *Environmental Planning and Assessment Regulation 1980*” from clause 11 (1).

Insert instead “Part 5 of the *Environmental Planning and Assessment Regulation 2000*”.

[16] Clause 11 (1A)

Insert after clause 11 (1):

- (1A) Any development that is the subject of a development application to which this clause applies is advertised development for the purposes of the Act.

[17] Clause 11 (2) (c)

Omit “Division 2 Part 4”. Insert instead “Division 10 of Part 4”.

[18] Clause 12 Floor space ratios

Insert “of buildable land” after “hectare” in clause 12 (3) (b) (i) and (ii), wherever occurring.

[19] Clause 13B

Insert after clause 13A:

13B Subdivision and density provisions

Consent is not to be granted to the subdivision of land within a zone specified in Column 1 of the Table to this clause if:

- (a) the consent authority is not satisfied that the subdivision will create a lot on which a dwelling-house will be erected, and
- (b) the area of each such lot (excluding any access handle) will not be equal to or greater than the area specified, in relation to the zone, in Column 2 of that Table.

Table

Column 1	Column 2
Zone	Minimum lot size for subdivision
2 (a)	450m ² if the land is not at Helensburgh
2 (a)	550m ² if the land is at Helensburgh
2 (a1)	550m ²

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- [20] Clause 16 Development in Zone No 7 (a)**
Omit “*Water Board Act 1987*” from clause 16 (1).
Insert instead “*Sydney Water Catchment Management Act 1998*”.
- [21] Clause 16 (1) and (2)**
Omit “Water Board” from clause 16 (1) and (2) wherever occurring.
Insert instead “Chief Executive of the Sydney Catchment Authority”.
- [22] Clause 17 Development in Zone No 7 (a), 7 (b) or 7 (d)**
Omit “Director of the National Parks and Wildlife Service” from clause 17 (2).
Insert instead “Director-General of the Department of Environment and Conservation”.
- [23] Clause 17 (4)**
Omit “Director of the National Parks and Wildlife Service or the Director-General of the Department of Agriculture and Fisheries (or both)”.
Insert instead “Director-General of the Department of Environment and Conservation, Director-General of the Department of Infrastructure, Planning and Natural Resources and Director-General of the Department of Primary Industries”.
- [24] Clause 17 (5) (a)**
Omit “Director of the National Parks and Wildlife Service”.
Insert instead “Director-General of the Department of Environment and Conservation”.
- [25] Clause 17 (5) (b)**
Omit “Agriculture and Fisheries”.
Insert instead “Infrastructure, Planning and Natural Resources and Director-General of the Department of Primary Industries”.
- [26] Clause 17 (6)**
Insert after clause 17 (5):
- (6) Consultation is taken to be sufficient for the purposes of this clause if the consent authority notifies the person required to be consulted about the development application concerned and takes into consideration any comments received in response within 28 days after the notice is sent.

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[27] Clause 20 Sand dune systems

Omit “Commissioner of the Soil Conservation Service and the Director of Public Works”.

Insert instead “Director-General of the Department of Infrastructure, Planning and Natural Resources and the Director-General of the Department of Commerce”.

[28] Clause 20 (2)

Insert at the end of the clause:

- (2) Consultation is taken to be sufficient for the purposes of this clause if the consent authority notifies the person required to be consulted about the development application concerned and takes into consideration any comments received in response within 28 days after the notice is sent.

[29] Clause 26

Insert after clause 25:

26 Development in flood prone land

- (1) Notwithstanding any other provisions of this plan, the Council may refuse consent to the carrying out of any development on flood prone land where, in its opinion, the development may:
 - (a) be inconsistent with any interim flood policy adopted by the Council in accordance with the principles contained in the Manual entitled *Floodplain Development Manual* dated December 1986 (Reference No PWD 86010) and published by the NSW Public Works Department or any floodplain risk management plan adopted by the Council in accordance with the Manual entitled *Floodplain Management Manual* dated 2001 (as published by the NSW Government), or
 - (b) detrimentally increase the potential effect of floods on other land or land uses, or
 - (c) result, to a substantial degree, in an increased risk to human life, or
 - (d) be likely to result in additional economic and social cost which could not reasonably be managed by potentially affected persons and the general community, or

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- (e) adversely affect the environment of the floodplain by causing avoidable erosion, saltation, unnecessary destruction of river bank vegetation, or a reduction in the stability of the river bank.
 - (2) The Council may consult with, and take into consideration, any advice of the Department of Infrastructure, Planning and Natural Resources and the State Emergency Service in relation to the nature of flood hazards, the necessity and the capacity to evacuate persons, and the consequence and suitability of any proposed development.

[30] Clauses 27–29E

Omit clauses 27–29D. Insert instead:

27 Protection of heritage items and heritage conservation areas**(1) When is consent required?**

The following development may be carried out only with development consent:

- (a) demolishing or moving the whole or part of a heritage item or a building, work, relic, tree or place within a heritage conservation area,
- (b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area by making structural or non-structural changes to its exterior, such as to its detail, fabric, finish or appearance,
- (c) altering a heritage item by making structural changes to its interior,
- (d) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (e) erecting a building on, or subdividing, land on which a heritage item is located or that is within a heritage conservation area.

(2) What exceptions are there?

Development consent is not required by this clause if:

- (a) in the opinion of the consent authority:

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- (i) the proposed development is of a minor nature or consists of maintenance of the heritage item or of a building, work, archaeological site, tree or place within a heritage conservation area, and
 - (ii) the proposed development would not adversely affect the significance of the heritage item or heritage conservation area, and
 - (b) the proponent has notified the consent authority in writing of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development will comply with paragraph (a) (i) and (ii) and that development consent is not otherwise required by this plan, and
 - (c) the proposed work or development is described in a conservation management plan which has been endorsed by the Council (in the case of items classified in Part 2 of Schedule 1 as being of regional heritage significance) or the Heritage Council (in the case of items classified in Part 2 of Schedule 1 as being of State heritage significance).
 - (3) Development consent is not required by this clause for the following development in a cemetery or burial ground if there will be no disturbance to human remains, to relics in the form of grave goods or to a place of Aboriginal heritage significance:
 - (a) the creation of a new grave or monument,
 - (b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers.
 - (4) **What must be included in assessing a development application?**

Before granting a consent required by this clause, the consent authority must assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.
 - (5) **What extra documentation is needed?**

The assessment must include consideration of a heritage impact statement that addresses at least the issues described in subclause (6) (but is not to be limited to assessment of those issues, if the heritage significance concerned involves other issues). The consent authority may also decline to grant such a consent until it has considered a conservation management plan,

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if it considers the development proposed should be assessed with regard to such a plan.

- (6) The minimum number of issues that must be addressed by the heritage impact statement are:
- (a) for development that would affect a heritage item:
 - (i) the heritage significance of the item as part of the environmental heritage of the City of Wollongong, and
 - (ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and
 - (iii) the measures proposed to conserve the heritage significance of the item and its setting, and
 - (iv) whether any archaeological site or potential archaeological site would be adversely affected by the proposed development, and
 - (v) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision, and
 - (b) for development that would be carried out in a heritage conservation area:
 - (i) the heritage significance of the heritage conservation area and the contribution that any building, work, relic, tree or place affected by the proposed development makes to this heritage significance, and
 - (ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area, and
 - (iii) the compatibility of any proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and
 - (iv) the measures proposed to conserve the significance of the heritage conservation area and its setting, and
 - (v) whether any landscape or horticultural features would be affected by the proposed development, and

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- (vi) whether any archaeological site or potential archaeological site would be affected by the proposed development, and
 - (vii) the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern, and
 - (viii) the issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.

28 Advertised heritage development

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

- (a) the demolition of a heritage item or a building, work, tree or place in a heritage conservation area,
- (b) the carrying out of any development allowed by clause 29D.

29 Notice of demolition to Heritage Council

Before granting consent for the demolition of a heritage item identified in Part 2 of Schedule 1 as being of State significance, the consent authority must notify the Heritage Council about the application and take into consideration any comments received in response within 28 days after the notice is sent.

29A Development affecting places or sites of known or potential Aboriginal heritage significance

Before granting consent for development that is likely to have an impact on a place of Aboriginal heritage significance or a potential place of Aboriginal heritage significance, or that will be carried out on an archaeological site of a relic that has Aboriginal heritage significance, the consent authority must:

- (a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the place or site and any relic known or reasonably likely to be located at the place or site, and
- (b) except where the proposed development is integrated development, notify the local Aboriginal communities (in such way as it thinks appropriate) and the Director-General of the Department of Environment and Conservation of its intention to do so and take into consideration any comments received in response within 28 days after the relevant notice is sent.

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29B Development affecting known or potential archaeological sites of relics of non-Aboriginal heritage significance

- (1) Before granting consent for development that will be carried out on an archaeological site or a potential archaeological site of a relic that has non-Aboriginal heritage significance (whether or not it is, or has the potential to be, also the site of a relic of Aboriginal heritage significance), the consent authority must:
 - (a) consider a heritage impact statement explaining how the proposed development will affect the conservation of the site and any relic known or reasonably likely to be located at the site, and
 - (b) notify the Heritage Council of its intention to do so and take into consideration any comments received in response within 28 days after the notice is sent.
- (2) This clause does not apply if the proposed development:
 - (a) does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above-ground relics would not be adversely affected by the proposed development, or
 - (b) is integrated development.

29C Development in vicinity of a heritage item

- (1) Before granting consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance of the heritage item and of any heritage conservation area within which it is situated.
- (2) This clause extends to development:
 - (a) that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or
 - (b) that may undermine or otherwise cause physical damage to a heritage item, or
 - (c) that will otherwise have any adverse impact on the heritage significance of a heritage item or of any heritage conservation area within which it is situated.
- (3) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.

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- (4) The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.

29D Conservation incentives

- (1) The consent authority may grant consent to the use for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though the use would otherwise not be allowed by this plan, if:
- (a) it is satisfied that the retention of the heritage item depends on the granting of consent, and
 - (b) the proposed use is in accordance with a conservation management plan that has been endorsed by the consent authority, and
 - (c) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and
 - (d) the proposed use would not adversely affect the heritage significance of the heritage item or its setting, and
 - (e) the proposed use would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.
- (2) Nothing in this plan prevents the carrying out of development for the purposes of repair or maintenance for continued use of a functioning industrial heritage item.

29E Development in heritage conservation areas

- (1) Before granting consent for the erection of a building within a heritage conservation area, the consent authority must be satisfied that the features of the proposed building will be compatible with the heritage significance of the heritage conservation area, having regard to the form of, and materials used in, buildings that contribute to the heritage significance of the heritage conservation area.
- (2) In satisfying itself about those features, the consent authority must have regard to at least the following (but is not to be limited to having regard to those features):
- (a) the pitch and form of the roof (if any),
 - (b) the style, size, proportion and position of the openings for windows or doors (if any),

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- (c) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building.

[31] Clause 31 Relocation of main roads

Omit “Director of the Department of Planning” from clause 31 (1).

Insert instead “Director-General of the Department of Infrastructure, Planning and Natural Resources”.

[32] Clause 34 Tree preservation

Omit “Regulation 38 or 39 of the *Overhead Line Construction and Maintenance Regulations 1962*” from clause 34 (6).

Insert instead “the *Electricity Supply (General) Regulation 2001*”.

[33] Clause 35 Acquisition of land within Zone No 9

Omit “Minister for Further Education, Training & Employment” and “Minister for Education” wherever occurring from Column 2 of the Table to the clause.

Insert instead “Minister for Education and Training”.

[34] Clause 37B

Omit clauses 37B–37D. Insert instead:

37B Classification and reclassification of public land as operational land

- (1) The public land described in Schedule 4 has been or is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.
- (2) The amendments made by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993* do not apply to the land described in Part 1 of Schedule 4.
- (3) Land described in Part 2 of Schedule 4:
 - (a) to the extent (if any) that the land is a public reserve, continues to be a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as operational land.

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Schedule 1 Amendments

[39] Schedule 2 Additional development

Omit the following items:

Lot 2, DP 541421, Plateau Road, Stanwell Tops.	34 dwelling-houses, each on a separate allotment of land.	Arrangements satisfactory to the Water Board having been made for the provision of water supply to the land; development consent shall not be granted after the expiration of one year from the appointed day.
Part of an unnumbered lot, Mount Ousley Road, Mount Ousley, as shown edged heavy black on the map marked "Wollongong Local Environmental Plan No 83".	Educational establishment (being a building used as a school college, technical college, academy, lecture hall, gallery or museum, but not including a building used wholly or principally as an institution or child care centre).	Development consent shall not be granted after the expiration of one year from the appointed day.
Part Lot 1, DP 730787, Pharlap Avenue, Kembbla Grange, as shown edged heavy black on the map marked "Wollongong Local Environmental Plan No 103".	Commercial premises; shops and industries which are ancillary to equestrian activities (eg veterinary surgeries, saddleries, farriers, produce stores).	Development consent shall not be granted after the expiration of one year from the appointed day.
All lands comprising the Illawarra Escarpment State Recreation Area.	Holiday cabins.	Development to be in accordance with the provisions of the Illawarra Escarpment State Recreation Area Plan of Management under the <i>National Parks and Wildlife Act 1974</i> ; development consent shall not be granted after the expiration of one year from the appointed day.
Part Lot 2, DP 604541, and Part Lot 2, DP 585049, north of Brokers Road, Balgownie, as shown heavy black on the map marked "Wollongong Local Environmental Plan No 119".	Tourist mine and ancillary facilities (including tourist accommodation and a restaurant and convention centre).	Development consent shall not be granted after the expiration of one year from the appointed day.

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Lots 77–79, DP 10927, King Street, Warrawong.	Hospital.	Development consent shall not be granted after the expiration of one year from the appointed day.
Lot 34, DP 561012, Mount Brown Road, Dapto.	Masonic lodge, temple and associated facilities.	Development consent shall not be granted after the expiration of 5 years from the appointed day.
Lots 2 and 3, DP 701213, Kanahooka Road, Dapto.	15 dwelling-houses each on a separate parcel of land having a minimum area of 4,000 square metres.	Development consent shall not be granted after the expiration of one year from the appointed day.
Part Lots 18 and 19, DP 939373, O'Briens Road, Figtree.	One dwelling-house.	Development consent shall not be granted after the expiration of one year from the appointed day.
Part Lot B, DP 581539 and Part Portion 108, Shellharbour Road, Kemblawarra.	Sandmining.	Development consent shall not be granted after the expiration of one year from the appointed day.
Lots 2 and 3, DP 701213, Kanahooka Road, Dapto.	Recreational Retirement Village for up to 179 units, and Museum.	Development consent shall not be granted after the expiration of one year from the appointed day.
Lot 1, DP 796995, Princes Highway, Fairy Meadow, as shown edged heavy black on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 7)".	Restaurants.	Development consent shall not be granted after the expiration of one year from the making of the <i>City of Wollongong Local Environmental Plan 1990 (Amendment No 7)</i> .
Lot 5 DP 717741 Princes Highway Yallah, other than land within Zone No 2 (b).	18 hole golf course.	Development consent shall not be granted after the expiration of 2 years from the date on which <i>Wollongong Local Environmental Plan 1990 (Amendment No 39)</i> was published in the Gazette.

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<p>Lots 2 and 3, DP 701213, Kanahooka Road, Dapto, as shown edged heavy black on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 64)".</p>	<p>Recreational retirement village for up to 179 units and museum.</p>	<p>Development consent shall not be granted after the expiration of 3 years from the appointed day.</p>
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[40] Schedule 2

Omit the matter in Column 3 relating to Lot 1, DP 805541, and Part Lots 5 and 6, DP 717741, Princes Highway, Yallah.

Insert instead:

The Council shall not consent to the carrying out of development on land described in Column 1 unless the Council has taken into consideration any submission received from the Director-General of the Department of Infrastructure, Planning and Natural Resources, Environment Protection Authority, Illawarra Catchment Management Committee or Lake Illawarra Authority (and from any other public authority the Council considers relevant) within 30 days after service of notice of the proposed development on the Director-General or authority.

[41] Schedule 3, heading

Omit the heading. Insert instead:

Schedule 3 Savings**[42] Schedule 3**

Omit "*Water Act 1912, the Irrigation Act 1912*" from clause 11.

Insert instead "*Water Management Act 2000*".

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[43] Schedule 4

Omit the heading and the clausal cross-reference. Insert instead:

Schedule 4 Classification and reclassification of public land as operational land

(Clause 37B)

Part 1 Land classified, or reclassified, under original section 30 of Local Government Act 1993

[44] Schedule 4A

Omit the heading and the clausal cross-reference. Insert instead:

Part 2 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests not changed

[45] Schedule 4B

Omit the heading and the clausal cross-reference. Insert instead:

Part 3 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests changed

[46] Schedule 4, Part 3 (as renamed by item [45])

Insert at the end of the Part:

Part Lot 1858, DP 227528, Berkeley Sports and Social Club car park, Winnima Way, Berkeley, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 235)”.

Lot 5, DP 37769, Wilga Street car park, Corrimal, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 235)”.

Lot 103, DP 837415, Nos 222–228 Farmborough Road, Farmborough, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 235)”.

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Part Lot 1672, DP 877546, Dallas Street car park, Keiraville, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 235)”.

Lots 1–5, Section 2, DP 5868, Allan Street car park, Port Kembla, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 235)”.

Lot 203, DP 631544 and Lot 6, DP 19611, Tannery Street car park, Unanderra, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 235)”.

Lot 101, DP 814507, Auburn Street car park, Wollongong, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 235)”.

Lot 1, DP 1013057, Bank Street car park, Wollongong, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 235)”.

Part Lot 102, DP 847615, heliport and car park, Springhill Road, Wollongong, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 235)”.

Lot 122, DP 513474 and Lot 1, DP 206847, Thomas Street car park, Wollongong, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 235)”.

Parts of Lots 16 and 17, Section A and another part of Lot 16, Section A of W G Robertson’s Subdivision of 78 lots in the Town of Wollongong which said subdivision was offered for sale on the fifth day of July 1884 and Lots 1 and 2, DP 307576 and Lots A and B, DP 340118, Victoria Street car park, Wollongong, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 235)”.

Part Lot 100, DP 1035000, Robert Street car park, Woonona, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 235)”.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Order declaring development to be a project under Part 3A of the Environmental Planning and Assessment Act 1979

I, the Minister for Planning, declare, pursuant to section 75B of the Environmental Planning and Assessment Act 1979, the development described in schedule 1 to be a project to which Part 3A of the Environmental Planning and Assessment Act 1979 applies.

FRANK SARTOR, M.P.,
Minister for Planning

Sydney, 7 April 2006.

SCHEDULE 1

The construction and operation of the South West Rail Link being:

- a heavy railway off the East Hills line generally between the Glenfield station area and Leppington; and
- associated infrastructure including stations, train stabling, roadways, car parks, bus interchanges, public amenities and intermodal facilities.

Note: The assessment of the South West Rail Link under Part 3A will include the consideration of one or more options for the alignment of the route.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Order declaring development to be a project under Part 3A of the Environmental Planning and Assessment Act 1979

I, the Minister for Planning, declare, pursuant to section 75B of the Environmental Planning and Assessment Act 1979, the development described in schedule 1 to be a project to which Part 3A of the Environmental Planning and Assessment Act 1979 applies.

FRANK SARTOR, M.P.,
Minister for Planning

Sydney, 7 April 2006.

SCHEDULE 1

The construction and operation of the North West Rail Link being:

- a heavy railway off the main north line linking Epping with the regional centres of Castle Hill and Rouse Hill; and
- associated infrastructure including stations, train stabling, roadways, car parks, bus interchanges, public amenities and intermodal facilities.

Note: The assessment of the North West Rail Link under Part 3A will include the consideration of one or more options for the alignment of the route.

Department of Primary Industries

PLANT DISEASES ACT 1924

PROCLAMATION P164R

PROCLAMATION to revoke P138, P139, P140, P149 and P150 that regulated the importation, introduction and bringing into specified parts of New South Wales of certain fruit, which had originated from or moved through other specified parts of New South Wales, on account of outbreaks of Queensland fruit fly.

Her Excellency Professor MARIE BASHIR, AC,
Governor

I, Professor MARIE BASHIR, AC, Governor of the State of New South Wales, with the advice of the Executive Council and pursuant to section 3(2)(a) of the Plant Diseases Act 1924, revoke the proclamations described in Schedule 1 and any other proclamation revived as a result of this revocation.

SCHEDULE 1

Proclamation	Edition of NSW Government Gazette and publication date	Page numbers
P138	No. 93 of 30 May 2003	4957-4959
P139	No. 93 of 30 May 2003	4960-4963
P140	No. 104 of 27 June 2003	6359 and 6360
P149	No. 47 of 27 February 2004	846-848
P150	No. 63 of 26 March 2004	1554 and 1555

Signed and sealed at Sydney this 4th day of April 2006.

IAN MACDONALD, M.L.C.,
Minister for Primary Industries

GOD SAVE THE QUEEN!

MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(06-129)

No. 2707, GUM RIDGE MINING PTY LIMITED (ACN 108 530 650), area of 11 units, for Group 1, dated 4 April, 2006. (Orange Mining Division).

(06-132)

No. 2710, ELEPHANT MINES PTY LIMITED (ACN 097 799 025), area of 57 units, for Group 1, dated 5 April, 2006. (Orange Mining Division).

(06-133)

No. 2711, AURORA RESOURCES PTY LTD (ACN 118 050 687), area of 26 units, for Group 1 and Group 6, dated 6 April, 2006. (Orange Mining Division).

(06-134)

No. 2712, AURORA RESOURCES PTY LTD (ACN 118 050 687), area of 15 units, for Group 1 and Group 6, dated 6 April, 2006. (Sydney Mining Division).

(06-135)

No. 2713, AURORA RESOURCES PTY LTD (ACN 118 050 687), area of 30 units, for Group 1 and Group 6, dated 6 April, 2006. (Wagga Wagga Mining Division).

(06-136)

No. 2714, AURORA RESOURCES PTY LTD (ACN 118 050 687), area of 36 units, for Group 1 and Group 6, dated 6 April, 2006. (Wagga Wagga Mining Division).

(06-137)

No. 2715, NEWCREST OPERATIONS LIMITED (ACN 009 221 505), area of 39 units, for Group 1, dated 11 April, 2006. (Orange Mining Division).

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources.

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(05-279)

No. 2597, now Exploration Licence No. 6551, TRI ORIGIN MINING PTY LIMITED (ACN 115 529 112),

Counties of Argyle and Murray, Map Sheet (8827), area of 7 units, for Group 2, dated 31 March, 2006, for a term until 30 March, 2008.

(05-303)

No. 2621, now Exploration Licence No. 6518, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), County of Yancowinna, Map Sheet (7133, 7233, 7234), area of 139 units, for Group 1, dated 7 March, 2006, for a term until 6 March, 2008. As a result of the grant of this title, Exploration Licence No. 5784 and Exploration Licence No. 6368 have ceased to have effect and Exploration Licence No. 6369 and Exploration Licence No. 6371 have partly ceased to have effect.

(05-304)

No. 2622, now Exploration Licence No. 6546, MINING EXPLORATION PTY LTD (ACN 113 513 321), County of Gordon, Map Sheet (8632, 8633), area of 12 units, for Group 1, dated 24 March, 2006, for a term until 23 March, 2008.

(05-5561)

No. 2632, now Exploration Licence No. 6549, COMET RESOURCES LIMITED (ACN 060 628 202), Counties of Bland and Harden, Map Sheet (8528, 8529), area of 88 units, for Group 1, dated 5 April, 2006, for a term until 4 April, 2008.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources.

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

(T99-0238)

Exploration Licence No. 5714, MALACHITE RESOURCES NL (ACN 075 613 268), area of 19 units. Application for renewal received 6 April, 2006.

(T01-0200)

Exploration Licence No. 5944, ADE ENVIRONMENTAL PTY LTD (ACN 111 779 232), area of 16 units. Application for renewal received 6 April, 2006.

(T04-0019)

Exploration Licence No. 6240, COMET RESOURCES LIMITED (ACN 060 628 202), area of 50 units. Application for renewal received 10 April, 2006.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources.

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(T87-0330)

Exploration Licence No. 2984, CLIMAX AUSTRALIA PTY LIMITED (ACN 002 164 598), County of Bathurst, Map Sheet (8731), area of 16 units, for a further term until 10 January, 2008. Renewal effective on and from 24 March, 2006.

(T97-1287)

Exploration Licence No. 5393, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Flinders, Map Sheet (8233), area of 4 units, for a further term until 25 November, 2007. Renewal effective on and from 24 March, 2006.

(T97-1272)

Exploration Licence No. 5483, PROBO MINING LIMITED (ACN 079 938 819), IMPERIAL MINING (AUST) N.L. (ACN 062 193 266) AND PEREGRINE MINERAL SANDS N.L. (ACN 009 307 591), County of Windeyer, Map Sheet (7232), area of 33 units, for a further term until 20 May, 2007. Renewal effective on and from 5 April, 2006.

(T98-1037)

Exploration Licence No. 5491, MINOTAUR OPERATIONS PTY LTD (ACN 108 925 284), County of Menindee, Map Sheet (7133), area of 39 units, for a further term until 14 June, 2007. Renewal effective on and from 14 June, 2005.

(T01-0109)

Exploration Licence No. 5880, RIMFIRE PACIFIC MINING NL (ACN 006 911 744), County of Burnett, Map Sheet (8938), area of 2 units, for a further term until 30 July, 2007. Renewal effective on and from 9 March, 2006.

(T03-0040)

Exploration Licence No. 6102, GATEWAY MINING NL (ACN 008 402 391), County of Forbes, Map Sheet (8630), area of 1 units, for a further term until 27 July, 2007. Renewal effective on and from 27 February, 2006.

(T03-0083)

Exploration Licence No. 6151, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Mouramba, Map Sheet (8133), area of 3 units, for a further term until 16

November, 2007. Renewal effective on and from 24 March, 2006.

(T03-0085)

Exploration Licence No. 6153, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Blaxland, Map Sheet (8132), area of 3 units, for a further term until 16 November, 2007. Renewal effective on and from 24 March, 2006.

(T03-0086)

Exploration Licence No. 6154, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Mouramba, Map Sheet (8133), area of 8 units, for a further term until 16 November, 2007. Renewal effective on and from 24 March, 2006.

(T03-0088)

Exploration Licence No. 6156, TRIAKO RESOURCES LIMITED (ACN 008 498 119), Map Sheet (8032, 8033, 8133), area of 63 units, for a further term until 16 November, 2007. Renewal effective on and from 24 March, 2006.

(T98-0476)

Private Lands Lease No. 1294 (Act 1924), DRONVISA PTY LIMITED (ACN 002 070 680), Parish of Lennox, County of Phillip, Map Sheet (8833-2-N), area of 24.07 hectares, for a further term until 18 May, 2023. Renewal effective on and from 9 February, 2006.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources.

CANCELLATION OF AUTHORITY AT REQUEST OF HOLDER

NOTICE is given that the following authority has been cancelled:

(T03-0803)

Mining Lease No. 1131 (Act 1973), DESMA O'CONNOR AND THOMAS POWER O'CONNOR, Parish of Boocathan, County of Caira, Map Sheet (7729-4-S), area of 1.99 hectares. Cancellation took effect on 20 March, 2006.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources.

TRANSFER

(06-563)

Mining Lease No. 103 (Act 1973), formerly held by MOLY MINES LIMITED (ACN 103 295 521) has been transferred to BIG ISLAND MINING LIMITED (ACN 112 787 470). The transfer was registered on 4 April, 2006.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources.

PLANT DISEASES ACT 1924**PROCLAMATION P167**

Proclamation to regulate the importation, introduction and 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 Rutherglen, Victoria.

Her Excellency Professor MARIE BASHIR AC, Governor

I, Professor MARIE BASHIR, AC, Governor of the State of New South Wales, being of the opinion that the movement of fruit within a portion of New South Wales 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* (“the Act”), do by this Proclamation regulate the movement of fruit within New South Wales in the manner set out in this Proclamation.

1. Host Fruit that originates from or that has moved through the Suspension Area must not be imported, introduced or brought into the Outer Area, unless:
 - (a) a Plant Health Certificate or a Plant Health Assurance Certificate has been issued in respect of the Host Fruit, and
 - (b) 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
 - (c) 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 Outer Area as the case may be, and
 - (d) 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) of the Act.

Definitions

In this Proclamation:

Department means the New South Wales Department of Primary Industries.

Host Fruit means the fruit specified in Schedule 1.

Outer Area 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, other than the Suspension Area.

Plant Health Assurance Certificate means a certificate –

- issued by a person authorised by the Department to issue Plant Health Assurance Certificates, and
- which certifies that the Host Fruit has been treated in a manner approved by the Director, Animal and Plant Biosecurity of the Department, 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) of the Act, and
- which certifies that the Host Fruit has been treated in a manner approved by the Director, Animal and Plant Biosecurity of the Department, and
- which specifies any conditions subject to which the Host Fruit must be transported or stored.

Suspension Area means the part of New South Wales specified in Schedule 2.

SCHEDULE 1 – 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

SCHEDULE 2 – SUSPENSION AREA

The part of New South Wales within a 15 kilometre radius of coordinates decimal degrees -36.056888 South and 146.463611 East, as identified as the Suspension Area on the map titled "Rutherglen Suspension Area".

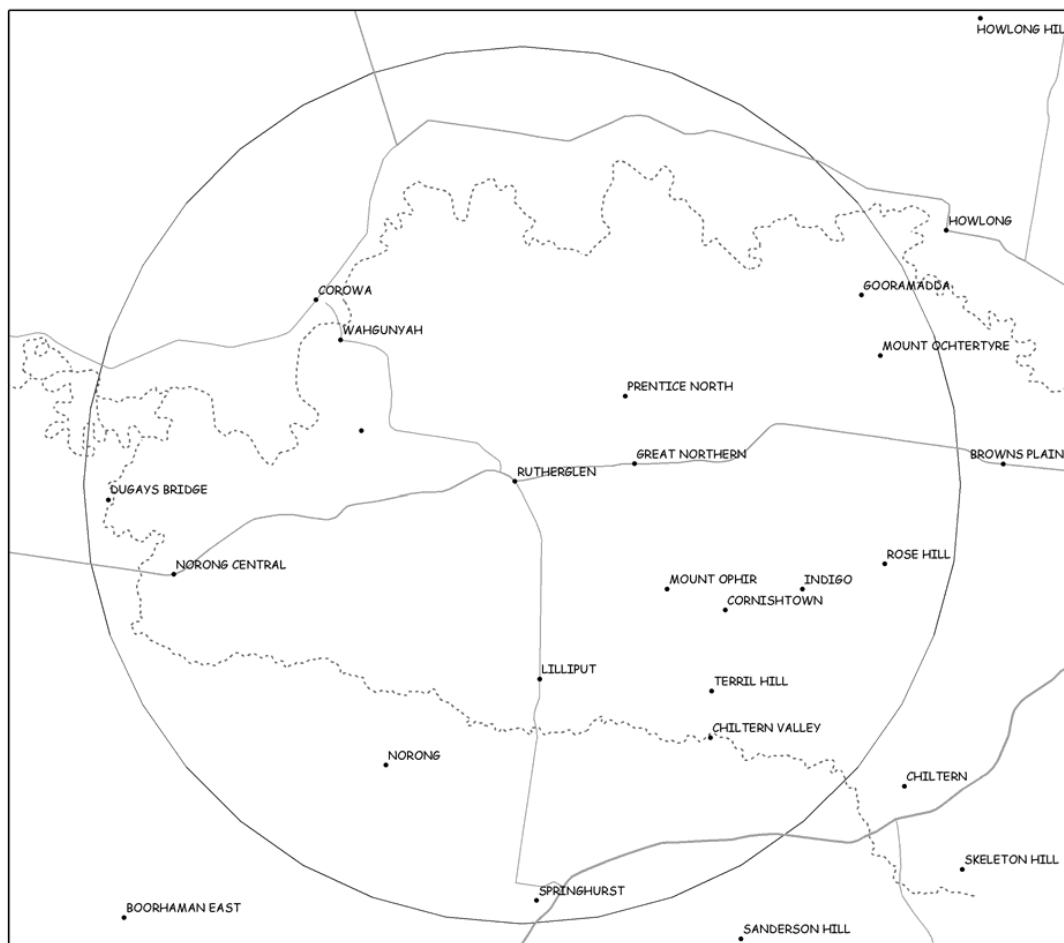
Note: The NSW Department of Primary Industries reference is **P167**.
For further information contact the Department on (02) 6391 3593.

Signed and sealed at Sydney this 5th day of April 2006.

By Her Excellency's Command,

IAN MACDONALD MLC
MINISTER FOR PRIMARY INDUSTRIES

GOD SAVE THE QUEEN!



Rutherglen Suspension Area



Legend

- Localities
- Major Drainage
- Road Class 1
- Road Class 2
- Road Class 3
- Suspension Area 15km

Produced by NSW Agriculture, Resource Information Unit
Source Data/Map courtesy Geoscience Australia,
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PLANT DISEASES ACT 1924**PROCLAMATION P166**

Proclamation to regulate the importation, introduction and 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 Barooga, New South Wales.

Her Excellency Professor MARIE BASHIR AC, CVO, Governor

I, Professor MARIE BASHIR, AC, CVO, Governor of the State of New South Wales, being of the opinion that the movement of fruit within a portion of New South Wales 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* ("the Act"), do by this Proclamation regulate the movement of fruit within New South Wales in the manner set out in this Proclamation.

1. Host Fruit that originates from or that has moved through the:
 - (a) Outbreak Area must not be imported, introduced or brought into the Suspension Area;
 - (b) Suspension Area must not be imported, introduced or brought into the Outer Area,unless:
 - (i) a Plant Health Certificate or a Plant Health Assurance Certificate has been issued in respect of the Host Fruit, and
 - (ii) 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
 - (iii) 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 Outer Area as the case may be, and
 - (iv) 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) of the Act.

Definitions

In this Proclamation:

Department means the New South Wales Department of Primary Industries.

Host Fruit means the fruit specified in Schedule 1.

Outbreak Area means the part of New South Wales specified in Schedule 2.

Outer Area 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, other than the Suspension Area.

Plant Health Assurance Certificate means a certificate –

- issued by a person authorised by the Department to issue Plant Health Assurance Certificates, and
- which certifies that the Host Fruit has been treated in a manner approved by the Director, Animal and Plant Biosecurity of the Department, 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) of the Act, and
- which certifies that the Host Fruit has been treated in a manner approved by the Director, Animal and Plant Biosecurity of the Department, and
- which specifies any conditions subject to which the Host Fruit must be transported or stored.

Suspension Area means the part of New South Wales specified in Schedule 3.

SCHEDULE 1 – 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

SCHEDULE 2 – OUTBREAK AREA

The part of New South Wales within a 1.5 kilometre radius of coordinates decimal degrees -35.906920 South and 145.697985 East, as identified as the Outbreak Area on the map titled “Barooga Outbreak and Suspension Areas”.

SCHEDULE 3 – SUSPENSION AREA

The part of New South Wales within a 15 kilometre radius of coordinates decimal degrees -35.906920 South and 145.697985 East, as identified as the Suspension Area on the map titled “Barooga Outbreak and Suspension Areas”.

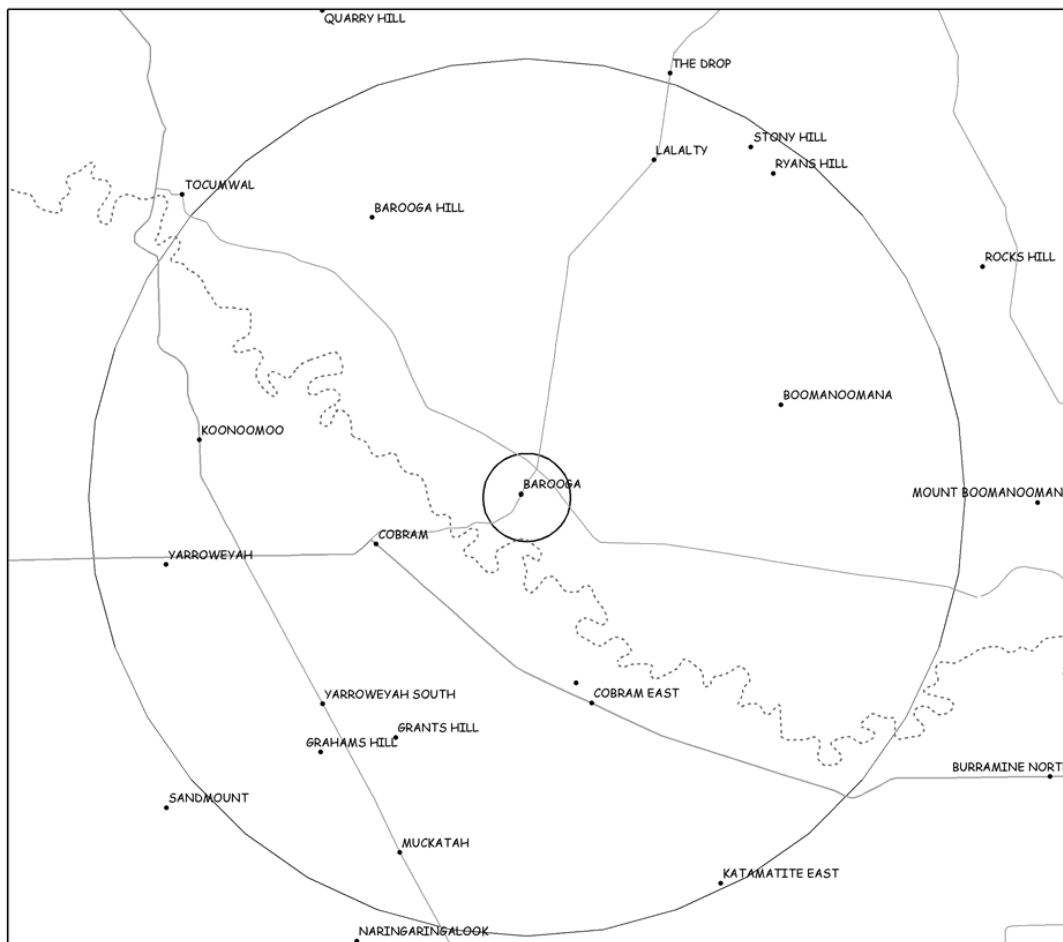
<p>Note: The NSW Department of Primary Industries reference is P166. For further information contact the Department on (02) 6391 3593.</p>
--

Signed and sealed at Sydney this 5th day of April 2006.

By Her Excellency’s Command,

IAN MACDONALD MLC
Minister for Primary Industries

GOD SAVE THE QUEEN!



Barooga Outbreak and Suspension Areas



Legend

- Localities
- Major Drainage
- Road Class 1
- Road Class 2
- Road Class 3
- Outbreak Area 1.5km
- Suspension Area 15km

Produced by NSW Agriculture, Resource Information Unit
Source Data/Map courtesy Geoscience Australia,
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Roads and Traffic Authority

ROAD TRANSPORT (GENERAL) ACT 2005

Notice under Clause 20 of the Road Transport (Mass, Loading and Access) Regulation 2005

NARROMINE SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which Road Trains may be used subject to any requirements or conditions set out in the Schedule.

PAUL BENNETT,
General Manager,
Narromine Shire Council
(by delegation from the Minister for Roads)
6 April 2006

SCHEDULE

1. Citation

This Notice may be cited as Narromine Shire Council Road Train Notice No. 1/2006.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 30 September 2010, unless it is amended or repealed earlier.

4. Application

This Notice applies to those Road Train vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

Type	Road No.	Road Name	Starting Point	Finishing Point
RT.	354.	Tullamore-Narromine Road (MR354), Narromine Shire.	Pioneer Hi Bred P/L at 323 Tullamore Road.	130 metres north of the Bogan River.

Other Notices

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 Community Services.

CITATION

The order is cited as the Community Services Order.

ORDER

A summary of the Order is given below.

(a) Term of Training

(i) Full-time

Training shall be given for a nominal term of 12 months for Certificates II and III respectively, 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 Community Services Competency Standards.

(c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

Certificate II in Community Services Support Work

CHC20102

Certificate III in Aged Care Work

CHC30102

Certificate III in Home and Community Care

CHC30202

Certificate III in Children's Services

CHC30402

Certificate III in Employment Services

CHC30502

Certificate IV in Employment Services

CHC40502

Certificate III in Youth Work

CHC30602

Certificate IV in Youth Work

CHC40602

Certificate III in Disability Work

CHC30302

Certificate IV in Disability Work

CHC40302

Certificate III in Social Housing

CHC30702

Certificate IV in Social Housing

CHC40802

Certificate IV in Community Services Advocacy

CHC41202

Certificate III in Community Services Work

CHC30802

Certificate IV in Community Services Work

CHC40902

Certificate IV in Out of School Hours

CHC40402

Certificate IV in Alcohol and Other Drugs Work

CHC41702

Certificate IV in Community Services (Service

Co-ordination) CHC42002

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 Textile Care.

CITATION

The order is cited as the Textile Care Order.

ORDER

A summary of the Order is given below.

(a) Term of Training

(i) Full-time

(i) Full-time

Training shall be given for a nominal term of:

Qualification	Nominal Term
Certificate II in Dry Cleaning Operations LMT21500	12 months
Certificate II in Laundry Operations LMT21400	12 months
Direct Entry	Nominal Term
Certificate III in Dry Cleaning Operations LMT31200	24 months
Certificate III in Laundry Operations LMT31100	24 months
When the trainee holds Certificate II in same qualification	Nominal Term
Certificate III in Dry Cleaning Operations LMT31200	12 months
Certificate III in Laundry Operations LMT31100	12 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 Months	12 Months	18 Months	24 Months	30 Months	36 Months	48 Months
Weekly Hours	Nominal Term Required (Months)						
15	15	30	45	Not Allowable			
16	15	29	44				
17	14	28	42				
18	14	27	41				
19	13	26	39				
20	13	25	38				
21	12	24	36	48			
22	12	23	35	46			
23	11	22	33	44	55		
24	11	21	32	42	53		
25	10	20	30	40	50	60	
26	10	19	29	38	48	57	
27	9	18	27	36	45	54	72
28	9	17	26	34	43	51	68
29	8	16	24	32	40	48	64
30	8	15	23	30	38	45	60
31	Not Allowable		22	28	35	42	56
32			20	26	33	39	52

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the units of competence specified in the Textiles Clothing and Footwear Training Package LMT00.

(c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

- **Certificate II in Dry Cleaning Operations LMT21500**
- **Certificate III in Dry Cleaning Operations LMT31200**
- **Certificate II in Laundry Operations LMT21400**
- **Certificate III in Laundry Operations LMT31100**

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>

GAME AND FERAL ANIMAL CONTROL ACT 2002

Notification of suspension of Schedule 1 Conditions of NSW Game Hunting Licences

IN pursuance of the Game and Feral Animal Control Regulation 2004 the Game Council of NSW gives notice of the suspension of operations of provisions in Clauses 4, 5, 7, 8 and 9 of Schedule 1 of the Game and Feral Animal Control Regulation 2004 on the following specified land for the control of game and feral animals:

For the period 11/04/2006 – 10/02/2007
Lot 1, DP775935, Gannons Creek, NSW, 2446

Approved by Game Council of NSW this 11th April 2006

BRIAN BOYLE,
Acting Chief Executive Officer
for and on behalf of the Game Council of NSW

LOCAL GOVERNMENT ACT 1993

Exemption of councils from the provisions of section 512 of the Local Government Act 1993

I, KERRY HICKEY MP, Minister for Local Government, in pursuance of section 512(2) of the Local Government Act 1993, do, by this my Order, exempt the councils on the attached schedule from the operation of section 512(1)(b) for the financial year 2006/2007.

Dated this 28th day of March 2006.

The Hon KERRY HICKEY, M.P.,
Minister for Local Government

Name of Council	Excess Amount
	\$
Armidale Dumaresq Council	8,630
Ballina Shire Council	483
Bega Valley Shire Council	236,506
Bellingen Shire Council	562
Blayney Shire Council	3
Botany Bay, The Council of the City of	31,751
Broken Hill City Council	1,568
Byron Shire Council	3,263
Campbelltown City Council	4,474
Canada Bay City Council	6,470

Cobar Shire Council	2,355
Coffs Harbour City Council	131
Coonamble Shire Council	4,779
Cowra Shire Council	21,284
Dungog Shire Council	2,542
Forbes Shire Council	4,414
Glen Innes Severn Shire Council	19,576
Gosford City Council	81,930
Greater Hume Shire Council	8,990
Griffith City Council	20,491
Ku-ring-gai Municipal Council	2,089
Kyogle Council	70
Liverpool Plains Shire Council	124,024
Marrickville Council	4,119
Murray Shire Council	8,030
Orange City Council	4,750
Palerang Council	20,240
Rockdale City Council	21,380
Tenterfield Shire Council	31,315
Tumut Shire Council	39,362
Upper Hunter Shire Council	741
Urana Shire Council	5,501
Warrumbungle Shire Council	13,894
Yass Valley Council	55,948

LOCAL GOVERNMENT ACT 1993

Decrease in Number of Councillors

Mosman Municipal Council

I, KERRY HICKEY MP, Minister for Local Government, in pursuance of sections 224A and 294A of the Local Government Act 1993, do hereby approve of the number of councillors of the Mosman Municipal Council being decreased from twelve to nine.

PROVIDED:

1. The decrease does not take place until the next ordinary election of the Council.
2. A casual vacancy in civic office occurring during the period starting from the date of this approval and until the next ordinary election is not to be filled unless the vacancy would cause the number of councillors of the Council to become less than nine.

Dated this 3rd day of April 2006.

KERRY HICKEY, M.P.,
Minister for Local Government

LOCAL GOVERNMENT ACT 1993

Notice under section 566(3)

I, the Hon Kerry Hickey MP, Minister for Local Government, in pursuance of section 566(3) of the Local Government Act 1993, do by this notice specify that for the period 1 July 2006 to 30 June 2007, both inclusive, the maximum rate of interest that may be set by a council in respect of rates and charges that remain unpaid after they become due and payable shall be 9 per cent per annum.

Dated this 6th day of April 2006.

Hon KERRY HICKEY, M.P.,
Minister for Local Government

PESTICIDES ACT 1999

Pesticide Control Order Under Section 38

Name

1. This Order is to be known as the Pesticide Control (Rabbit Haemorrhagic Disease) Order 2006.

Commencement

2. This Order commences on 14 April 2006.

Authority for Order

3. This Order is made by the Environment Protection Authority with the approval of the Minister for the Environment under Part 4 of the Pesticides Act 1999.

Background

Restricted chemical products/restricted pesticides

4. Rabbit Calicivirus Injection was registered as a pesticide in Australia in 1996. This product had its registration cancelled in February 2006 as this product was replaced by an equivalent product, Rabbit Haemorrhagic Disease Virus Suspension, in August 2005. Rabbit Calicivirus Disease and Rabbit Haemorrhagic Disease are the same disease that is used to control European rabbit.

Chemical products containing rabbit haemorrhagic disease virus have been declared to be a "restricted chemical product" under Regulation 45 of the Agricultural and Veterinary Chemicals Code Regulations of the Commonwealth.

Section 94 of the Agvet Code provides that "A person must not, without reasonable excuse, supply a restricted chemical product, or cause or permit a restricted chemical product to be supplied, to a person who is not authorised to use the product under another law of this jurisdiction".

In NSW section 4 of the Pesticides Act provides that a "restricted pesticide" means a pesticide that is a restricted chemical product within the meaning of the Agvet Code. Section 17 of the Pesticides Act 1999 provides that a person must not use or possess a restricted pesticide unless authorised to do so by a certificate of competency or a pesticide control order.

Objects

5. The objects of this Order are to:
 - (a) Authorise those persons described in condition 8 to use Rabbit Haemorrhagic Disease Virus Suspension or Rabbit Calicivirus Injection.
 - (b) Specify the manner in which Rabbit Haemorrhagic Disease Virus Suspension or Rabbit Calicivirus Injection may be used in NSW.

Application

6. This Order authorises the use of Rabbit Haemorrhagic Disease Virus Suspension and Rabbit Calicivirus Injection, subject to conditions as specified in this Order.

Definitions

7. In this Order –

Agvet Code means the provisions applying because of section 5 of the Agricultural and Veterinary Chemicals (New South Wales) Act 1994.

APVMA means the Australian Pesticides and Veterinary Medicines Authority established by the Agricultural and Veterinary Chemicals (Administration) Act 1992 of the Commonwealth.

Authorised control officer means a person who:

- (a) holds a current:
 - (i) certificate of completion issued by NSW Department of Primary Industries (NSW DPI) for the vertebrate pest management course consistent with the current edition of the Vertebrate Pest Control Manual (published by NSW DPI); or
 - (ii) statement of attainment issued by a Registered Training Provider certifying competency at Australian Qualifications Framework level 4 with respect to the chemical, vertebrate pest and OH&S national units of competency; and
- (b) is currently employed by a Rural Lands Protection Board, NSW DPI, Wild Dog Destruction Board, Department of Environment and Conservation (NSW), or other NSW public authority.

Bait material means carrots diced into pieces approximately 2 centimetres cubed or oats.

Public Authority has the same meaning as under the Pesticides Act 1999 (NSW).

Rabbit Calicivirus Injection means a previously registered pesticide (Product Registration Number 48628) that can only be used in accordance with the instructions on APVMA permit PER8909.

Rabbit Haemorrhagic Disease is a caliciviral disease affecting European rabbit. Also known as Rabbit Calicivirus, Rabbit Calicivirus Disease, RHD or RHDV.

Rabbit Haemorrhagic Disease Virus Suspension means the registered pesticide (Product Registration Number 50675) that contains 3000 ID50 units per mL Rabbit Haemorrhagic Disease Virus as its only active constituent.

Registered training provider means a training provider registered under the Vocational Education and Training Accreditation Act 1990.

Note: It is expected that registered training providers will also be registered training organisations for the purposes of the Australian Qualifications Framework.

Use includes possess.

Persons authorised

8. (1) Only the following persons are authorised to use, subject to condition 9, the product Rabbit Haemorrhagic Disease Virus Suspension or Rabbit Calicivirus Injection:
 - (a) Authorised Control Officers or other persons in the presence of an Authorised Control Officer;
- (2) Only the following persons are authorised to use, subject to condition 9, the product Rabbit Haemorrhagic Disease Virus Suspension or Rabbit Calicivirus Injection mixed with bait material:
 - (a) Authorised Control Officers and persons supervised by Authorised Control Officers; and
 - (b) Any person who has obtained the product Rabbit Haemorrhagic Disease Virus Suspension or Rabbit Calicivirus Injection mixed with bait material from a Rural Lands Protection Board and who is an owner, occupier, manager or authorised agent of the land, property or holding where the Rabbit Haemorrhagic Disease Virus Suspension or Rabbit Calicivirus Injection mixed with bait material is to be used; and

- (c) An employee of a NSW public authority (including contractors and sub-contractors) who has been trained in the use of pesticides.

Conditions on the use of Rabbit Haemorrhagic Disease and bait material

9. A person must only use Rabbit Haemorrhagic Disease Virus Suspension, Rabbit Calicivirus Injection, Rabbit Haemorrhagic Disease Virus Suspension mixed with bait material and Rabbit Calicivirus Injection mixed with bait material in accordance with:
 - (a) directions of an APVMA permit issued for the use of Rabbit Haemorrhagic Disease or
 - (b) the Rabbit Haemorrhagic Disease Virus Suspension label approved by the APVMA on the 8 February 2006 ((50675/L/0206) or any APVMA label approved for this product, post this date and as in force from time to time.

Notes

Words used in this Order have the same meaning as in the Pesticides Act 1999.

A person must not contravene this Order – maximum penalty \$120 000 in the case of a corporation and \$60 000 in the case of an individual.

LISA CORBYN,
Director-General
Environment Protection Authority

BOB DEBUS, M.P.,
Minister for the Environment

PESTICIDES ACT 1999

Pesticide control order under section 38

Name

1. This Order is to be known as the Pesticide Control (1080 Wild Dog Bait) Amendment Order 2006.

Commencement

2. This Order commences on 14 April 2006.

Authority for Order

3. This Order is made by the Environment Protection Authority with the approval of the Minister for the Environment under Part 4 of the Pesticides Act 1999.

Application

4. This Order authorises the use of PAKS DE-K9 1080 WILD DOG BAIT subject to conditions as specified for “1080 wild dog bait” in Pesticide Control (1080 Wild Dog Bait) Order 2002.
5. This Order amends Pesticide Control (1080 Wild Dog Bait) Order 2002 by:
 - (a) inserting in condition 5 (definitions) under the matter “1080 wild dog bait” at the end of that matter the following –

; and
 - (c) Paks De-K9 1080 Wild Dog Bait (APVMA Product Registration Number 60308) containing 6.0mg Sodium Fluoroacetate per bait as its only active constituent.

- (b) Inserting in “notes” at the end of the order the following –

Note for users of the Paks De-K9 1080 Wild Dog Bait product – Schedule 1 should be read as though reference is made to this product and all conditions on use referred to in Schedule 1 must be complied with. Schedule 1 is different in three respects from the approved label for the product. The differences relate to positioning and duration for posting of poisoning notices, distance in NSW from habitations (other than the user’s dwelling) and no instructions in regards to aerial baiting. Users of the De-K9 product must comply with the provisions of this Order (section 39(3) of the Pesticides Act 1999).

Notes

Words used in this Order have the same meaning as in the *Pesticides Act 1999*.

A person must not contravene this Order – maximum penalty \$120 000 in the case of a corporation and \$60 000 in the case of an individual.

A pesticide control order remains in force until it is revoked by another pesticide control order.

LISA CORBYN,
Director-General
Environment Protection Authority

BOB DEBUS, M.P.,
Minister for the Environment

PESTICIDE ACT 1999

Pesticide control order under section 38

Name

1. This Order is to be known as Pesticide Control (1080 Fox Bait within Wyong Shire Council) Order 2006

Commencement

2. This Order commences on 14 April 2006.

Authority

3. This Order is made by the Environment Protection Authority under Part 4 of the Pesticides Act 1999 with the approval of the Minister for the Environment.

Relationship to other Orders

4. This Order is to be read in conjunction with the Order known as the Pesticide Control (1080 Fox Bait) Order 2002, gazetted on 22 November 2002.

Objects

5. The objects of this Order are to –
- authorise the use of Foxoff Fox Bait and Foxoff Econobait by persons who have been appropriately trained or are experienced in the handling or use of 1080 fox baits and are under the control of Wyong Shire Council or an Authorised Control Officer; and
 - impose conditions on the use of Foxoff Fox Bait and Foxoff Econobait.

Background

6. A chemical product containing sodium mono-fluoroacetate (also known as 1080) has been prescribed by the AgVet Code Regulation of the Commonwealth to be a “restricted chemical product” under Regulation 45 of the Agricultural and Veterinary Chemicals Code Regulations of the Commonwealth.

Section 94 of the AgVet code provides that “A person must not, without reasonable excuse, supply a restricted chemical product, or cause of permit a restricted chemical product to be supplied to a person who is not authorised to sue the product under another law of this jurisdiction.”

In NSW section 4 of the Pesticides Act provides that a “restricted pesticide” means a pesticide that is a restricted chemical product within the meaning of the Agvet Code.

Application

7. This Order applies to Foxoff Fox Bait and Foxoff Econobait being used to control foxes in the following bushland reserves located in the Wyong Shire Council local government area: Karagi Peninsula, The Entrance.

Definitions

8. In this Order –

Agvet Code means the provisions applying because of section 5 of the Agricultural and Veterinary Chemicals (New south Wales) Act 1994.

Authorised control officer means a person who: –

- holds a current:
 - certificate of completion issued by NSW Department of Primary Industries (NSW DPI) for the vertebrate pest management course consistent with the current edition of the Vertebrate Pest Control Manual (published by NSW DPI); or
 - statement of attainment issued by a Registered Training Provider certifying competency at Australian Qualifications Framework level 4 with respect to the chemical, vertebrate pest and OH&S national units of competency; and
- is currently employed by a Rural Lands Protection Board, NSW DPI, Wild Dog Destruction Board, Department of Environment and Conservation (NSW), or other NSW public authority.

Foxoff Fox Bait means the registered pesticide (Product Registration Number 40573) that contains 3.0mg SODIUM FLUOROACETATE per bait as its only active constituent.

Foxoff Econobait means the registered pesticide (Product Registration Number 46434) that contains 3.0mg SODIUM FLUOROACETATE per bait as its only active constituent.

Public Authority has the same meaning as under the Pesticides Act 1999 (NSW).

“**the Act**” means the Pesticides Act 1999

Persons authorised

9. The following persons are authorised to use Foxoff Fox Bait and Foxoff Econobait:
- persons who have been appropriately trained or are experienced in the handling or use of 1080 fox baits and are under the control of Wyong Shire Council; and
 - Authorised Control Officers and persons directly supervised by Authorised Control Officers.

Conditions of use

10. A person must comply with Permit number PER8741 when using a pesticide to which this order applies. Permit number PER 8741 is set out in the Schedule to this Order.

Notes

Words used in an Order have the same meaning as in the Pesticides Act 1999.

A person must not contravene this Order – maximum penalty \$120 000 in the case of a corporation and \$60 000 in the case of an individual.

A pesticide control order remains in force until it is revoked by another pesticide control order.

Any permit issued by the APVMA which is set out in this Order has effect in NSW until such time as this Order is revoked.

LISA CORBYN,
Director – General
Environment Protection Authority

BOB DEBUS, M.P.,
Minister for the Environment

SCHEDULE**PERMIT TO ALLOW MINOR USE OF AN AGVET CHEMICAL PRODUCT****PERMIT NUMBER -PER8741**

This permit is issued to the Permit Holder in response to an application granted by the APVMA under section 112 of the Agvet Codes of the jurisdictions set out below. This permit allows a person, as stipulated below, to use the product in the manner specified in this permit in the designated jurisdictions. This permit also allows any person to claim that the product can be used in the manner specified in this permit.

THIS PERMIT IS IN FORCE FROM 3 February 2006 TO 31 December 2008*.

Permit Holder:
WYONG SHIRE COUNCIL
16 Hely ST
WYONG NSW 2259

Persons who can use the product under this permit:

Darren Williams (or other Bushcare Officer employed by Wyong Shire Council).

CONDITIONS OF USE**Product to be used:**

FOXOFF FOX BAIT
FOXOFF ECONOBAIT
Containing: 3.00 mg/bait
SODIUM MONOFLUOROACETATE
as their only active constituent.

Directions for Use:

Situation	Pest	Rate
RURAL AND BUSHLAND AREAS (Karagi Peninsula, The Entrance, Wyong Shire Council NSW)	FOXES	Refer to PERMIT CONDITIONS

Critical Use Comments:

Refer to instructions in Conditions of Permit and Vertebrate Pest Control Manual published by NSW Agriculture.

Jurisdiction:

NSW only.

Additional Conditions:**1. POSSESSION OF FOXOFF FOX BAITS**

1.1 For the purpose of this permit, the products Foxoff Fox Bait (APVMA 40573) and Foxoff Econobait (APVMA 46434) will henceforth be referred to as “Foxoff 1080 baits” except where otherwise indicated.

1.2 This permit allows Persons, if they fully comply with CONDITIONS OF PERMIT, to undertake the following actions with Foxoff 1080 baits which contains 3 milligrams SODIUM FLUOROACETATE per bait as their only active constituent:

- (i) have Foxoff 1080 baits in their possession for the purposes of use;
- (ii) claim that Foxoff 1080 baits can be used for the purposes as outlined in 3. DIRECTIONS FOR USE.

1.3 FOXOFF 1080 baits must only be purchased from a Rural Lands Protection Board and must be used within 1 month of purchase or be returned to the issuing Rural Lands Protection Board within 1 month of purchase.

1.4 Persons as stated under 1. Persons may only temporarily possess and store Foxoff 1080 baits. Foxoff 1080 baits must be stored in a lockable storage area away from children, animal food, foodstuffs, seed and fertiliser. Foxoff products can only be possessed and stored in accordance with condition 1.3.

2. DIRECTIONS FOR USE - GENERAL RESTRICTIONS

2.1 A person must not place Foxoff 1080 baits in a position accessible to children, livestock, or domestic animals or pets.

2.2 A person must not feed Foxoff 1080 baits to wild or domestic birds.

2.3 A person must not allow Foxoff 1080 baits to contaminate foodstuffs, or feed, for human or non-target animal consumption.

2.4 Containers which have held Foxoff 1080 baits must not be used for any other purpose and must be disposed of by deep burial.

Triple rinse or pressure rinse containers before disposal. Dispose of rinsate in a 1 metre deep disposal pit and cover with at least 500mm of soil. The disposal pit must be specifically marked and set up for this purpose and clear of waterways (permanent or ephemeral). Break crush or puncture and dispose of empty rinsed containers in a local authority landfill. If no landfill is available, dispose of containers in a 1 metre deep disposal pit and cover with at least 500mm of soil on the property where the Foxoff 1080 baits were used.

2.5 A person must not contaminate dams, rivers, streams, waterways or drains with Foxoff 1080 baits or used containers.

2.6 Foxoff Fox Bait and Foxoff Econobait must be kept and stored in the container supplied by the manufacturer and bearing the APVMA approved label.

2.7 All unused Foxoff 1080 baits must be returned to the Rural Lands Protection Board in accordance with condition 1.3. At the end of a baiting program a person who has received Foxoff 1080 baits must ensure that all untaken baits at baiting locations are collected

and removed. All untaken Foxoff 1080 baits must be disposed of, as soon as possible by burial in a 1 metre deep disposal pit. Buried Foxoff 1080 baits must be covered with at least 500mm of soil. The disposal pit must be clear of waterways (permanent or ephemeral). It is the responsibility of the person who has received Foxoff 1080 baits to ensure that unused Foxoff 1080 baits are returned and untaken Foxoff 1080 baits are properly disposed of.

3. **DIRECTIONS FOR USE - DISTANCE RESTRICTIONS**

3.1 Foxoff 1080 baits must not be laid where they can be washed into or contaminate surface or groundwaters. Foxoff 1080 baits must not be laid in areas where distance restrictions cannot be met. Other control methods may be used in those areas.

3.2 Boundaries and public thoroughfares (public roads and associated footpaths but not internal roads tracks or trails):

The minimum distance that Foxoff 1080 baits shall be laid from the boundary of a bushland reserve is 5 metres except for boundaries adjoining public thoroughfares.

The minimum distance that Foxoff 1080 baits shall be laid from the boundary of a bushland reserve which adjoins a public thoroughfare is 50 metres for untethered Foxoff 1080 baits, or 20 metres for tethered Foxoff 1080 baits.

The minimum distance that Foxoff 1080 baits shall be laid from any public thoroughfare traversing the bushland reserve is 50 metres for untethered Foxoff 1080 baits, or 20 metres for tethered Foxoff 1080 baits.

3.3 Internal roads, tracks and trails other than public thoroughfares traversing bushland reserves:

The minimum distance that Foxoff 1080 baits shall be laid from internal roads, tracks, trails is 2 metres except for the section of internal road, track or trail between the boundary of the bushland reserve and a position 150 metres into the bushland reserve.

The minimum distance that Foxoff 1080 baits shall be laid from the section of internal road, track or trail between the boundary of the bushland reserve and a position 150 metres into the bushland reserve is 50 metres for untethered Foxoff 1080 baits, or 20 metres for tethered Foxoff 1080 baits.

3.4 Habitation (means the dwelling or other place where any person, other than of the owner/occupier carrying out the baiting, lives):

No Foxoff 1080 baits shall be laid within 150 metres of a habitation.

3.5 Domestic Water Supply (means the water line or small dams from which water is pumped or the draw-off point from such as wells, bores, etc.):

No Foxoff 1080 baits shall be laid within 10 metres of a domestic water supply.

4. **PUBLIC NOTIFICATION**

4.1 Public notification must include an advertisement in a prominent local area newspaper at least 5 days prior to the commencement of Foxoff 1080 baiting. Public notification may also include notification by telephone or personal contact, or, where this is not possible, by mail. Public notification must include appropriate details of the baiting program and the closure of bushland reserves to dogs.

5. **1080 POISONING NOTICES AND COMMUNITY NOTIFICATION**

5.1 In every situation where Foxoff 1080 baits are laid in a bushland reserve specified under this permit, the person responsible for coordinating the use of Foxoff 1080 baits must ensure that 1080 poisoning notices are erected in that bushland reserve at least 5 days prior to the commencement of Foxoff 1080 baiting.

In every situation where Foxoff 1080 baits are laid in a bushland reserve specified under this permit, the person responsible for coordinating the use of Foxoff 1080 baits must ensure that notices banning dogs are erected in that bushland reserve at least 5 days prior to the commencement of Foxoff 1080 baiting.

These notices must remain up for at least a minimum of 4 weeks from the last day of baiting and, Notices must be placed:

- (i) At every made entrance to the Bushland Reserve; and
- (ii) At the entrance to the baiting location; and
- (iii) At the extremities of and at 1 kilometre intervals along the boundaries where the bushland reserve adjoins a public thoroughfare; and
- (iv) At the extremities of and at 1 kilometre intervals along any public thoroughfare traversing the bushland reserve but not along internal roads, tracks or trails.

5.2 The Notices, indicating the presence of Foxoff 1080 baits, must specify which animal species is being poisoned, and the date the Foxoff 1080 baits are first laid or the dates between which Foxoff 1080 baits will be laid.

Any Notices banning dogs must clearly indicate that dogs must not be allowed to enter reserves closed to dogs during a baiting program.

5.3 All neighbours immediately adjoining the bushland reserve boundary, within 300 metres of the site where Foxoff 1080 baits will be laid, must be given a minimum of 5 days written notice prior to the commencement of the baiting program.

6. **FOX CONTROL - DIRECTION FOR USE - BAIT NUMBERS AND DISTRIBUTION**

6.1 A person who lays Foxoff 1080 baits must:

- (i) Not use an excessive amount of 1080 baits. Baiting locations must be a minimum distance of 100 metres apart and no more than ten Foxoff 1080 baits can be placed per kilometre per day. The only variation permitted is mound baiting using multiple baits (maximum three (3) Foxoff 1080 baits per mound) provided the total number of Foxoff 1080 baits used does not exceed one (1) bait per hectare; and
- (ii) Lay the Foxoff 1080 baits in such a way that any untaken Foxoff 1080 baits can be readily found and destroyed in accordance with condition 2.7
- (iii) Each bait site will be made up of a sand pad about one metre in diameter. Foxoff 1080 baits must be buried to a depth of 10 centimetres to reduce the access by non-target species.
- (iv) Free feeding must be undertaken at all sites for a minimum of 3 days prior to the commencement of 1080 baiting to establish the presence or absence of foxes and to determine if other non-target animals are visiting the site. The decision to lay 1080 Foxoff baits is determined by the results of free feeding and condition 7.1(ii) if required for dogs.

- (v) 1080 baiting must be discontinued during periods of heavy rainfall.
- (vi) The environs of all bait stations where baits have been removed by an animal should be checked for dragged and dropped baits for an area of 10m in diameter to reduce exposure to native and domestic animals to disturbed and unconsumed baits.

7. **RISK TO DOMESTIC ANIMALS**

- 7.1 The following preventative measures must be undertaken to reduce the risks of domestic dogs taking poisoned bait:
- (i) Close Bushland Reserves to dogs during the baiting program.
 - (ii) If regular dog prints are recorded at bait stations during the free feeding period, further community notification and education should take place.
- 7.2 All untaken baits which are recovered must be destroyed by deep burial as per condition 2.7.

8. **MONITORING OF NON-TARGET EFFECTS**

- 8.1 Adverse effects including deaths of wildlife and animals, other than foxes, must be reported to the Pest Management Officer, Department of Environment and Conservation, PO Box 1477, Suites 36-38, 207 Albany Street North, Gosford NSW 2250, by telephone (02) 4320 4241.

9. **RISK TO HUMANS**

- 9.1 In addition to taking appropriate steps to inform the community of the baiting program, the following steps must be undertaken:
- (i) All Foxoff 1080 baits will be buried in sand pads as per condition 6.1(ii).
 - (ii) Where possible, inaccessible places will be chosen as baiting locations to reduce the chances of children or adults finding the bait stations.

9.2 **SAFETY DIRECTIONS:**

VERY DANGEROUS. Poisonous if swallowed. When opening the container and using the baits, wear elbow-length PVC gloves or Nitrile gloves. If product gets on skin, immediately wash area with soap and water. After use and before eating, drinking or smoking, wash hands, arms and face thoroughly with soap and water. After each day's use, wash contaminated clothing and gloves.

9.3 **FIRST AID:**

If poisoning occurs, contact a doctor or Poisons Information Centre (phone: 13 11 26). Give large quantities of water and induce vomiting. If skin contact occurs, remove contaminated clothing and wash skin thoroughly. Remove from contaminated area. Apply artificial respiration if not breathing. If in eyes, hold eyes open, flood with water for at least 15 minutes and see a doctor.

Issued by

Delegated Officer

FOOTNOTES

- * Note – the requirements set out in this permit continue until this Pesticide Control Order is revoked. Please disregard the expiration date stated above.

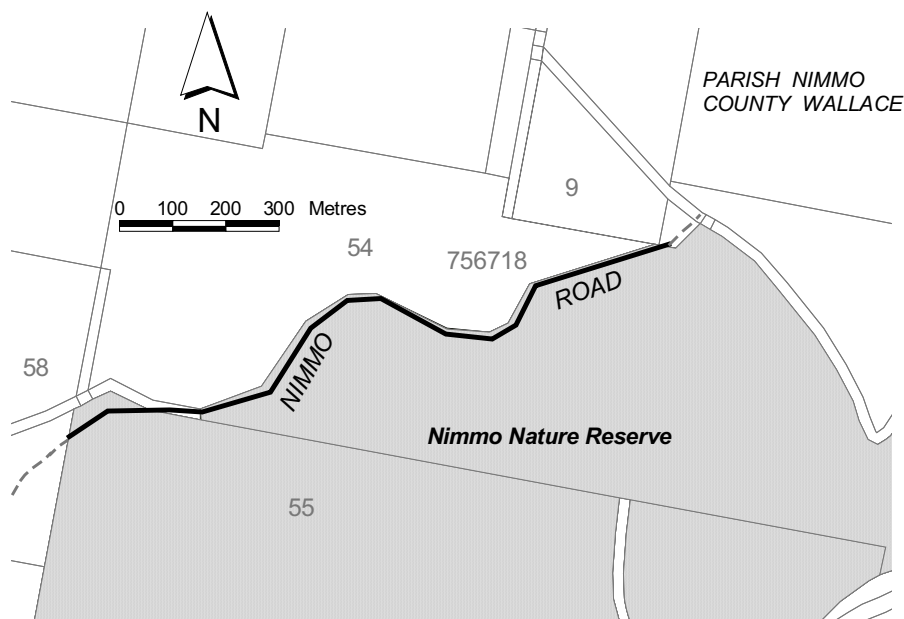
NATIONAL PARK ESTATE (SOUTHERN REGION RESERVATIONS) ACT, 2000**Order to Exclude Certain Access Roads from
National Park Estate lands.**

I, Robert Debus, Minister for the Environment, being the Minister administering the National Parks and Wildlife Act 1974, in accordance with the National Park Estate (Southern Region Reservations) Act 2000 and with the concurrence of the Minister administering the Forestry Act 1916, by this my order declare, under Schedule 7 Section 8 sub-section 6(a), the access road described in the Schedule hereunder is excluded from the reservation of the Nature Reserve and is vested in the Minister administering National Parks & Wildlife Act 1974.

BOB DEBUS, M.P.
Minister for the Environment

SCHEDULE

County of Wallace, Parish of Nimmo, Snowy River Shire, being those areas shown by heavy black lines in the following diagram; NPWS/05/01622

**NOTES**

1. The road described in this diagram is 10 metres wide (ie; 5m either side of the centreline of formation) and is subject to survey.
2. Any section of road not within the area reserved under this Act, is not vested in the Minister.

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

CLARENCE VALLEY COUNCIL

Roads Act 1993

Dedication of Land as Public Road

NOTICE is hereby given that pursuant to section 10 of the Roads Act 1993, the Clarence Valley Council dedicates the lands described in Schedule 1 and Schedule 2 hereunder as public roads. Dated 12th April 2006. STUART MCPHERSON, General Manager, Clarence Valley Council, Locked Bag 23, Grafton NSW 2460.

SCHEDULE 1

Land shown as intended to be dedicated to the public as road widening in the Plan of Subdivision, Deposited Plan 1093764, situated at the corner of Goldings Street and Yamba Road in the town of Yamba, in the Parish of Yamba, County of Clarence.

SCHEDULE 2

Land shown as intended to be dedicated to the public as road widening in the Plan of Subdivision, Deposited Plan 1088098, situated at the corner of Morpeth and River Streets in the village of Harwood, in the Parish of Harwood, County of Clarence. [2028]

COOTAMUNDRA SHIRE COUNCIL

Roads Act 1993, Section 162

Naming of Public Road – Cootamundra Shire

NOTICE is hereby given that Council pursuant to section 162 of the Roads Act 1993, has named the following roads in the Cootamundra Shire:

Description	Name
Newly created western access road at the Florance Gardens subdivision.	Chelonia Street.
Newly created eastern access road at the Florance Gardens subdivision.	Mary Angove Crescent.

S. GODBEE, General Manager, Cootamundra Shire Council, PO Box 420, Cootamundra NSW 2590. [2031]

HAWKESBURY CITY COUNCIL

Roads Act 1993

Road Naming – Bulgamatta Road, Berambing

NOTICE is given that Hawkesbury City Council in accordance with the Roads Act 1993 and by resolution dated 14th March 2006, has named the presently un-named public road extending in a generally north-easterly direction for a distance of 940 metres, give or take a little more or less, and bounded by Deposited Plans 564955, 539916, 1010953, 195276 and 997462, as Bulgamatta Road. GRAEME FAULKNER, General Manager, Hawkesbury City Council, PO Box 146, Windsor NSW 2756. [2035]

HAWKESBURY CITY COUNCIL

Roads Act 1993

Road Naming – Kirkwood Road, Kurrajong

NOTICE is given that Hawkesbury City Council in accordance with the Roads Act 1993 and by resolution dated 28th March 2006, has named the presently un-named public road extending in a generally north-westerly direction from Blaxlands Ridge Road, Kurrajong, for a distance of 336 metres, give or take a little more or less, and within DP 1082298, as Kirkwood Road. GRAEME FAULKNER, General Manager, Hawkesbury City Council, PO Box 146, Windsor NSW 2756. [2029]

NEWCASTLE CITY COUNCIL

Roads Act 1993, Section 162

Roads (General) Regulation 2000, Part 2, Division 2

Naming of Public Road

NEWCASTLE CITY COUNCIL gives notice that the following public road is hereby named:

Road to be Named	Adopted Name
That part of Route 14 at Waratah West from the western end of Allowah Street, south, to the southern boundary of the Water Board Bowling Club	Avoca Close.

Authorised by resolution of Council on 14th February 2006. GENERAL MANAGER, Newcastle City Council, PO Box 489, Newcastle NSW 2300. [2032]

RIVERINA WATER COUNTY COUNCIL

Local Government Act 1993, Section 553

Extension of Watermains

NOTICE is hereby given pursuant to section 553 of the Local Government Act 1993, that Riverina Water County Council's water mains have been extended to service the lands described hereunder:

Wagga Wagga

Dukes Road, Gregadoo: From the existing main at the Eastern end of Dukes road, traveling East for a distance of 141 metres on the Southern side of the road, then upon the intersection of unnamed road and Carrs Road the line branches into two with one traveling East to the boundary of Lot 3 for a total distance of 1236 metres and the second traveling South to the boundary of Lot 1 for a total distance of 963 metres.

Drawing No.: 1-3038.

Job Number 3650993 – December 2004.

Leavenworth Drive – Stanley Street: From existing main in Stanley Street traveling in a North Westerly direction in the road reserve for a distance of 95 metres, before exiting the road reserve at a 45 degrees bend in a Northerly direction for a distance of 24 metres and thence westerly for a distance of 31 metres to meet with the existing main.

Drawing No.: 1-1745.

Job Number 3651068 – April 2005.

Wagga Wagga Subdivisions

Bourkelands, Stage 12E: From the existing main in Yarrawah Drive, traveling in a Westerly direction for a distance of 95 metres, then through a walkway. From the existing main in Yarrawah Drive traveling in a North West direction along Bedervale Street, for a distance of 325 metres. Distance 325+80 meters

Drawing No.: 1-3051.

Job Number 3651063 – May 2005.

Swan Street, Ashmont: From the existing main in Grinton Avenue traveling in a Westerly direction till the intersection with Swan Street, thence Northerly to the existing main in Swan Street for a distance of 310 metres. In addition in Apprentice Avenue traveling in a Southerly and then Westerly direction till the intersection of Swan Street a total distance of 172 metres.

Drawing No.: 1-2676.

Job Number 3651066 – April 2005.

Hilltop Stage 5A/6A: From the existing main in Kaloona Drive traveling in an Easterly direction till the intersection of Brownlow Drive. There hence in a Southerly direction to the boundary of Lot 522, a distance of 246 metres. In addition in Kaloona Drive continuing from Brownlow Drive in a North Easterly direction till the intersection of Marylands Way, thence travels in a Easterly direction down Marylands Way, till the intersection of Baiala Court, thence in a Southerly direction to the boundary of Lot 607.

Drawing No.: 1-2749-3.

Job Number 3651066 – April 2005.

Ehkuk Subdivision – Kansas Drive: From the existing main in Kansas Drive at the Idaho Street intersection, traveling in a Northerly direction to the end of the cul-de-sac for a total distance of 122 metres. Also traveling in an easement between lots 17 and 18 from Kansas Drive to an existing main in a fire trail.

Drawing No.: 1-2625.

Job Number 3651067 – March 2005.

Sunshine Grove – Stage 1 – Mima Street: From the existing main in Allunga Street traveling in a northerly direction to Mima Street and then Easterly for 60 metres and westerly for 383 metres.

Drawing No.: 1-2968.

Job Number 3651073 – June 2005.

Tatton – Stage 6: From existing main in Stirling Boulevard traveling South-West till the intersection of unnamed road, there hence West to the intersection of Springvale Drive a total distance of 436 metres.

Drawing No.: 1-3045.

Job Number 3650960 – March 2005.

GlenOak – Stage 4: Peppermint Drive from the existing main at the northern end of Peppermint Drive traveling in an Easterly and then Southerly direction for a total distance of 990 metres.

Drawing No.: 1-3042-1, 2.

Job Number – October 2005.

Valley View– Stage 1: Melia Place From the existing main in Holbrook Road (also known as Bourke Street), traveling in a Westerly direction to the end of the cul-de-sac a total distance of 162 metres.

Job Number – September 2005.

Brunlea Park– Stage 6: Protea Place. From the existing main in Mangrove Crescent traveling in a Southerly direction to the end of the cul-de-sac a total distance of 180 metres.

Drawing No.: 1-2715

Job Number – November 2005.

Glenfield Gardens– Stage 1: From the existing main in Fernleigh Road traveling in a Southerly direction along Barrima Road to the boundary of Lot 63 a total distance of 240 metres.

Drawing No.: Not yet numbered.

Job Number – February 2006.

Rural

County Boundary Road, Milbrulong: From existing main, traveling generally in a northerly direction to Station Street in Milbrulong village, for a total distance of 7000 metres.

Drawing Number 3-3062.

Job number 36 – Completed August 2005.

Bellvue – Glen Oak interconnector: From the existing main in Clifton Street traveling in a Easterly direction crossing to the eastern side of Holbrook Road and then changing to a southerly direction, till the intersection of Indigo Drive, a total distance of 880 metres.

Drawing No.: 1-3061, 1-2998, 1-2960.

Completed October 2005.

Urana – Coonong Street: From existing main in Coonong Street, traveling in a Northerly direction to Lot 6, Section 39 then in a Easterly direction to Lot 323 a total distance of 30 metres.

Drawing No.: 3-2009.

Job Number 3661303 – January 2005.

Piper Street, The Rock: From existing main along Piper street, Westwards to Lot 5 a total distance of 60 metres.

Drawing No.: 3-232-3.

Job Number # – April 2005.

The owners of all lands within the prescribed distance will be liable for water supply charges as from the expiration of twenty-one (21 days) after the publication of this notice, or the date of connection of the properties to the water main, whichever is the earlier date. G.W. PIEPER, General Manager, Riverina Water County Council, PO Box 456, Wagga Wagga NSW 2650. [2023]

SNOWY RIVER SHIRE COUNCIL

Roads Act 1993. Section 162

Naming of Roads

NOTICE is hereby given that under section 162 of the Roads Act 1993, Snowy River Shire Council has named the following roads:

Location	Name
Road off Dry Plains Road accessing Lots 1 and 3, DP 632928 and Lot 94, DP 756714, Locality of Wambrook.	Lyrebird Road.
Road off Gullies Road to Lake Jillamatong accessing Lots 1 and 3, DP 856882; Lots 1, 2 and 3, DP 830491; Lot 2, DP 821719; Lot 1, DP 815246 and Lot 3, DP 828948, Locality of Moonbah.	Mugridge Road.

Location	Name	Location	Name
Road off Wollonbibby Road accessing Lots 14, 17 and 18, DP 245722 and Lot 2, DP 809689, Locality of Crackenback.	Monckton Road.	Private road off MR394 Dalgety Road accessing Lots 96 and 185, DP 756694 and Lots 1, 2 and 3, DP 825655, Locality of Berridale.	Reids Lane.
Road off Cobbin-Beloka Road (The Snowy River Way) accessing Lot 2, DP 849522 and Lot 5, DP 727646, Locality of Dalgety.	Rangeview Road.	Private road off Hilltop Road accessing Lots 2 and 3, DP 792345; Lot 7, DP 1075005 and Lots 8, 9 10 and 12, DP 1043090, Locality of Hilltop.	Maunders Lane.
Road off Middlingbank Road accessing Lots 48, 98 and 225, DP 756698 and Lot 5, DP 258586, Locality of Cootralantra.	Stones Road.	Private road off Hilltop Road accessing Lot 14, 15, 16 and 17, DP 1043090, Locality of Hilltop.	Tirrike Lane.
Crown road off Dry Plains Road accessing Lot 68, DP 756714 and Lot 44, DP 756671, Locality of Dry Plain.	Lugarno Road.	Private lane off Barry Way accessing Lots 1 to 3, DP 856655 and Lot 4 to 7, DP 881141, Locality of Ingebyrah.	Marsh Lane.
Road off Kosciuszko Road MR286, accessing Mt Gladstone Reserve, Locality of Cooma.	Mt Gladstone Road.	Private lane off The Snowy River Way accessing Lots 114 and 150, DP 756672; Lot 21, DP 718914; Lot 1, DP 564862 and Lot 1, DP 578860, Locality of Jindabyne.	Frost Creek Lane.
Road off Hilltop Road accessing Lot 2 to 4, DP 807269; Lots 5 to 8, DP 811207 and Lot 159, DP 756727, Locality of Hilltop.	Old School Road.	Private road off Glenrowan Road accessing Lot 2, DP 851253 and Lot 157, DP 756727, Locality of East Jindabyne.	Kelly Lane.
Road off Alpine Way accessing Lot 73, DP 756690; Lots 1 to 3, DP 1001456 and Lot 11, DP 878759, Locality of Crackenback.	Cranky Flat Road.	Private road off Dry Plains Road accessing Lots 1 to 6, DP 812259, Locality of Wambrook.	Ridgeview Lane.
Road off Barry Way accessing through to Lot 102, DP 812902, Locality of Jindabyne.	Tinworth Drive.	Private road off Kelly Lane accessing Lots 3 and 4, DP 841095, Locality of East Jindabyne.	Sunninghill Lane.
Road off Mountain View Road accessing Lots 2, DP 270225 and Lots 22, 23, 24 and 25, DP 270225, Locality of Moonbah.	Yallaroi Road.	Private lane off The Snowy River Way MR7626 accessing Lots 1, 3, 4 and 7, DP 825288; Lot 13, DP 1072948 and Lots 6 and 7, DP 1041329, Locality of Jindabyne.	Carinya Lane.
Road off Mountain View Road accessing Lots 17, 18, 19 and 20, DP 270225, Locality of Moonbah.	Lovells Road.	Private lane off Carinya Road accessing Lots 5 and 6, DP 825288 and Lot 9, DP 861805, Locality of Jindabyne.	Charlottes Lane.
Road west off Kosciuszko Road MR 286 accessing lots through to the Thredbo River, Locality of Jindabyne.	Forest View Road.	Private lane off Maunders Lane accessing Lot 11 and 13, DP 1043090; Lot 6, DP 649075 and Lot 8, DP 1075005, Locality of Hilltop.	Wedgetail Lane.
Reserve road off Kosciuszko Road MR 286 heading west to the Thredbo River.	Spring Hill Road.	Private lane off Abington Park Road accessing Lot 28, DP 851663; Lot 176, DP 665588 and Lot 4, DP 815245.	Hobbs Lane.
Formally Cobbin-Beloka Road. Main road 7626 travels west from Dalgety to the Barry Way, Jindabyne.	The Snowy River Way.	Private lane off Avonside Road accessing Lots 1, 2, 3 and 4, DP 841305, Locality of East Jindabyne.	Castle Lane.
Road off MR286 accessing Lot 2, DP 875085 and Lots 5 and 8, DP 841095, Locality of East Jindabyne.	Glenrowan Road.	Private road off Rangeview Road accessing Lots 5 to 9, DP 812085, Locality of Dalgety.	Tranquility Lane.
Road off Alpine Way accessing Lots 7 to 10, DP 866578 and Lots 1 to 5, DP 808488, Locality of Crackenback.	Post Office Lane.	Road heading west off Eucumbene Road accessing Lot 1, DP 562075; Lot 1, DP 573199; Lot 12, DP 815669 and Lot 31, DP 631121, Locality of Kalkite.	Burru Lane.
Private lane off Braemar Bay Road accessing Lot 6, DP 217196; Lots 11 and 12, DP 625862 and Lots 2 and 4, DP 217196, Locality of Braemar Bay.	Archies Lane.		

Location

Private road off Chongs Road heading west.

Private road off Tranquility Lane accessing Lots 1 to 4, DP 812085, Locality of Dalgety.

V. STRAW, General Manager, Snowy River Shire Council,
PO Box 143, Berridale NSW 2628. [2024]

Name

Snowgum Lane.

Beloka Lane.

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of RHONDA VIVIANNE TEMPLEMAN, late of 12A Collarenebri Road, Hinchinbrook, in the State of New South Wales, shop assistant, who died on 6th September 2005, must send particulars of his/her claim to the executrix, Catherine Mary Ford, c.o. Doherty Partners, Solicitors, Level 1, 171 Bigge Street, Liverpool NSW 2170, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution the executrix has notice. Probate was granted in New South Wales on 3rd April 2006. DOHERTY PARTNERS, Solicitors, Level 1, 171 Bigge Street, Liverpool NSW 2170 (PO Box 1163, Liverpool BC 1871), (DX 5034, Liverpool), tel.: (02) 9601 7300. [2034]

WOLLONGONG CITY COUNCIL

Roads Act 1993, Section 162

Notice of Road Naming

NOTICE is hereby given that Wollongong City Council has renamed the southern portion of Old Springhill Road, Coniston shown on the accompanying plan as "John Cleary Place". R. OXLEY, General Manager, Wollongong City Council, Locked Bag 8821, South Coast Mail Centre NSW 2521.



[2022]

COMPANY NOTICES

NOTICE convening final meeting of members.—KOBANI PROPERTIES PTY LIMITED, ACN 001 232 462 (in liquidation).—Notice is hereby given pursuant to section 509 of the Corporations Act 2001, that a final general meeting of members of the abovenamed company will be held at the offices of David B. Dickson & Co., 8th Floor, 10 Spring Street, Sydney NSW 2000, at 10:00 a.m., for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of and of hearing any explanation that may be given by the liquidator. Dated this 28th day of March 2006. DAVID B. DICKSON, Liquidator, c.o. David B. Dickson & Co., 8th Floor, 10 Spring Street, Sydney NSW 2000 (GPO Box 3777, Sydney NSW 2001), tel.: (02) 9221 7566. [2030]

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