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LEGISLATION

Regulations



New South Wales

Children and Young Persons (Care and Protection—Child Employment) Amendment Regulation 2008

under the

Children and Young Persons (Care and Protection) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Children and Young Persons (Care and Protection) Act 1998*.

KEVIN GREENE, M.P.,
Minister for Community Services

Explanatory note

The object of this Regulation is to amend the *Children and Young Persons (Care and Protection—Child Employment) Regulation 2005*:

- (a) to provide that for the purposes of Chapter 13 (Children's employment) of the *Children and Young Persons (Care and Protection) Act 1998*, a person is taken to employ a child if the person makes a payment to (or confers any other material benefit on) the child in respect of services rendered by the child, and
- (b) to make it clear that if there is any inconsistency between a provision of the Code of Practice relating to children's employment (contained in Schedule 1 to that Regulation) and a provision of an award or agreement in force under the *Industrial Relations Act 1996* that applies to a child, the provision of the award or agreement prevails if it is more beneficial to the child than the provision of the Code.

This Regulation is made under the *Children and Young Persons (Care and Protection) Act 1998*, including Chapter 13 (Children's employment) and section 264 (the general regulation-making power) of, and Schedule 2 (Provisions relating to employers' authorities) to, that Act.

Clause 1 Children and Young Persons (Care and Protection—Child Employment)
Amendment Regulation 2008

Children and Young Persons (Care and Protection— Child Employment) Amendment Regulation 2008

under the

Children and Young Persons (Care and Protection) Act 1998

1 Name of Regulation

This Regulation is the *Children and Young Persons (Care and Protection—Child Employment) Amendment Regulation 2008*.

2 Amendment of Children and Young Persons (Care and Protection— Child Employment) Regulation 2005

The *Children and Young Persons (Care and Protection—Child Employment) Regulation 2005* is amended as set out in Schedule 1.

Children and Young Persons (Care and Protection—Child Employment)
Amendment Regulation 2008

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 4

Omit the clause. Insert instead:

4 Definition of “employment” (section 221)

For the purposes of section 221 (2) of the Act, a person is taken to employ a child if the person makes a payment to (or confers any other material benefit on) the child or another person in respect of services rendered by the child.

[2] Schedule 1 Code of Practice

Omit clause 15 of the Schedule. Insert instead:

15 Awards and agreements under the Industrial Relations Act 1996

If there is any inconsistency between a provision of this Code of Practice and a provision of an award or agreement in force under the *Industrial Relations Act 1996* that applies to a child, then the provision of the award or agreement prevails if it is more beneficial to the child than the provision of the Code.



New South Wales

Electricity (Consumer Safety) Amendment Regulation 2008

under the

Electricity (Consumer Safety) Act 2004

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Electricity (Consumer Safety) Act 2004*.

LINDA BURNEY, M.P.,
Minister for Fair Trading

Explanatory note

The *Electricity (Consumer Safety) Regulation 2006* requires work on electrical installations to comply with certain requirements, including the requirements of the Australian and New Zealand Standard AS/NZS 3000:2000 (known as the Australian/New Zealand Wiring Rules). This Standard was revised and a new version, AS/NZS 3000:2007, was published in 2007. This Regulation updates the definition of *Australian/New Zealand Wiring Rules* to refer to the AS/NZS 3000:2007 version.

This Regulation is made under the *Electricity (Consumer Safety) Act 2004*, including section 55 (the general regulation-making power).

Clause 1 Electricity (Consumer Safety) Amendment Regulation 2008

Electricity (Consumer Safety) Amendment Regulation 2008

under the

Electricity (Consumer Safety) Act 2004

1 Name of Regulation

This Regulation is the *Electricity (Consumer Safety) Amendment Regulation 2008*.

2 Commencement

This Regulation commences on 1 June 2008.

3 Amendment of Electricity (Consumer Safety) Regulation 2006

The *Electricity (Consumer Safety) Regulation 2006* is amended by omitting the definition of *Australian/New Zealand Wiring Rules* from clause 3 (1) and inserting instead:

Australian/New Zealand Wiring Rules means the Australian and New Zealand Standard entitled AS/NZS 3000:2007, *Electrical installations* (known as the Australian/New Zealand Wiring Rules), as in force from time to time, published jointly by Standards Australia and Standards New Zealand.



New South Wales

Public Health Legislation Amendment (Fees) Regulation 2008

under the

Public Health Act 1991

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

REBA MEAGHER, M.P.,
Minister for Health

Explanatory note

The objects of this Regulation are:

- (a) to amend the *Public Health (Disposal of Bodies) Regulation 2002* to increase (from \$270 to \$285) the application fee for an approval by the Director-General of the Department of Health to exhume the remains of the body of a dead person, and
- (b) to amend the *Public Health (Microbial Control) Regulation 2000* to increase (from \$135 to \$140) the application fee for an approval by that Director-General of a system automatically producing warm water for ablution purposes in a health care facility.

The fee increases are generally in line with movements in the Consumer Price Index (adjusted to the nearest \$5).

This Regulation is made under the *Public Health Act 1991*, including section 82 (the general regulation-making power) and, in particular, section 82 (2) (s).

Clause 1 Public Health Legislation Amendment (Fees) Regulation 2008

Public Health Legislation Amendment (Fees) Regulation 2008

under the

Public Health Act 1991

1 Name of Regulation

This Regulation is the *Public Health Legislation Amendment (Fees) Regulation 2008*.

2 Amendment of Public Health (Disposal of Bodies) Regulation 2002

The *Public Health (Disposal of Bodies) Regulation 2002* is amended by omitting from clause 26 (2) (c) the matter "\$270" and by inserting instead the matter "\$285".

3 Amendment of Public Health (Microbial Control) Regulation 2000

The *Public Health (Microbial Control) Regulation 2000* is amended by omitting from clause 7 (2) the matter "\$135" and by inserting instead the matter "\$140".



New South Wales

Road Transport (Vehicle Registration) Amendment Regulation 2008

under the

Road Transport (Vehicle Registration) Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Vehicle Registration) Act 1997*.

ERIC ROOZENDAAL, M.L.C.,
Minister for Roads

Explanatory note

The object of this Regulation is to amend the *Road Transport (Vehicle Registration) Regulation 2007*:

- (a) to provide that registrable vehicles that are first registered, or have their registration transferred, after the commencement of this Regulation may generally only have one registered operator, and
- (b) to provide that a light vehicle (other than a seasonal vehicle) may be registered for a period of 3 months, 6 months or one year, and
- (c) to provide that a registered operator of a registrable vehicle is required to pay the scheduled fee for an inspection carried out for the purposes of considering whether the defects described in a vehicle defect notice have been rectified, and
- (d) to provide that the Roads and Traffic Authority may suspend or cancel the registration of a vehicle that ceases to be the subject of a third-party insurance policy under the *Motor Accidents Compensation Act 1999*, and
- (e) to provide that the Roads and Traffic Authority may issue a replacement certificate of registration or registration label, or both, if satisfied that the expiry date included in a certificate of registration or registration label is different from the expiry date recorded in the Register, and
- (f) to make certain consequential and minor amendments.

This Regulation is made under the *Road Transport (Vehicle Registration) Act 1997*, including sections 15 and 15A and section 14 (the general regulation-making power).

Clause 1 Road Transport (Vehicle Registration) Amendment Regulation 2008

Road Transport (Vehicle Registration) Amendment Regulation 2008

under the

Road Transport (Vehicle Registration) Act 1997

1 Name of Regulation

This Regulation is the *Road Transport (Vehicle Registration) Amendment Regulation 2008*.

2 Commencement

This Regulation commences on 19 May 2008.

3 Amendment of Road Transport (Vehicle Registration) Regulation 2007

The *Road Transport (Vehicle Registration) Regulation 2007* is amended as set out in Schedule 1.

Road Transport (Vehicle Registration) Amendment Regulation 2008

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 3)

[1] Clause 7 Who may apply for registration?

Omit clause 7 (2)–(4). Insert instead:

- (2) For the purposes of section 23A (1) of the Act:
 - (a) in the case of a transitional registrable vehicle—the name of not more than 2 persons may be recorded in the Register as a registered operator of the vehicle, or
 - (b) in the case of any other registrable vehicle—the name of only one person may be recorded in the Register as the registered operator of the vehicle,
either at the time the vehicle is first registered or subsequently.
- (3) For the purposes of subclause (2) (a), a *transitional registrable vehicle* is:
 - (a) any light vehicle in respect of which 2 persons were recorded as registered operators of the vehicle immediately before 19 May 2008, or
 - (b) any other light vehicle in respect of which an application for the registration of the vehicle was made (but not finally determined) immediately before 19 May 2008 where the application seeks to have 2 persons recorded as the registered operators of the vehicle.
- (4) A registrable vehicle ceases to be a transitional registrable vehicle for the purposes of subclause (2) (a) on the occurrence of any of the following:
 - (a) the transfer of the registration of the vehicle (whether by reason of the death of a registered operator or because of the disposal of the vehicle),
 - (b) the cancellation or surrender of the registration of the vehicle,
 - (c) the registration of the vehicle has expired and the period within which the registration may be renewed has also expired,
 - (d) an application for registration of a vehicle of the kind referred to in subclause (3) (b) is refused.

Road Transport (Vehicle Registration) Amendment Regulation 2008

Schedule 1 Amendments

[2] Clause 11 Duration of registration

Omit clause 11 (1) (a) and (b). Insert instead:

- (a) if the applicant is seeking to register a registrable vehicle (other than a seasonal vehicle):
 - (i) 3 months, or
 - (ii) 6 months, or
 - (iii) one year,

[3] Clause 14 Maintenance of the Register

Omit clause 14 (1) (a). Insert instead:

- (a) if the vehicle is not a transitional vehicle (within the meaning of clause 7 (3))—the name, residential address and the address for the service of notices (if any) of the registered operator, and
- (a1) if the vehicle is a transitional registrable vehicle (within the meaning of clause 7 (3))—the name, residential address and the address for the service of notices (if any) of each of the registered operators.

[4] Clause 14 (1) (d)

Omit the paragraph.

[5] Clause 16 Registration labels

Omit clause 16 (2) (a) (vi). Insert instead:

- (vi) if the vehicle is conditionally registered—a code indicating that the vehicle is conditionally registered, and

[6] Clause 16 (2), Note

Omit the note. Insert instead:

Note. In relation to subclause (2) (a) (vi), a registered operator will receive full written explanation of the conditions applying to the vehicle when the registration label is issued.

In relation to subclause (2) (a) (ix), a list of codes is available from the Authority.

Road Transport (Vehicle Registration) Amendment Regulation 2008

Schedule 1 Amendments

[7] Clause 16A

Insert after clause 16:

16A Replacement of registration documents

- (1) The Authority may, at any time, issue a replacement certificate of registration or registration label, or both, for a registered vehicle if the Authority is satisfied that the expiry date of the vehicle's registration recorded on the Register is different to the expiry date included in the certificate of registration or registration label.

Note. Clauses 15 (3) and 16 (6) provide for the replacement of a certificate of registration or registration label, respectively, that has been lost, stolen, damaged or destroyed on the payment of the applicable gazetted fee.

- (2) If the Authority issues a new certificate of registration or registration label under this clause, the registered operator of the vehicle must:
- (a) destroy the certificate of registration or registration label, or both, that is or are being replaced, or
 - (b) if required to do so by written notice from the Authority, return the certificate of registration or registration label, or both, to the Authority (or an agent nominated by the Authority) before the date specified in the notice for that purpose.

Maximum penalty: 20 penalty units.

- (3) Despite subclause (2), a registered operator is not required to return to the Authority a certificate of registration or registration label that has been destroyed before the notice was issued under subclause (2) (b).

[8] Clause 41 Suspension or cancellation of registration by Authority

Insert after clause 41 (1) (c):

- (c1) the vehicle ceases to be an insured motor vehicle within the meaning of the *Motor Accidents Compensation Act 1999*, or

Note. Section 14 of the *Motor Accidents Compensation Act 1999* requires the RTA to comply with a request by a licenced insurer to suspend or cancel the registration of a motor vehicle in certain circumstances.

Road Transport (Vehicle Registration) Amendment Regulation 2008

Schedule 1 Amendments

[9] Clause 71 Recording, clearance and withdrawal of vehicle defect notices

Insert after clause 71 (2):

- (2A) The Authority may require a registered operator of a registrable vehicle that is inspected pursuant to this clause to pay the applicable scheduled fee for the inspection.

[10] Clause 78 Refunds of fees

Omit “365” from the formula in clause 78 (2).

Insert instead “period of registration”.

[11] Clause 78 (2)

Insert after the definition of *number of days*:

period of registration is the total number of whole days in the period for which the vehicle is registered.

[12] Schedule 3 Fees

Omit paragraph (n) from Part 1. Insert instead:

- | | | |
|-------|--|------|
| (n) | Any vehicle not referred to elsewhere in the list: | |
| (i) | for more than 6 months | \$51 |
| (ii) | for more than 3 months but not more than 6 months | \$25 |
| (iii) | for 3 months or less | \$12 |

[13] Schedule 3

Omit “**clause 56 or 57**” from the headings to Parts 5 and 6, wherever occurring.

Insert instead “**clause 56, 57 or 71**”.

OFFICIAL NOTICES

Appointments

**CASINO, LIQUOR AND GAMING CONTROL
AUTHORITY ACT 2007**

Casino, Liquor and Gaming Control Authority

HER Excellency the Governor, with the advice of the Executive Council, has appointed the following persons under section 7 (1) (b) of the Casino, Liquor and Gaming Control Authority Act 2007 as a part-time member of the Casino, Liquor and Gaming Control Authority from 1 July 2008 until the date specified against the name of each person:

Christopher Dominic SIDOTI	31 December 2012
Kenneth Maxwell BROWN, A.M.	5 March 2011
Sharryn Dawn BROWNLEE	12 October 2010
Talal YASSINE	30 June 2011

HER Excellency the Governor, with the advice of the Executive Council, has appointed Christopher Dominic SIDOTI under section 7 (3) of the Act as Chairperson of the Casino, Liquor and Gaming Control Authority from 1 July 2008 to 31 December 2012.

HER Excellency the Governor, with the advice of the Executive Council, has appointed Talal YASSINE under section 7 (4) of the Act as Deputy Chairperson of the Casino, Liquor and Gaming Control Authority from 1 July 2008 to 30 June 2011.

GRAHAM WEST, M.P.,
Minister for Gaming and Racing

Department of Lands

ARMIDALE OFFICE

108 Faulkner Street (PO Box 199A), Armidale NSW 2350

Phone: (02) 6772 5488 Fax (02) 6771 5348

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 public roads specified in each schedule 1 are transferred to the Roads Authority specified in the corresponding schedule 2 hereunder, as from the date of publication of this notice and as from that date, the roads specified in each schedule 1, cease to be Crown public roads.

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

SCHEDULE 1

*Parish – Glen Innes; County – Gough
Land District – Glen Innes; LGA – Glen Innes Severn*

The Crown road (30.175 metres wide by about 40 metres), known as Taylor Street at its intersection with Ritchie Avenue, at Glen Innes, as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Glen Innes Severn Council. File No.: AE07 H 18 : W406401. Councils Reference: Malcolm Donnelly

SCHEDULE 1

*Parish – Booroo; County – Clive
Land District – Tenterfield; LGA – Tenterfield*

The Crown road 20.115 metres wide at Bolivia, north of Lot 20, DP 751499 and extending easterly from Currs Road to Lot 118, DP 751499.

SCHEDULE 2

Roads Authority: Tenterfield Shire Council. File No.: AE07 H 18 : W406326. Councils Reference: (CM 134/08) Brian Turner.

ROADS ACT 1993

Notification of Closing of Roads

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder described are closed and the lands comprised therein cease 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

Descriptions

Land District – Armidale; LGA – Armidale Dumaresq

Road closed: Lot 1, DP 1119529 at Donald Creek, Parishes Donald and Springmount, County Sandon. File No.: AE06 H 34.

Note: On closing, the title to the land comprised in Lot 1, DP 1119529, remains vested in the State of New South Wales as Crown Land.

Land District – Inverell; LGA – Inverell

Roads closed: Lot 1, DP 1124925 at Elsmore, Parishes Anderson and Elsmore, County Gough. File No.: AE06 H 229.

Note: On closing, the title to the land comprised in Lot 1, DP 1124925, remains vested in the State of New South Wales as Crown Land.

Roads closed: Lot 1, D.P. 1100450 at Inverell, Parish Inverell, County Gough. File No.: AE01 H 10.

Note: On closing, the title to the land comprised in Lot 1, DP 1100450, remains vested in the State of New South Wales as Crown Land.

FORFEITURE OF HOLDING

PURSUANT to Part 6 of the Crown Lands Act 1989, the undermentioned holding is declared to be forfeited, with effect from the date of publication of this notification.

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

Description

*Parish – Metz; County – Sandon;
Land District – Armidale; LGA – Armidale Dumaresq*

Forfeiture of the subject holding, being SPECIAL LEASE 1979/3 ARMIDALE, HOLDER KENNETH JOHN FROST AND LORETTA FROST, comprising of the following land:

Lot 1, Section 23 in DP 1124351 (formerly known as Allotment 1 Section 23). File Reference: AE83 H 496

DUBBO OFFICE
142 Brisbane Street (PO Box 865), Dubbo NSW 2830
Phone: (02) 6883 3300 Fax: (02) 6882 6920

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Michael LAugee (new member)	Burrendong Arboretum Trust	Reserve No. 120082 Public Purpose: Arboretum Notified: 22 June 1990 File Reference: 08/1264

For a term commencing
 this day and expiring
 31 December 2010.

GOULBURN OFFICE**159 Auburn Street (PO Box 748), Goulburn NSW 2580****Phone: (02) 4828 6725 Fax: (02) 4828 6730****PROPOSED REVOCATION OF DEDICATION OF CROWN LAND FOR A PUBLIC PURPOSE**

IT is intended, following the laying of a copy of this notification before each House of Parliament in the State of New South Wales in accordance with section 84 of the Crown Lands Act 1989, to revoke the dedication of Crown land specified in Schedule 1 hereunder to the extent specified in Schedule 2 with a view to dealing with the land as specified in Schedule 3.

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

SCHEDULE 1

Land District: Moss Vale
Dedication No. 530116
Public Purpose: Literary Institute
File Reference: GB90 R 43/1
Local Government Area: Wingecarribee Shire Council
Notified: 8 December 1916
Area: 1619m²

SCHEDULE 2

The whole being Lot 5, Sec. 2, DP 759097, Parish Wingello, County Camden of an area of 1619m²

SCHEDULE 3

Re-reservation for the Purpose of Community Purposes with Council as Corporate Trust Manager.

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE 1

<i>Column</i>	<i>Column 2</i>
Land District: Cooma	The whole being Lots 25,
Local Government Area: Snowy River Shire Council	122, 123 and 152, DP 756701,
Locality: Jimenbuen	Parish Jimenbuen
Reserve No: 92155	County Wallace
Public Purpose: Future	Jimenbuen, County
Public Requirements	of an area of 414 hectares
Notified: 18 April 1980	
File No.: GB03 H 335	
Note: To facilitate conversion of Perpetual Lease 107226.	

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder described are closed and the lands comprised therein ceases to be public roads and the rights of passage and access that previously existed in relation to the roads are extinguished. Upon closing, title to the lands, comprising the former public roads, vests in the body specified in the Schedules hereunder.

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

Description**SCHEDULE 1**

*Parish – Abington; County – Wallace;
Land District – Cooma; LGA – Snowy River*

Lot 1, Dp 1124673 (Not Being Land Under The Real Property Act). File Reference: GB07 H 335:JK.

NOTE: On closing, the title for the land in Lot 1, DP 1124673 remains vested in the State of New South Wales as Crown land.

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder described are closed and the lands comprised therein ceases to be public roads and the rights of passage and access that previously existed in relation to the roads are extinguished. Upon closing, title to the lands, comprising the former public roads, vests in the body specified in the Schedules hereunder.

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

Description**SCHEDULE 1**

*Parish – Keewong; County – Murray
Land District – Cooma; LGA – Cooma-Monaro*

Lots 1 and 3, DP 1108101 (not being land under the Real Property Act). File Reference: GB02 H 297:JK

Note: On closing, the title for the land in Lots 1 and 3, DP 1108101 remains vested in the State of New South Wales as Crown land.

GRAFTON OFFICE
76 Victoria Street (Locked Bag 10), Grafton NSW 2460
Phone: (02) 6640 3400 Fax: (02) 6642 5375

NOTIFICATION OF CLOSING OF 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 Schedule hereunder.

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

Description

Land District – Lismore; LGA – Lismore

Road Closed: Lots 1, DP 1124234 at South Gundurimba, Parish South Gundurimba, County Rous. File Reference: GF05 H 260.

SCHEDULE

On closing, the land within Lots 1, DP 1124234 remains vested in the State of New South Wales as Crown Land.

Description

Land District – Bellingen; LGA – Nambucca

Road Closed: Lot 1, DP 1123643 at Wirrimbi, Parish Nambucca, County Raleigh. File Reference: GF05 H 356.

SCHEDULE

On closing, the land within Lot 1, DP1123643 remains vested in the State of New South Wales as Crown Land.

Description

Land District – Lismore; LGA – Lismore

Road Closed: Lots 1 and 2, DP 1123074 at Jiggi, Parish Tunstall, County Rous. File Reference: GF06 H 392.

SCHEDULE

On closing, the land within Lots 1 and 2, DP 1123074 remains vested in the State of New South Wales as Crown Land.

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

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

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

SCHEDULE

Column 1	Column 2	Column 3
Warren Leslie BARNES	Wardell Recreation Ground Trust	Reserve No. 627 Public Purpose: Public Recreation Notified: 14 June 1880 Reserve No. 1002921 Public Purpose: Community and Sporting Club Facilities Notified: 31 March 2000 File Ref.: GF81 R 261/2

For a term commencing
the date of this notice and
expiring 8 November 2008.

GRIFFITH OFFICE
2nd Floor, Griffith City Plaza,
120–130 Banna Avenue (PO Box 1030), Griffith NSW 2680
Phone: (02) 6960 3600 Fax: (02) 6962 5670

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. Upon closing, 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

SCHEDULE

Parish – North Bolaro; County – Cooper;
Land of District – Narrandera; L.G.A. – Narrandera

Road Closed: Lots 1 and 2 in DP 1123298. File Ref: GH07 H 152 (MR).

Note: On closing, title to the land comprised in Lots 1 and 2 remains vested the Crown as Crown land.

APPOINTMENT OF RESERVE TRUST AS TRUSTEE OF A RESERVE

PURSUANT to section 92 (1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder 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

<i>Column 1</i>	<i>Column 2</i>
Murrumbidgee Shire Council Crown Reserves Reserve Trust	Reserve No. 68938 Public Purpose: Public Recreation Notified: 5 January 1940 File Reference: 07/5695/1

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

<i>Column 1</i>	<i>Column 2</i>
Yanco Agricultural Institute Trust	Dedication No. 559005 Public Purpose: Experiment Farm Notified: 28 September 1951 File Reference: GH07 R 6/1

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
George John STEVENS (new member) Mark MacLeod STEVENS (new member) Leonie NAPIER (new member) Peter BLORE (new member) Christopher Charles WEALE (new member)	Yanco Agricultural Institute Trust	Dedication No. 559005 Public Purpose: Experiment Farm Notified: 28 September 1951 File Reference: GH07 R 6/1
For a term commencing the date of this notice and expiring 8 May 2013.		

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. Upon closing, 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

SCHEDULE

Parish – Stanbridge; County – Cooper;
Land of District – Mirrool; L.G.A. – Griffith

Lot 10, DP 1125356, Parish of Stanbridge, County of Cooper. File GH05 H 89 (MR).

Note: (1) On closing, title for the land comprised in Lot 10 remains vested in the Griffith City Council as Operational Land.

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

SCHEDULE

Description

Land District and L.G.A. – Hay

Lot 1, DP 1124478, Parish of West Waradgery, County of Waradgery. File No.: HY98 H 287.

Note: On closing, title for the land comprised in Lot 1 will remain vested in the State of New South Wales as Crown Land.

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

SCHEDULE

Description

*Land District Deniliquin;
L.G.A. – Wakool*

Lot 1, DP 1124282, Parish of Chowar, County of Wakool. File No.: HY98 H 327.

Note: On closing, title for the land comprised in Lot 1 will remain vested in the State of New South Wales as Crown Land.

MAITLAND OFFICE**Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323****Phone: (02) 4937 9300 Fax: (02) 4934 2252****REVOCAION FOR RESERVATION OF CROWN LAND**

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

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

SCHEDULE

Column 1

Land District: Newcastle

Local Government Area:
Newcastle

Locality: Adamstown

Reserve No: 35353

Public Purpose:

For Police Purposes

Notified: 5 February 1913

File Reference: MD93 H 327

Column 2

The part being:

Lot 3276, DP 823771

Parish: Newcastle

County: Northumberland

Area: 1203 square metres

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 road hereunder described is closed and the land comprised therein ceases to be public road and the rights of passage and access that previously existed in relation to the road is extinguished.

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

Description

*Land District – Narrabri; Council – Narrabri Shire
Parishes – Milner; County – White*

Road Closed: Lot 1 in DP 1125585. File Reference:
ME06 H 219.

Note: On closing, the land within Lot 1 in DP 1125585
remains vested in the State of New South Wales as
Crown land.

NOTIFICATION OF CLOSING OF A ROAD

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

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

Description

*Land District – Moree; Council – Moree Plains Shire
Parishes – Gil Gil; County – Stapyhton*

Road Closed: Lot 1 in DP 1125583. File Reference:
ME05 H 272.

Note: On closing, the land within Lot 1 in DP 1125583
remains 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 Schedule hereunder.

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

Description

Parish – Morongla; County – Forbes
Land District – Cowra; Shire – Cowra

Road Closed: Lots 1 and 2 in Deposited Plan 1104407.
 File No.: OE05 H 114.

Note: On closing Title to the land comprised in Lots 1 and 2 remains vest in the Crown as Crown Land.

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 Schedule hereunder.

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

Description

Parish – Coradgery West; County – Kennedy
Land District – Parkes; Shire – Parkes

Road Closed: Lot 1 in Deposited Plan 1123191. File No.: OE05 H 290.

Note: On closing Title to the land comprised in Lot 1 remains vest in the Crown as Crown Land.

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 Schedule hereunder.

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

Description

Parish – Towac; County – Wellington;
Land District – Orange; Shire – Orange

Road Closed: Lot 1 in Deposited Plan 1122473. File No.: OE05 H 273

Note: On closing Title to the land comprised in Lot 1 remains vest in the Crown as Crown Land

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 Schedule hereunder.

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

Description

Parish – Currajong; County – Ashburnham
Land District – Parkes; Shire – Parkes

Road Closed: Lot 1 in Deposited Plan 1121716. File No.: OE93 H 206

Note: On closing Title to the land comprised in Lot 1 remains vest in the Crown as Crown Land

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 Schedule hereunder.

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

Description

Parish – Wilga South; County – Gipps;
Land District – Condobolin; Shire – Lachlan

Road Closed: Lot 1 in Deposited Plan 1123194. File No.: OE05 H 162

Note: On closing Title to the land comprised in Lot 1 remains vest in the Crown as Crown Land

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 Schedule hereunder.

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

Description

*Parish – Wolabler; County – Ashburnham;
Land District – Molong; Shire – Cabonne*

Road Closed: Lot 1 in Deposited Plan 1115415. File No.: OE05 H 75

Note: On closing Title to the land comprised in Lot 1 remains vest in the Crown as Crown Land

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 Schedule hereunder.

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

Description

*Parish – Gindantherie; County – Cook
Land District – Lithgow; Shire – Lithgow*

Road Closed: Lot 1 in Deposited Plan 1122360. File No.: OE04 H 564

Note: On closing Title to the land comprised in Lot 1 remains vest in the Crown as Crown Land

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

Land District: Orange
Local Government Area: Cabonne Council
Locality: Junctions Reefs

<i>Lot</i>	<i>Sec.</i>	<i>DP</i>	<i>Parish</i>	<i>County</i>
220		750141	Brymedura	Ashburnham
8		722326	Beaufort	Bathurst
15		722326	Beaufort	Bathurst
14		722326	Beaufort	Bathurst
64		750358	Beaufort	Bathurst
61		750358	Beaufort	Bathurst
56		750358	Beaufort	Bathurst
7300		1126280 #	Narragal	Gordon
332		750358	Beaufort	Bathurst
7001		1023185	Beaufort	Bathurst
3		723794	Clinton	Bathurst
2		723794	Clinton	Bathurst
98		750372	Clinton	Bathurst
7302		1124887 #	Lennox	Bathurst
17		750389	Lennox	Bathurst
7007		1020649	Lennox	Bathurst
292		750415	Waldegrave	Bathurst
201		723820	Orange	Wellington

Area: 129.9ha

File Reference: 08/3762

Column 2

Reserve No. 81412
Public Purpose: Public Recreation
Notified: 20 February 1959

<i>Lot</i>	<i>Sec.</i>	<i>DP</i>	<i>Parish</i>	<i>County</i>
77		750372	Clinton	Bathurst
7004		1026800	Eurimbula	Gordon
137		750394	Malmsbury	Bathurst
138		750394	Malmsbury	Bathurst
61		750372	Clinton	Bathurst
304		257201	Belubula	Bathurst
308		41443	Belubula	Bathurst
76		750359	Belubula	Bathurst
192		46505	Hampton	Bathurst
83		45391	Edinburgh	Ashburnham
91		45389	Edinburgh	Ashburnham
2		632384	Edinburgh	Ashburnham
70		756888	Larras Lake	Wellington
137		753228	Catombal	Gordon
2		732737	Lewis	Wellington
107		750139	Bowan	Ashburnham
7300		1123627 #	Bowan	Ashburnham
317		46481	Mulyan	Wellington
307		756895	Mulyan	Wellington
7002		1019937	Barrajin	Ashburnham
7004		1020283	Hampton	Bathurst
7009		1033102	Belubula	Bathurst
156		750359	Belubula	Bathurst
7011		1033102	Belubula	Bathurst
85		756874	Coolamin	Wellington
146		728833	Clinton	Bathurst
129		750359	Belubula	Bathurst
1		331101	Malmsbury	Bathurst
7004		750414 #	Vittoria	Bathurst
7002		1001968	Vittoria	Bathurst
7007		1001969	Vittoria	Bathurst

7006	1001973	Vittoria	Bathurst
311	722346	Belubula	Bathurst
196	750414	Vittoria	Bathurst
310	756895	Mulyan	Wellington
7005	1020283	Hampton	Bathurst
1	820943	Vittoria	Bathurst
7300	1123724 #	Coolamin	Wellington
7301	1123724 #	Coolamin	Wellington
7302	1123724 #	Coolamin	Wellington
7303	1123724 #	Coolamin	Wellington
7304	1123724 #	Coolamin	Wellington
7301	1123616 #	Lennox	Bathurst
2	880369	Vittoria	Bathurst
7010	1065852 #	Beneree	Bathurst
7001	1065853 #	Beneree	Bathurst
7017	1060857 #	Lewis	Wellington
7002	1060852 #	Lewis	Wellington
3	880369	Vittoria	Bathurst
7300	1123671 #	Lyndhurst	Bathurst
7301	1123671 #	Lyndhurst	Bathurst
7300	1123675	Belubula	Bathurst
110	705319	Coolamin	Wellington
7306	1123674 #	Aberfoil	Bathurst
7003	1030764	Cardington	Gordon
51	753227	Cardington	Gordon
147	750394	Malmsbury	Bathurst
7004	1020358	Malmsbury	Bathurst
7003	1020358	Malmsbury	Bathurst
7005	1020358	Malmsbury	Bathurst
156	705283	Malmsbury	Bathurst
203	750414	Vittoria	Bathurst
7300	1123698 #	Vittoria	Bathurst
202	750414	Vittoria	Bathurst
84	750418	Worcester	Bathurst
91	750418	Worcester	Bathurst
133	44150	Clinton	Bathurst
116	750372	Clinton	Bathurst
115	750372	Clinton	Bathurst
85	750372	Clinton	Bathurst
128	41056	Clinton	Bathurst
98	750393	Lyndhurst	Bathurst
99	750393	Lyndhurst	Bathurst
101	750393	Lyndhurst	Bathurst
7006	1019813	Lyndhurst	Bathurst
7007	1019813	Lyndhurst	Bathurst
7008	1019813	Lyndhurst	Bathurst
7009	1019813	Lyndhurst	Bathurst
143	750359	Belubula	Bathurst
147	750359	Belubula	Bathurst
148	750359	Belubula	Bathurst
150	750359	Belubula	Bathurst
157	750359	Belubula	Bathurst
159	750359	Belubula	Bathurst
182	750359	Belubula	Bathurst
195	750359	Belubula	Bathurst
219	750359	Belubula	Bathurst
221	750359	Belubula	Bathurst
222	750359	Belubula	Bathurst
224	750359	Belubula	Bathurst
234	750359	Belubula	Bathurst
245	750359	Belubula	Bathurst
254	750359	Belubula	Bathurst
255	750359	Belubula	Bathurst
282	750359	Belubula	Bathurst
283	750359	Belubula	Bathurst
285	750359	Belubula	Bathurst
286	750359	Belubula	Bathurst

193	750359	Belubula	Bathurst
192	750359	Belubula	Bathurst
173	750359	Belubula	Bathurst
149	750359	Belubula	Bathurst
172	750359	Belubula	Bathurst
218	750359	Belubula	Bathurst
179	750359	Belubula	Bathurst
178	750359	Belubula	Bathurst
181	750359	Belubula	Bathurst
200	750359	Belubula	Bathurst
211	750359	Belubula	Bathurst
258	750359	Belubula	Bathurst
306	257201	Belubula	Bathurst
7301	1123855 #	Belubula	Bathurst
7005	1020329	Belubula	Bathurst
104	750394	Malmsbury	Bathurst
108	753228	Catombal	Gordon
2	756888	Larras Lake	Wellington
7002	93432	Forbes	Wellington
7001	93433	Mulyan	Wellington
7004	93410	Larras Lake	Wellington
7002	93538	Dulladerry	Ashburnham
7001	1019818	Shadforth	Bathurst
126	41056	Clinton	Bathurst
7005	1001970	Vittoria	Bathurst
1	258470	Towac	Wellington
7003	1026796	Catombal	Gordon
172	750386	Hampton	Bathurst
7008	1033102	Belubula	Bathurst
248	750359	Belubula	Bathurst
249	750359	Belubula	Bathurst
191	750359	Belubula	Bathurst
174	750359	Belubula	Bathurst
180	750359	Belubula	Bathurst
260	750359	Belubula	Bathurst
176	750359	Belubula	Bathurst
231	750359	Belubula	Bathurst
232	750359	Belubula	Bathurst
7010	1033102	Belubula	Bathurst
111	41844	Larras Lake	Wellington
305	257201	Belubula	Bathurst
1	702839	Hampton	Bathurst
193	46505	Hampton	Bathurst
97	750358	Beaufort	Bathurst
48	720622	Lennox	Bathurst
7002	1053782	Canobolas	Ashburnham
7003	1023295	Bowan	Ashburnham
81	45390	Edinburgh	Ashburnham
144	756910	Towac	Wellington
200	750139	Bowan	Ashburnham
105	45378	Lyndhurst	Bathurst
45	750359	Belubula	Bathurst
144	750359	Belubula	Bathurst
151	750359	Belubula	Bathurst
169	750359	Belubula	Bathurst
177	750359	Belubula	Bathurst
190	750359	Belubula	Bathurst
194	750359	Belubula	Bathurst
196	750359	Belubula	Bathurst
223	750359	Belubula	Bathurst
247	750359	Belubula	Bathurst
253	750359	Belubula	Bathurst
284	750359	Belubula	Bathurst
318	46481	Mulyan	Wellington

New Area: 3118ha

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

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

Land District: Bathurst
Local Government Area: Bathurst Regional Council
Locality: Sofala

Lot	Sec.	DP	Parish	County
301		45379	Warrangunia	Roxburgh
298		45379	Warrangunia	Roxburgh
304		46454	Warrangunia	Roxburgh
294		46472	Warrangunia	Roxburgh
1		709685	Warrangunia	Roxburgh
1		718571	Warrangunia	Roxburgh
291		755799	Warrangunia	Roxburgh
7003		1025851	Warrangunia	Roxburgh
7004		1027983	Warrangunia	Roxburgh
97		720594	Waterbeach	Roxburgh
94		755800	Waterbeach	Roxburgh
70		755800	Waterbeach	Roxburgh
58		755800	Waterbeach	Roxburgh
5		755800	Waterbeach	Roxburgh
33		755800	Waterbeach	Roxburgh
31		755800	Waterbeach	Roxburgh
105		42913	Winburn	Roxburgh
104		42913	Winburn	Roxburgh
99		257007	Winburn	Roxburgh
109		727023	Winburn	Roxburgh
107		727023	Winburn	Roxburgh
93		755804	Winburn	Roxburgh
85		755804	Winburn	Roxburgh
7003		1051996 #	Winburn	Roxburgh
7004		1051996 #	Winburn	Roxburgh
245		755805	Yetholme	Roxburgh
173		704747	Cunningham	Wellington
172		704747	Cunningham	Wellington
171		704747	Cunningham	Wellington
184		704748	Cunningham	Wellington
179		704753	Cunningham	Wellington
178		704753	Cunningham	Wellington
177		704753	Cunningham	Wellington
176		704754	Cunningham	Wellington
189		726552	Cunningham	Wellington
7300		1123401	Cunningham	Wellington
63		756878	Cunningham	Wellington
162		756878	Cunningham	Wellington
7001		1028110	Cunningham	Wellington
7004		1050831	Cunningham	Wellington
7006		93584	Tambaroora	Wellington
7301		1123415	Ulmarrah	Wellington
7005		93584	Tambaroora	Wellington
345		756905	Tambaroora	Wellington
54		722321	Ulmarrah	Wellington
7300		1123415	Ulmarrah	Wellington
7302		1123415	Ulmarrah	Wellington
PT 519		755790	Sofala	Roxburgh
7306		1126640 #	Bruinbun	Roxburgh
1		634753	Crudine	Roxburgh
7303		1123509	Aberfoil	Bathurst
7304		1123509	Aberfoil	Bathurst
7301		1123607	St David	Bathurst

Column 2

Reserve No. 97960
Public Purpose: Public Recreation
Notified: 25 October 1985

Lot	Sec.	DP	Parish	County
116		728855	Waltham	Roxburgh
32		257526	Macquarie	Roxburgh
95		755770	Dulabree	Roxburgh
7308		1123546 #	Freemantle	Bathurst
7310		1123546 #	Freemantle	Bathurst
7312		1123546 #	Freemantle	Bathurst
7314		1123546 #	St David	Bathurst
7316		1123546 #	St David	Bathurst
7318		1123546 #	St David	Bathurst
7320		1123546 #	St David	Bathurst
7309		1123546 #	Piper	Roxburgh
7311		1123546 #	Piper	Roxburgh
7313		1123546 #	Piper	Roxburgh
7315		1123546 #	Piper	Roxburgh
7317		1123546 #	Piper	Roxburgh
7319		1123546 #	Piper	Roxburgh
7321		1123546 #	Piper	Roxburgh
1		626308	Sofala	Roxburgh
27		755790	Sofala	Roxburgh
31		257526	Macquarie	Roxburgh
31		257526	Macquarie	Roxburgh
95		755790	Sofala	Roxburgh
98		755790	Sofala	Roxburgh
130		755790	Sofala	Roxburgh
201		755790	Sofala	Roxburgh
322		257597	Sofala	Roxburgh
7002		1028077	Sofala	Roxburgh
7300		1123475	Sofala	Roxburgh
4		755790	Sofala	Roxburgh
94		755790	Sofala	Roxburgh
96		755790	Sofala	Roxburgh
101		755790	Sofala	Roxburgh
152		755790	Sofala	Roxburgh
321		257597	Sofala	Roxburgh
7001		1002454	Sofala	Roxburgh
7300		1123503	St David	Bathurst
93		755790	Sofala	Roxburgh
97		755790	Sofala	Roxburgh
200		755790	Sofala	Roxburgh
7300		1123837 #	Dulabree	Roxburgh
440		755790	Sofala	Roxburgh
7034		1068814 #	Sofala	Roxburgh
7004		1068813 #	Sofala	Roxburgh

New Area: 4518.4ha

126	722134	Bandamora	Roxburgh
7004	1029383	Bandamora	Roxburgh
1	19 758222	Bandamora	Roxburgh
7002	93445	Bruinbun	Roxburgh
7004	93446	Bruinbun	Roxburgh
7300	1123592 #	Bruinbun	Roxburgh
7301	1123592 #	Bruinbun	Roxburgh
7304	1123601 #	Bruinbun	Roxburgh
7305	1123601 #	Bruinbun	Roxburgh
192	44111	Crudine	Roxburgh
190	44111	Crudine	Roxburgh
189	44111	Crudine	Roxburgh
170	44142	Crudine	Roxburgh
181	44143	Crudine	Roxburgh
179	44143	Crudine	Roxburgh
172	44144	Crudine	Roxburgh
174	44145	Crudine	Roxburgh
178	44146	Crudine	Roxburgh
176	44146	Crudine	Roxburgh
186	44148	Crudine	Roxburgh
197	44149	Crudine	Roxburgh
196	44149	Crudine	Roxburgh
194	44149	Crudine	Roxburgh
182	44143	Crudine	Roxburgh
203	723808	Crudine	Roxburgh
202	723810	Crudine	Roxburgh
201	723810	Crudine	Roxburgh
31	755768	Crudine	Roxburgh
164	755768	Crudine	Roxburgh
153	755768	Crudine	Roxburgh
7002	1030725	Crudine	Roxburgh
7007	1109400 #	Crudine	Roxburgh
7007	1116039 #	Crudine	Roxburgh
7	755771	Duramana	Roxburgh
7001	1020451	Duramana	Roxburgh
7002	1020457	Duramana	Roxburgh
101	755773	Eusdale	Roxburgh
187	725911	Hearne	Roxburgh
186	755778	Hearne	Roxburgh
167	755778	Hearne	Roxburgh
4	755785	Millah Murrah	Roxburgh
7002	93447	Piper	Roxburgh
66	755788	Piper	Roxburgh
7001	1020416	Piper	Roxburgh
582	727000	Sofala	Roxburgh
7301	1123612 #	Sofala	Roxburgh
7302	1123612 #	Sofala	Roxburgh
7303	1123612 #	Sofala	Roxburgh
7304	1123612 #	Sofala	Roxburgh
7305	1123612 #	Sofala	Roxburgh
7306	1123612 #	Sofala	Roxburgh
7307	1123612 #	Sofala	Roxburgh
7309	1123796 #	Sofala	Roxburgh
7310	1123796 #	Sofala	Roxburgh
7311	1123796 #	Sofala	Roxburgh
7313	1123796 #	Sofala	Roxburgh
7314	1123796 #	Sofala	Roxburgh
7315	1123796 #	Sofala	Roxburgh
7316	1123796 #	Sofala	Roxburgh
538	755790	Sofala	Roxburgh
532	755790	Sofala	Roxburgh
528	755790	Sofala	Roxburgh
520	755790	Sofala	Roxburgh
48	755790	Sofala	Roxburgh
300	755790	Sofala	Roxburgh
293	755790	Sofala	Roxburgh
252	755790	Sofala	Roxburgh

158		755790	Sofala	Roxburgh
90		758908	Sofala	Roxburgh
3		882464	Sofala	Roxburgh
7014		1025813 #	Sofala	Roxburgh
7013		1028098	Sofala	Roxburgh
7030		1030444 #	Sofala	Roxburgh
7031		1051933 #	Sofala	Roxburgh
7012		1051934 #	Sofala	Roxburgh
7019		1060341	Sofala	Roxburgh
7036		1060342 #	Sofala	Roxburgh
7018		1060344	Sofala	Roxburgh
7035		1060495 #	Sofala	Roxburgh
7036		1060495 #	Sofala	Roxburgh
7015		1060511 #	Sofala	Roxburgh
7016		1060520 #	Sofala	Roxburgh
91	7	758908	Sofala	Roxburgh
6	7	758908	Sofala	Roxburgh
5	7	758908	Sofala	Roxburgh
4	7	758908	Sofala	Roxburgh
3	7	758908	Sofala	Roxburgh
20	7	758908	Sofala	Roxburgh
2	7	758908	Sofala	Roxburgh
19	7	758908	Sofala	Roxburgh
18	7	758908	Sofala	Roxburgh
17	7	758908	Sofala	Roxburgh
1	7	758908	Sofala	Roxburgh
7300		1123408	Stewart	Roxburgh
1		34538	Thornshope	Roxburgh
79		40069	Walberton	Roxburgh
77		257036	Walberton	Roxburgh
81		704716	Walberton	Roxburgh
98		705279	Walberton	Roxburgh
102		705279	Walberton	Roxburgh
101		705279	Walberton	Roxburgh
100		705279	Walberton	Roxburgh
7300		1123413	Walberton	Roxburgh
32		755797	Walberton	Roxburgh
65		755797	Walberton	Roxburgh
86		46466	Walberton	Roxburgh
84		46467	Walberton	Roxburgh
7002		96099	Walberton	Roxburgh
91		45400	Waltham	Roxburgh
98		257011	Waltham	Roxburgh
108		722323	Waltham	Roxburgh

Area: 4104.9ha

File Reference: 08/3664

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

SYDNEY METROPOLITAN OFFICE
Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta 2150
(PO Box 3935, Parramatta NSW 2124)
Phone: (02) 8836 5300 Fax: (02) 8836 5365

**APPOINTMENT OF CORPORATION TO MANAGE
RESERVE TRUST**

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

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

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Kogarah Council	State Rail Land (R1013848) Reserve Trust	Part Reserve No. 1013848 Public Purpose: Public Recreation and Urban Services Notified: 29 June 2007 Lot 1, DP 803348 File No.: 08/3235

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Ross Bernard FOWLER (re-appointment) Stephen Richard HACKETT (re-appointment) John Stuart LEITCH (re-appointment) Duncan Geoffrey McDONALD (re-appointment) Hank VAN DER POEL (new member) For a term expiring 7 May 2013.	Blaxland Crossing Recreation and Rest Ground Trust	Reserve No. 81721 Public Purpose: Resting Place, Public Recreation Notified: 19 June 1959 Dedication No. 500350 Public Purpose: Public Recreation, Resting Place Notified: 26 June 1931 File Ref.: MN80R197/4

**REVOCATION OF RESERVATION OF
CROWN LAND**

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

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

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
Land District: Metropolitan Council: Warringah Parish: Manly Cove County: Cumberland Location: Belrose Reserve: 1012168 - Public purpose of access and public requirements, rural services, tourism purposes and environmental and heritage conservation. Notified: 28 August 2006; 752038 – Public purpose of future public requirements Notified: 29 June 2007; 1014288 – Public purpose urban services. Notified: 7 December 2007 File No.: 07/4991	Part Reserve 1012168, Part Reserve 752038 and whole Reserve 1014288 created over Lot 2651, DP 752038.

NOTIFICATION OF CLOSING OF ROAD

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

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

Descriptions

Land District – Metropolitan; L.G.A. – Pittwater

Lot 1, DP 1125035 at Palm Beach, Parish Narrabeen, County Cumberland. MN06 H 213

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

(2) The road is closed subject to the easement for gas main 4 wide and variable as shown in DP 1125035.

WAGGA WAGGA OFFICE**Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga NSW 2650****Phone: (02) 6937 2700 Fax: (02) 6921 1851****ROADS ACT 1993****ORDER**

Transfer of Crown Road to a Council

IN pursuance of the provisions of section 151, Roads Act 1993, the Crown public roads specified in Schedule 1 are transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date, the roads specified in Schedule 1 cease to be Crown public road.

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

*Parish – Mitchell; County – Goulburn
Land District – Albury; Shire – Greater Hume*

SCHEDULE 1

Crown Public Road 20.115 wide described as the road south of Lot 41, DP 753348.

SCHEDULE 2

Roads Authority: Greater Hume Shire Council. File No: WA06 H 447.

ROADS ACT 1993**ORDER**

Transfer of Crown Road to a Council

IN pursuance of the provisions of section 151, Roads Act 1993, the Crown public roads specified in Schedule 1 are transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date, the roads specified in Schedule 1 cease to be Crown public road.

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

*Parish – Willie Ploma; County – Wynyard
Land District – Gundagai; Shire – Gundagai*

SCHEDULE 1

Crown Public Road 20.115 wide described as Lot 36, DP 749339.

SCHEDULE 2

Roads Authority: Gundagai Shire Council. File No: 08/170.

WESTERN REGION OFFICE
45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830
Phone: (02) 6883 3000 Fax: (02) 6883 3099

**REVOCATION OF RESERVATION OF
CROWN LAND**

IN pursuance of section 61A of the Commons Management Act 1989, the setting aside of Crown land specified in Column 1 of the Schedule hereunder, is revoked to the extent specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Reserve No: 5498 Purpose: Temporary Common Notified: 11 February 1888 Locality: Broken Hill Parish: Picton County: Yancowinna File No: WL98 R 1795	Those parts within Lots 1, 20, 21 and 22 DP 1110898 being an area of 48.21 ha
Reserve No: 23158 Purpose: Temporary Common Notified: 18 November 1895 Locality: Broken Hill Parish: Picton County: Yancowinna File No: WL98 R 1794 File Ref: WL06 H 93	Those parts within Lots 2 and 3, DP 1110898 being an area of 46.85 ha

**DEDICATION OF CROWN LAND AS
PUBLIC ROAD**

PURSUANT to section 12 of the Roads Act, 1993, the Crown land described in Schedule 1 hereunder is, from the date of publication of this notice, dedicated as public road. The public road hereby dedicated is declared not to be Crown road within the meaning of the Roads Act 1993.

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

Description

Parish of Picton; County of Yancowinna
Administrative District – Broken Hill
Unincorporated Area

SCHEDULE 1

Lot 1, DP 1110898; Lot 2, DP 1110898; Lot 3, DP 1110898; Lot 4, DP 1110898; Lot 7, DP 1110898; Lot 12, DP 1110898; Lot 14, DP 1110898; Lot 20, DP 1110898; Lot 21, DP 1110898; Lot 22, DP 1110898; Lot 29, DP 1110898.
File Ref: WL06 H 93.

Note: Affected parts of Crown Reserves 41833 and 1013688 are hereby revoked.

ASSIGNMENT OF NAME TO A RESERVE TRUST

PURSUANT to clause 4 (3) of Schedule 8 to the Crown Lands Act 1989, the name specified in Column 1 of the Schedule hereunder is assigned to the reserve trust constituted as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Broken Hill Plantation (R75968) Reserve Trust	Reserve No. 75968 Public Purpose: Plantation Notified: 5 June 1953 File Reference: WL86R292/1

ASSIGNMENT OF NAME TO A RESERVE TRUST

PURSUANT to clause 4 (3) of Schedule 8 to the Crown Lands Act 1989, the name specified in Column 1 of the Schedule hereunder is assigned to the reserve trust constituted as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Broken Hill Preservation of Native Flora (R66816) Reserve Trust	Reserve No. 66816 Public Purpose: Preservation of Native Flora Notified: 18 June 1937 File Ref.: WL86 R 263/1

GRANTING OF A WESTERN LANDS LEASE

IT is hereby notified that under the provisions of section 28A of the Western Lands Act 1901, the Western Lands Leases of the lands specified in the following Schedule have been granted to the undermentioned persons.

The leases are subject to the provisions of the Western Lands Act 1901 and the Regulations thereunder.

The land is to be used only for the purpose of Residence.

Initial rent will be \$100.00 per annum and re-assessed thereafter annually on 1 April of each year.

The Conditions and Reservations annexed to such leases are those Conditions published in the *Government Gazette* of 25 May 2007, Folios 2974-2975.

All amounts due and payable to the Crown must be paid to the Department of Lands by the due date.

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

*Administrative District – Walgett North; Shire – Walgett
Parish – Wallangulla/Mebea; County – Finch*

WLL No.	Name of Lessee	Lot	Deposited Plan No.	Folio identifier	Area	Term of Lease	
						From	To
WLL15054	Peter SAMELOWSKI	366	1076808	366/1076808	2382m ²	29-Apr-2008	28-Apr-2028
WLL14870	Herbert SEIFERT	44	1076808	44/1076808	2605m ²	29-Apr-2008	28-Apr-2028
WLL14982	Mathew EGAN	69	1073508	69/1073508	2415m ²	29-Apr-2008	28-Apr-2028
WLL15082	Arni HADSEL	20	1073508	20/1073508	2549m ²	29-Apr-2008	28-Apr-2028
WLL14757	John James RUTLEDGE and Joan RUTLEDGE as Joint Tenants	317	1076808	317/1076808	1779m ²	29-Apr-2008	28-Apr-2028
WLL14966	Robert Charles WHITTAKER	150	1073508	150/1073508	2281m ²	29-Apr-2008	28-Apr-2028
WLL14963	Marlene SHELTON	70	1076808	70/1076808	1014m ²	29-Apr-2008	28-Apr-2028
WLL14946	Dorothy FAZLDEEN	205	1076808	205/1076808	2169m ²	29-Apr-2008	28-Apr-2028
WLL14749	Mike ZIMMERMAN	51	1073508	51/1035088	2380m ²	29-Apr-2008	28-Apr-2028
WLL15001	Nicholas George NELSON and Ava CVEJIC-VASTAC as Joint Tenants	266	1076808	266/1076808	2513m ²	29-Apr-2008	28-Apr-2028
WLL14965	Paul David LUCAS	118	1073508	118/1073508	2375m ²	29-Apr-2008	28-Apr-2028
WLL14893	Robert Nelson BRAY	50	1076808	50/1076808	2132m ²	29-Apr-2008	28-Apr-2028
WLL14919	Neville Walter WEAVER	13	1057617	13 /1057617	2200m ²	29-Apr-2008	28-Apr-2028
WLL14978	Leonard Richard IDDLES	39	1076808	39/1076808	2471m ²	29-Apr-2008	28-Apr-2028
WLL15009	Wendy THURSTON	245	1076808	245/1076808	2487m ²	29-Apr-2008	28-Apr-2028
WLL15017	Milijada ZURKIC	61	1076808	61/1076808	2509m ²	29-Apr-2008	28-Apr-2028
WLL14613	Drago RIBIC and Nicholas RIBIC as Joint Tenants	86	1076808	86/1076808	2403m ²	29-Apr-2008	28-Apr-2028
WLL14967	Peter Ian EVANS	179	1076808	179/1076808	2460m ²	29-Apr-2008	28-Apr-2028
WLL14959	E H OPALS PROPRIETY LTD	409	1076808	409/1076808	1852m ²	29-Apr-2008	28-Apr-2028
WLL15022	Christopher Harold COPE and Patricia Betty COPE as Joint Tenants	191	1076808	191 /1076808	2485m ²	29-Apr-2008	28-Apr-2028
WLL14923	Josip BOLIC, Sabina BOLIC and Linda SMITH as Joint Tenants	67	1076808	67/1076808	2289m ²	29-Apr-2008	28-Apr-2028

Department of Planning

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land in the Local Government Area of Lane Cove

THE Minister administering the Environmental Planning and Assessment Act 1979 declares, with the approval of Her Excellency the Governor that the land described in the Schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Environmental Planning and Assessment Act 1979.

Dated at Sydney this 9th day of April 2008.

By Her Excellency's Command

FRANK SARTOR, M.P.,
Minister for Planning

SCHEDULE

ALL that piece or parcel of land situated in the Local Government Area of Lane Cove, Parish of Willoughby, County of Cumberland being, proposed Lot 1 in the subdivision of Lot 212, Deposited Plan 866891, 1 Knott Lane, Longueville being part of the land comprised in Folio Identifier 212/866891 and said to be in the ownership of the Diane Kay Halley.



New South Wales

State Environmental Planning Policy (Rural Lands) 2008

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Planning. (S07/01214/PC)

FRANK SARTOR, M.P.,
Minister for Planning

State Environmental Planning Policy (Rural Lands) 2008

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Page 2

State Environmental Planning Policy (Rural Lands) 2008

Clause 1

Preliminary

Part 1

Part 1 Preliminary

1 Name of Policy

This Policy is *State Environmental Planning Policy (Rural Lands) 2008*.

2 Aims of Policy

The aims of this Policy are as follows:

- (a) to facilitate the orderly and economic use and development of rural lands for rural and related purposes,
- (b) to identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State,
- (c) to implement measures designed to reduce land use conflicts,
- (d) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,
- (e) to amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.

3 Definitions

- (1) In this Policy:

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

environment protection zone means any of the following, or an equivalent land use zone:

- (a) Zone E1 National Parks and Nature Reserves,
- (b) Zone E2 Environmental Conservation,
- (c) Zone E3 Environmental Management,
- (d) Zone E4 Environmental Living.

panel means a rural lands planning panel constituted under Part 5.

Rural Planning Principles—see clause 7.

rural residential zone means Zone R5 Large Lot Residential or an equivalent land use zone.

Rural Subdivision Principles—see clause 8.

Clause 4 State Environmental Planning Policy (Rural Lands) 2008
 Part 1 Preliminary

rural zone means any of the following, or an equivalent land use zone:

- (a) Zone RU1 Primary Production,
- (b) Zone RU2 Rural Landscape,
- (c) Zone RU3 Forestry,
- (d) Zone RU4 Rural Small Holdings,
- (e) Zone RU6 Transition.

State significant agricultural land—see clause 13.

the Act means the *Environmental Planning and Assessment Act 1979*.

- (2) A reference in this Policy to land within a named land use zone is a reference to land that, under an environmental planning instrument made as provided by section 33A (2) of the Act, is within that zone.
- (3) A reference in this Policy to land within a land use zone that is equivalent to a named land use zone is a reference to land that, under an environmental planning instrument that is not made as provided by section 33A (2), is within a land use zone that (in the opinion of the consent authority for the land) is equivalent to that named land use zone.
- (4) Notes included in this Policy do not form part of this Policy.

4 Land to which Policy applies

This Policy applies to the State, other than those parts of the State within the following local government areas:

Ashfield, Auburn, Bankstown, Baulkham Hills, Blacktown, Blue Mountains, Botany Bay, Burwood, Camden, Campbelltown, Canada Bay, Canterbury, City of Sydney, Fairfield, Gosford, Hawkesbury, Holroyd, Hornsby, Hunters Hill, Hurstville, Kogarah, Ku-ring-gai, Lake Macquarie, Lane Cove, Leichhardt, Liverpool, Manly, Marrickville, Mosman, Newcastle, North Sydney, Parramatta, Penrith, Pittwater, Randwick, Rockdale, Ryde, Strathfield, Sutherland, Warringah, Waverley, Willoughby, Wollondilly, Wollongong, Woollahra, Wyong.

5 Relationship with other environmental planning instruments

If there is an inconsistency between this Policy and any other environmental planning instrument, whether made before or after the commencement of this Policy, this Policy prevails to the extent of the inconsistency.

6 Repeal of Schedule

- (1) Schedule 1 is repealed on the day following the day on which this Policy commences.

State Environmental Planning Policy (Rural Lands) 2008

Clause 6

Preliminary

Part 1

- (2) The repeal of that Schedule does not, because of the operation of section 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

Clause 7	State Environmental Planning Policy (Rural Lands) 2008
Part 2	Rural Planning Principles

Part 2 Rural Planning Principles

7 Rural Planning Principles

The Rural Planning Principles are as follows:

- (a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,
- (b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,
- (c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,
- (d) in planning for rural lands, to balance the social, economic and environmental interests of the community,
- (e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,
- (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,
- (g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,
- (h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.

Note. Under section 117 of the Act, the Minister has directed that councils exercise their functions relating to local environmental plans in accordance with the Rural Planning Principles. Under section 55 of the Act, the Minister may also direct a council to prepare a local environmental plan.

State Environmental Planning Policy (Rural Lands) 2008

Clause 8

Rural subdivisions and dwellings

Part 3

Part 3 Rural subdivisions and dwellings

Note. This Policy does not change the minimum lot size provision in existing environmental planning instruments. This Policy does permit variation of minimum lot sizes for agricultural purposes (see clause 9).

8 Rural Subdivision Principles

The Rural Subdivision Principles are as follows:

- (a) the minimisation of rural land fragmentation,
- (b) the minimisation of rural land use conflicts, particularly between residential land uses and other rural land uses,
- (c) the consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands,
- (d) the consideration of the natural and physical constraints and opportunities of land,
- (e) ensuring that planning for dwelling opportunities takes account of those constraints.

Note. Under section 117 of the Act, the Minister has directed that councils exercise their functions relating to changes in minimum lot sizes under local environmental plans in accordance with the Rural Planning Principles and the Rural Subdivision Principles. Under section 55 of the Act, the Minister may also direct a council to prepare a local environmental plan.

9 Rural subdivision for agricultural purposes

- (1) The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.
- (2) Land in a rural zone may, with consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size otherwise permitted for that land.
- (3) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.
- (4) A dwelling cannot be erected on such a lot.
- (5) *State Environmental Planning Policy No 1—Development Standards* does not apply to a development standard under this clause.

10 Matters to be considered in determining development applications for rural subdivisions or rural dwellings

- (1) This clause applies to land in a rural zone, a rural residential zone or an environment protection zone.

Clause 11 State Environmental Planning Policy (Rural Lands) 2008
Part 3 Rural subdivisions and dwellings

- (2) A consent authority must take into account the matters specified in subclause (3) when considering whether to grant consent to development on land to which this clause applies for any of the following purposes:
- (a) subdivision of land proposed to be used for the purposes of a dwelling,
 - (b) erection of a dwelling.
- (3) The following matters are to be taken into account:
- (a) the existing uses and approved uses of land in the vicinity of the development,
 - (b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,
 - (c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),
 - (d) if the land is not situated within a rural residential zone, whether or not the development is likely to be incompatible with a use on land within an adjoining rural residential zone,
 - (e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d).

11 Amendment of concessional lot provisions

The environmental planning instruments specified in Schedule 1 are amended as set out in that Schedule.

Note. The amendments made by the Schedule do not affect any existing entitlement in any environmental planning instrument to erect a dwelling on land within a rural zone or an environment protection zone.

State Environmental Planning Policy (Rural Lands) 2008

Clause 12

State significant agricultural land

Part 4

Part 4 State significant agricultural land

12 Objects of Part

The objects of this Part are as follows:

- (a) to identify State significant agricultural land and to provide for the carrying out of development on that land,
- (b) to provide for the protection of agricultural land:
 - (i) that is of State or regional agricultural significance, and
 - (ii) that may be subject to demand for uses that are not compatible with agriculture, and
 - (iii) if the protection will result in a public benefit.

13 State significant agricultural land

- (1) Land is State significant agricultural land if it is listed in Schedule 2.
- (2) The provisions in Schedule 2 relating to the carrying out of development on State significant agricultural land have effect.

Clause 14	State Environmental Planning Policy (Rural Lands) 2008
Part 5	Rural lands planning panels

Part 5 Rural lands planning panels

14 Functions of panels

- (1) A rural lands planning panel is, at the request of the Director-General, to advise the Director-General with respect to a rural lands development application that contravenes a development standard.

Note. Under *State Environmental Planning Policy No 1—Development Standards*, and provisions equivalent to clause 4.6 of the standard instrument under the *Standard Instrument (Local Environmental Plans) Order 2006*, the Director-General's concurrence is required to development consent that contravenes a development standard.

- (2) In this clause:

rural lands development application means an application for development consent to subdivide land or to erect a dwelling on land in a rural zone or an environment protection zone or on land within a rural residential zone that adjoins a rural zone.

15 Constitution of panels

- (1) The Minister may constitute one or more rural lands planning panels.
- (2) A panel may be constituted for a region or for one or more local government areas or for all the local government areas to which this Policy applies.
- (3) More than one panel may be constituted in relation to the same region or the same local government area.

16 Members of panels

- (1) A panel is to consist of not more than 3 persons appointed by the Minister.
- (2) The Minister is to appoint one of the members of a panel as the chairperson of the panel.
- (3) A person is qualified for appointment as a member of a panel if the person has expertise in any one or more of the following, namely, planning, local government, primary production or economics.
- (4) In appointing the members of a panel, the Minister is to ensure, as far as practicable, that the members have expertise in a mix of the disciplines referred to in subclause (3).

17 Alternate member

- (1) The Minister may appoint one or more alternate members for a panel.
- (2) An alternate member may act in the place of any member of the panel who for any reason is unable to act as a member.

State Environmental Planning Policy (Rural Lands) 2008

Clause 18

Rural lands planning panels

Part 5

-
- (3) An alternate member must have one of the qualifications referred to in clause 16 (3) and is not required to have the same qualification as the member in whose place the alternate member acts.
- (4) The provisions of this Part apply to an alternate member in the same way as those provisions apply to a member.

18 Term and other conditions of office

A member of a panel:

- (a) holds office for such term as is determined by the Minister, and
- (b) ceases to hold office in such circumstances as are determined by the Minister, and
- (c) is entitled to such remuneration, if any, and to the payment of such expenses, if any, as are determined by the Minister, and
- (d) holds office subject to such conditions as are determined by the Minister.

19 Vacancy in office

If the office of a member of a panel becomes vacant, a person may, subject to this Policy, be appointed to fill the vacancy.

20 Pecuniary interests

A member of a panel who has a pecuniary interest (within the meaning of sections 442 and 443 of the *Local Government Act 1993*) in any matter that is the subject of advice by the panel and who is present at a meeting of the panel at which the matter is being considered:

- (a) must disclose the interest to the meeting as soon as practicable, and
- (b) must not take part in the consideration or discussion of the matter, and
- (c) must not vote on any question relating to the matter.

21 Procedure at meetings

Subject to clause 22, the procedure at meetings of a panel is to be determined by the Minister or, in the absence of any such determination, by the panel.

22 Quorum

The quorum at a meeting of a panel is a majority of the members for the time being of the panel.

Clause 23 State Environmental Planning Policy (Rural Lands) 2008

Part 6 Miscellaneous

Part 6 Miscellaneous

23 Existing development applications

If a development application has been made before the commencement of this Policy in relation to land to which this Policy applies and the application has not been finally determined before that commencement, the application must be determined as if this Policy had not been commenced.

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(Clause 11)

1.1 Albury Local Environmental Plan 2000

[1] Clause 5 Definitions

Insert after clause 5 (3):

- (4) Notes in this plan do not form part of this plan.

[2] Clause 32 How can land be subdivided in the Environment Protection Zone?

Omit clause 32 (1) (b).

[3] Clause 32, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 33A

Insert after clause 33:

33A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
(b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.2 Barraba Local Environmental Plan 1990

[1] Clause 5 Definitions

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 12 Consolidation of land within Zone No 1 (a)

Omit the clause.

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[3] Clause 13 Subdivision for the purpose of agriculture in Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 18A

Insert after clause 18:

18A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.3 Bega Valley Local Environmental Plan 2002**[1] Clause 9 Definitions**

Insert after clause 9 (1):

- (2) Notes in this plan do not form part of this plan.

[2] Clause 16 Limited subdivisions for the purpose of dwellings within Zone 1 (a)

Omit the clause.

[3] Clause 17 Controls for erecting dwelling houses within Zone 1 (a)

Omit clause 17 (2) (c) and (3).

[4] Clause 17 (10)

Omit "or 16".

[5] Clause 17A

Insert after clause 17:

17A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising

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under a provision of this plan (as in force before that amendment) to erect a dwelling house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

[6] Clause 18 Controls for subdivision for other purposes within Zone 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

1.4 Berrigan Local Environmental Plan 1992

[1] Clause 5 Definitions

Insert after clause 5 (3):

- (4) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision for the purpose of agriculture within Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[3] Clause 14 Subdivision for the purposes of dwellings within Zone No 1 (a)

Omit the clause.

[4] Clause 18A

Insert after clause 18:

18A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.5 Bland Local Environmental Plan 1993

[1] Clause 5 Interpretation

Insert after clause 5 (3):

- (4) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision for the purposes of agriculture in Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[3] Clause 13 Subdivision for the purposes of dwellings in Zone No 1 (a)

Omit the clause.

[4] Clause 16A

Insert after clause 16:

16A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
(b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.6 Blayney Local Environmental Plan 1998

[1] Clause 5 Definitions

Omit clause 5 (4). Insert instead:

- (4) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision for the purpose of agriculture in Zones Nos 1 (a), 7 (a) and 7 (c)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

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[3] Clause 13 Subdivision for the purpose of dwelling-houses in Zones Nos 1 (a), 7 (a) and 7 (c)

Omit clause 13 (3).

[4] Clause 17B

Insert after clause 17A:

17B Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.7 Bogan Local Environmental Plan 1991

[1] Clause 5 Definitions

Insert after clause 5 (4):

- (5) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision of land generally

Omit “, (4), (5)” from clause 12 (2).

[3] Clause 12 (4) and (5)

Omit the subclauses.

[4] Clause 12, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[5] Clause 13A

Insert after clause 13:

13A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising

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under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.8 Bombala Local Environmental Plan 1990**[1] Clause 15 Subdivision of land within Zone No 1 (a) for the purpose of agriculture**

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[2] Clause 17 Subdivision of land within Zone No 1 (a) for the purpose of a dwelling-house

Omit the clause.

[3] Clause 19 Dwelling-houses—Zone No 1 (a)

Omit clause 19 (1) (c).

[4] Clause 19 (5)

Omit “but subject to subclause (6)”.

[5] Clause 19 (6)

Omit the subclause.

[6] Clause 19A

Insert after clause 19:

19A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.9 Bourke Local Environmental Plan 1998

[1] Clause 6 Definitions

Omit clause 6 (3). Insert instead:

- (3) Notes in this plan do not form part of this plan.

[2] Clause 13 Subdivision for the purpose of agriculture in Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[3] Clause 14 Subdivision for the purpose of dwellings in Zone No 1 (a)

Omit the clause.

[4] Clause 18A

Insert after clause 18:

18A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
(b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.10 Brewarrina Local Environmental Plan 2000

[1] Clause 13 Subdivision for the purpose of agriculture in Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[2] Clause 14 Subdivision for the purpose of dwellings in Zone No 1 (a)

Omit the clause.

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[3] Clause 18A

Insert after clause 18:

18A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.11 Cabonne Local Environmental Plan 1991

[1] Clause 5 Definitions

Insert after clause 5 (3):

- (4) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision for the purposes of agriculture in Zones Nos 1 (a) and 7 (c)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[3] Clause 14 Subdivision for the purposes of dwellings in Zones Nos 1 (a) and 7 (c)

Omit the clause.

[4] Clause 18A

Insert after clause 18:

18A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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[5] Clause 37 Subdivision of certain land in Spring Hill and in the vicinity of Fannings Lane, Orange

Omit clause 37 (2) (a). Insert instead:

- (a) each such allotment has an area of not less than 0.4 hectares and generally not more than 5 hectares (unless justified on the grounds of water supply or agricultural buffer, or both), and
- (a1) each such allotment does not compromise prime crop and pasture land, and
- (a2) the creation of each such allotment is unlikely to adversely affect the existing and potential capability of the land and adjacent land to produce food or fibre, and
- (a3) the creation of each such allotment is unlikely to generate additional servicing costs beyond those that can be met by the developer, and

1.12 Conargo Local Environmental Plan 1987

[1] Clause 4 Interpretation

Insert after clause 4 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 11 Rural subdivision—Zone No 1 (a)

Omit “or (5) (b)” from the definition of *concessional lot* in clause 11 (2).

[3] Clause 11 (5)

Omit “either or both of the following purposes”.

Insert instead “the following purpose”.

[4] Clause 11 (5) (b)

Omit the paragraph.

[5] Clause 11, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[6] Clause 13 Dwelling-houses—rural land

Insert “or” at the end of clause 13 (3) (b).

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[7] Clause 13 (3) (c)

Omit the paragraph.

[8] Clause 13A

Insert after clause 13:

13A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.13 Coolah Local Environmental Plan 2000**[1] Clause 5 Interpretation**

Omit clause 5 (4). Insert instead:

- (4) Notes in this plan do not form part of this plan.

[2] Clause 10 Consideration of proposed development within rural zones

Omit “13 or” from clause 10 (3) (c).

[3] Clause 12 Subdivision for the purpose of agriculture in Zone 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 13 Subdivision for the purpose of dwellings in Zone 1 (a)

Omit the clause.

[5] Clause 16 Dwellings in Zone 1 (a)

Omit “, 13,” from clause 16 (1) (b).

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[6] Clause 16A

Insert after clause 16:

16A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.14 Coolamon Local Environmental Plan 1995

[1] Clause 5 Definitions

Insert after clause 5 (4):

- (5) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision for the purposes of agriculture in Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[3] Clause 13 Subdivision for the purposes of dwelling-houses in Zone No 1 (a)

Omit the clause.

[4] Clause 17 Dwellings in Zone No 1 (a)—vacant land

Omit clause 17 (1) (b) (i).

[5] Clause 17A

Insert after clause 17:

17A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or

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- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.15 Cooma-Monaro Local Environmental Plan 1999—(Rural)**[1] Clause 6 How are terms defined in this plan?**

Omit clause 6 (3). Insert instead:

- (3) Notes in this plan do not form part of this plan.

[2] Clause 14 Subdivision

Omit “or a dwelling house” from clause 14 (2A) (b).

[3] Clause 14, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 15 Residential development

Omit “(2)” from clause 15 (1) (b). Insert instead “(2A)”.

[5] Clause 15A

Insert after clause 15:

15A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
(b) development consent to the creation of the lot was applied for, or granted, before that commencement.

[6] Schedule 2 General considerations for development, including subdivision in rural areas

Omit “Clause 14 (2)”. Insert instead “Clause 14 (2A)”.

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1.16 Coonabarabran Local Environmental Plan 1990

[1] Clause 5 Definitions

Insert after clause 5 (3):

- (4) Notes in this plan do not form part of this plan.

[2] Clauses 12 and 15

Insert at the end of each clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[3] Clauses 13 and 16

Omit the clauses.

[4] Clause 20A

Insert after clause 20:

20A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
(b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.17 Coonamble Local Environmental Plan 1997

[1] Clause 5 Definitions

Insert after clause 5 (3):

- (4) Notes in this plan do not form part of this plan.

[2] Clauses 12 and 13

Omit the clauses. Insert instead:

12 Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

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- (a) the lot was created before that commencement, or
 - (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

[3] Schedule 3 Subdivision for the purpose of agriculture in Zone No 1 (a)

Omit clause 12 (4).

[4] Schedule 3, clause 12, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[5] Schedule 4 Subdivision for any other purpose in Zone No 1 (a)

Omit clause 13 (2)–(4).

1.18 Corowa Local Environmental Plan 1989**[1] Clause 5 Definitions**

Insert after clause 5 (3):

- (4) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision for the purposes of agriculture within Zones Nos 1 (a) and 7 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[3] Clause 13 Subdivision for the purposes of dwellings within Zones Nos 1 (a) and 7 (a)

Omit the clause.

[4] Clause 16A

Insert after clause 16:

16A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or

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- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.19 Crookwell Local Environmental Plan 1994

[1] Clause 5 What do terms in this plan mean?

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 11 What is the minimum size for new agricultural allotments in zones 1 (a) and 1 (c)?

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[3] Clause 12 What are the requirements that apply to subdivisions of land in zone 1 (a) for the purpose of creating dwelling house lots?

Omit the clause.

[4] Clause 14 What are the requirements for erecting dwellings on land zoned 1 (a) or 1 (c)?

Omit clause 14 (1) (b).

[5] Clause 14 (1) (c)

Omit "in accordance with clause 12".

[6] Clause 14 (2A)

Omit the subclause.

[7] Clause 14A

Insert after clause 14:

14A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling house on a lot, if:

- (a) the lot was created before that commencement, or
(b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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[8] Schedule 2 Land referred to in clause 12 (5) (b)

Omit the Schedule.

1.20 Culcairn Local Environmental Plan 1998

[1] Clause 5 Interpretation

Omit clause 5 (4). Insert instead:

(4) Notes in this plan do not form part of this plan.

[2] Clause 14 Subdivision of land for the purpose of agriculture within Zone No 1 (a)

Omit clause 14 (4).

[3] Clause 14, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 19 Dwelling-houses within Zone No 1 (a)

Omit “, or” from clause 19 (b) (ii).

[5] Clause 19 (b) (iii)

Omit the subparagraph.

[6] Clause 19A

Insert after clause 19:

19A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.21 Forbes Local Environmental Plan 1986

[1] Clause 5 Interpretation

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision within Zone No 1 (a)

Omit clause 12 (3).

[3] Clause 12 (1)

Omit “(2)–(4)”. Insert instead “(2) and (4)”.

[4] Clause 12 (5)

Omit “subclauses (2) and (3)”. Insert instead “subclause (2)”.

[5] Clause 12, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[6] Clause 13 Dwelling-houses within Zone No 1 (a)

Omit clause 13 (1) (c).

[7] Clause 13 (2)

Omit “(1) (b)–(e)”. Insert instead “(1) (b), (d) or (e)”.

[8] Clause 13A

Insert after clause 13:

13A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.22 Glen Innes Local Environmental Plan 1991

[1] Clause 5 Definitions

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 9 Zone objectives and development control table

Omit paragraph (c) of item 2 (Objectives of Zone) of the matter relating to Zone No 1 (a) in the Table to clause 9.

[3] Clause 12 Subdivision and development within Zone No 1 (a)

Omit clause 12 (6).

[4] Clause 12, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[5] Clause 12A

Insert after clause 12:

12A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.23 Gloucester Local Environmental Plan 2000

[1] Clause 28 Subdivision exceptions

Omit "Subject to this clause, the" from clause 28(1). Insert instead "The".

[2] Clause 28 (1) (b)

Omit "purpose, or". Insert instead "purpose".

[3] Clause 28 (1) (c)

Omit the paragraph.

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[4] Clause 28 (2) and (3)

Omit the subclauses.

[5] Clause 28, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[6] Clause 29A

Insert after clause 29:

29A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.24 Griffith Local Environmental Plan 2002

[1] Clause 12 Subdivision for agriculture in Zones 1 (a), 1 (b), 1 (d), 1 (e), 1 (g) and 1 (i)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[2] Clause 17 Subdivision excising an existing dwelling within Zones 1 (d) and 1 (i)

Omit the clause.

[3] Clause 21 Single dwellings within Zones 1 (a), 1 (b), 1 (c), 1 (d), 1 (e), 1 (g), 1 (h), 1 (i) and 7 (c)

Omit clause 21 (4).

[4] Clause 21 (6)

Omit "(2)–(5)". Insert instead "(2), (3) and (5)".

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[5] Clause 21A

Insert after clause 21:

21A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

[6] Schedule 2 Provisions to which SEPP 1 applies

Omit “Clause 17 (d) and (e)”.

1.25 Guyra Local Environmental Plan 1988**[1] Clause 5 Interpretation**

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 11 Subdivision of land within Zone No 1 (a) or 1 (b)

Omit clause 11 (3) and (4).

[3] Clause 11, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 14 Erection of dwelling-houses in Zone No 1 (a) or 1 (b)

Omit clause 14 (3) (c). Insert instead:

- (c) the allotment has an area of less than 200 hectares but was lawfully created under *Interim Development Order No 4—Shire of Guyra*.

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[5] Clause 14A

Insert after clause 14:

14A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.26 Hay Local Environmental Plan 1998

[1] Clause 5 Interpretation

Omit clause 5 (3). Insert instead:

- (3) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision of land within Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[3] Clause 12A

Omit the clause. Insert instead:

12A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.27 Hume Local Environmental Plan 2001

[1] Clause 15 Rural (Agriculture) Zone

Omit from the Table to clause 15 (2):

- (3) Despite subclauses (1) and (2), consent may be granted for the excision of a lot of less than 2 hectares for use by a retired farmer.

[2] Clause 16 Rural (Environment) Zone

Omit from the Table to clause 16 (2):

- (3) Despite subclauses (1) and (2), consent may be granted for the excision of a lot of less than 2 hectares containing a dwelling for use by a retired farmer.

[3] Clause 16, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 16A

Insert after clause 16:

16A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.28 Interim Development Order No 1—Shire of Balranald

[1] Clause 2

Insert after clause 2 (2):

- (3) Notes in this Order do not form part of this Order.

[2] Clause 13

Omit clause 13 (4).

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[3] Clause 13 (6)

Omit “of the types referred to in subclause (3) or (4) that may be created (whether by one or successive subdivisions) in accordance with either of those subclauses shall not exceed—”.

Insert instead “that may be created (whether by one or successive subdivisions) in accordance with subclause (3) must not exceed.”.

[4] Clause 13, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this Order for the purposes of primary production.

[5] Clause 14

Omit clause 14 (2) (c).

[6] Clause 14A

Insert after clause 14:

14A Dwelling entitlements on existing concessional lots

The amendment of this Order by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this Order (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.29 Interim Development Order No 1—Shire of Boorowa

[1] Clause 2

Insert after clause 2 (2):

- (3) Notes in this Order do not form part of this Order.

[2] Clause 12

Omit clause 12 (3).

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[3] Clause 12 (5)

Omit “of the types referred to in subclause (2) or (3) that may be created by subdivision of land in accordance with either of those subclauses, shall not exceed—”.

Insert instead “that may be created by subdivision of land in accordance with subclause (2) must not exceed:”.

[4] Clause 12, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this Order for the purposes of primary production.

[5] Clause 13

Insert “or” at the end of clause 13 (1) (b).

[6] Clause 13 (1) (c)

Omit the paragraph.

[7] Clause 13 (2)

Omit “, (c)”.

[8] Clause 13 (3) (b)

Omit the paragraph.

[9] Clause 13A

Insert after clause 13:

13A Dwelling entitlements on existing concessional lots

The amendment of this Order by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this Order (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.30 Interim Development Order No 1—Shire of Carrathool

[1] Clause 2

Insert after clause 2 (2):

- (3) Notes in this Order do not form part of this Order.

[2] Clause 13

Omit clause 13 (4).

[3] Clause 13 (6)

Omit “of the types referred to in subclause (3) or (4) that may be created (whether by one or successive subdivisions) in accordance with either of those subclauses shall”.

Insert instead “that may be created (whether by one or successive subdivisions) in accordance with subclause (3) must”.

[4] Clause 13, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this Order for the purposes of primary production.

[5] Clause 14

Omit clause 14 (2) (c).

[6] Clause 14A

Insert after clause 14:

14A Dwelling entitlements on existing concessional lots

The amendment of this Order by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this Order (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.31 Interim Development Order No 1—Shire of Cootamundra**[1] Clause 2**

Insert after clause 2 (2):

- (3) Notes in this Order do not form part of this Order.

[2] Clause 12

Omit clause 12 (3).

[3] Clause 12 (5)

Omit “of the types referred to in subclause (2) or (3) that may be created by subdivision of land in accordance with either of those subclauses, shall”.

Insert instead “that may be created by subdivision of the land in accordance with subclause (2) must”.

[4] Clause 12, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this Order for the purposes of primary production.

[5] Clause 13

Omit clause 13 (1) (c).

[6] Clause 13 (2)

Omit “paragraph (b), (c) or (d) of subclause (1)”.

Insert instead “subclause (1) (b) or (d)”.

[7] Clause 13 (3) (b)

Omit the paragraph.

[8] Clause 13A

Insert after clause 13:

13A Dwelling entitlements on existing concessional lots

The amendment of this Order by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this Order (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or

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- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.32 Interim Development Order No 1—Shire of Evans

[1] Clause 2 Interpretation

Insert after clause 2 (3):

- (4) Notes in this Order do not form part of this Order.

[2] Clause 15 Subdivision of rural land

Omit the definition of *concessional allotment* in clause 15 (2).

[3] Clause 15 (5) and (6)

Omit the subclauses and the heading relating to those subclauses.

[4] Clause 15 (8) and (9) (a)

Omit “(4), (5) or (7)” wherever occurring. Insert instead “(4) or (7)”.

[5] Clause 15, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this Order for the purposes of primary production.

[6] Clause 16 Dwelling-houses on rural land

Omit clause 16 (3) (b).

[7] Clause 16A

Insert after clause 16:

16A Dwelling entitlements on existing concessional lots

The amendment of this Order by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this Order (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
 (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.33 Interim Development Order No 1—Shire of Harden**[1] Clause 2**

Insert after clause 2 (2):

- (3) Notes in this Order do not form part of this Order.

[2] Clause 13

Omit clause 13 (3).

[3] Clause 13 (5)

Omit “of the types referred to in subclause (2) or (3) that may be created by subdivision of land in accordance with either of those subclauses, shall”.

Insert instead “that may be created by subdivision of the land in accordance with subclause (2) must”.

[4] Clause 13, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this Order for the purposes of primary production.

[5] Clause 14

Insert “or” at the end of clause 14 (1) (b).

[6] Clause 14 (1) (c)

Omit the paragraph.

[7] Clause 14 (3) (b)

Omit the paragraph.

[8] Clause 14A

Insert after clause 14:

14A Dwelling entitlements on existing concessional lots

The amendment of this Order by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this Order (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
(b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.34 Interim Development Order No 1—Shire of Holbrook

[1] Clause 3

Insert after clause 3 (3):

- (4) Notes in this Order do not form part of this Order.

[2] Clause 12

Omit clause 12 (3).

[3] Clause 12 (5)

Omit “of the types referred to in subclause (2) or (3) that may be created by subdivision of land in accordance with either of those subclauses, shall”.

Insert instead “that may be created by subdivision of the land in accordance with subclause (2) must”.

[4] Clause 13

Omit clause 13 (1) (c).

[5] Clause 13 (2)

Omit “paragraph (b), (c), (d) or (e) of subclause (1)”.

Insert instead “subclause (1) (b), (d) or (e)”.

[6] Clause 13A

Insert after clause 13:

13A Dwelling entitlements on existing concessional lots

The amendment of this Order by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this Order (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
(b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.35 Interim Development Order No 1—Shire of Walgett

[1] Clause 2

Insert after clause 2 (2):

- (3) Notes in this Order do not form part of this Order.

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[2] Clause 11

Omit clause 11 (3).

[3] Clause 11 (5)

Omit “of the types referred to in subclause (2) or (3) that may be created by subdivision of land in accordance with either of those subclauses, shall not exceed—”.

Insert instead “that may be created by subdivision of land in accordance with subclause (2), must not exceed.”.

[4] Clause 11, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this Order for the purposes of primary production.

[5] Clause 12

Omit clause 12 (1) (c).

[6] Clause 12 (2)

Omit “(c),”.

[7] Clause 12A

Insert after clause 12:

12A Dwelling entitlements on existing concessional lots

The amendment of this Order by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this Order (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.36 Interim Development Order No 1—Shire of Warren**[1] Clause 2**

Insert after clause 2 (2):

- (3) Notes in this Order do not form part of this Order.

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[2] Clause 11

Omit clause 11 (3).

[3] Clause 11 (5)

Omit “of the types referred to in subclause (2) or (3) that may be created by subdivision (whether by one or successive subdivisions) in accordance with either of those subclauses, shall not exceed—”.

Insert instead “that may be created (whether by one or successive subdivisions) in accordance with subclause (2) must not exceed:”.

[4] Clause 11, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this Order for the purposes of primary production.

[5] Clause 11A

Omit clause 11A (1) (c).

[6] Clause 11A (2)

Omit “(c),”.

[7] Clause 12A

Insert after clause 12:

12A Dwelling entitlements on existing concessional lots

The amendment of this Order by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this Order (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.37 Inverell Local Environmental Plan 1988

[1] Clause 5 Interpretation

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

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[2] Clause 11 Subdivision in rural areas

Omit clause 11 (7) and (8).

[3] Clause 11, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 14A

Insert after clause 14:

14A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.38 Jerilderie Local Environmental Plan 1993**[1] Clause 5 Interpretation**

Insert after clause 5 (3):

- (4) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision for the purpose of agriculture within Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[3] Clause 13 Subdivision for the purposes of dwelling-houses within Zone No 1 (a)

Omit the clause.

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[4] Clause 18A

Insert after clause 18:

18A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.39 Junee Local Environmental Plan 1992

[1] Clause 13 Subdivision for the purposes of agriculture within Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[2] Clause 14 Subdivision for the purposes of dwellings within Zone No 1 (a)

Omit the clause.

[3] Clause 18A

Insert after clause 18:

18A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.40 Kiama Local Environmental Plan 1996

[1] Clause 6 Definitions

Insert after clause 6 (2):

- (3) Notes in this plan do not form part of this plan.

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[2] Clause 10 Rural "A" Zone—Subdivision

Omit "(4) or" from clause 10 (3).

[3] Clause 10 (4)

Omit the subclause.

[4] Clause 10, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[5] Clause 11 Rural "A" Zone—Dwelling-houses

Omit "(4) or" from clause 11 (3) (b).

[6] Clause 11 (3) (c)

Omit the paragraph.

[7] Clause 11A

Insert after clause 11:

11A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

[8] Clause 30 Rural Environmental Protection (Scenic) Zone—Subdivision

Omit clause 30 (3)–(5).

[9] Clause 31 Rural Environmental Protection (Scenic) Zone—Dwelling-houses

Omit "(4) or" from clause 31 (3) (b).

[10] Clause 31 (3) (c)

Omit the paragraph.

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[11] Clause 31, note

Insert at the end of the clause:

Note. Clause 11A provides for the erection of dwelling-houses on any lots created before the commencement of the *State Environmental Planning Policy (Rural Lands) 2008*.

1.41 Leeton Local Environmental Plan No 4

[1] Clause 5 Interpretation

Insert after clause 5 (2):

(3) Notes in this plan do not form part of this plan.

[2] Clause 9 Interpretation

Omit “, or” from the end of paragraph (c) of the definition of *concessional allotment*.

[3] Clause 9, definition of “concessional allotment”

Omit paragraph (d).

[4] Clause 10 Subdivision of land within Zone No 1 (a), 1 (b) or 1 (f) outside irrigation areas

Omit “Subject to subclause (6), the council may consent to an application to subdivide land to which this clause applies (not being land which forms the whole or part of an existing holding of less than 10 hectares in area) for either or both of the following purposes:” from clause 10 (5).

Insert instead “The council may consent to an application to subdivide land to which this clause applies (not being land which forms the whole or part of an existing holding of less than 10 hectares in area) for the following purpose:”.

[5] Clause 10 (5) (a) (iii)

Omit “, or”.

[6] Clause 10 (5) (b) and (6)

Omit the subclauses.

[7] Clause 10, note

Insert at the end of clause 10:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

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[8] Clause 14A

Insert after clause 14:

14A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.42 Lithgow City Local Environmental Plan 1994

[1] Clause 6 Definitions

Insert after clause 6 (2):

- (3) Notes in this Plan do not form part of this Plan.

[2] Clause 12 Subdivision in Zone No 1 (a)

Omit “either subclause (2), (3) or (4) and not otherwise. Each of those subclauses provides a separate and mutually exclusive set of requirements.” from clause 12 (1).

Insert instead “subclause (2).”.

[3] Clause 12 (3)–(5)

Omit the subclauses.

[4] Clause 12, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[5] Clause 17 Erection of a dwelling in Zone No 1 (a)

Omit clause 17 (d).

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[6] Clause 17A

Insert after clause 17:

17A Dwelling entitlements on existing concessional lots

The amendment of this Plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this Plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.43 Manilla Local Environmental Plan 1988

[1] Clause 5 Definitions

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 12 Consolidation of rural land

Omit the clause.

[3] Clause 14 Subdivision for agricultural purposes in Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

1.44 Moree Plains Local Environmental Plan 1995

[1] Clause 5 Definitions

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 14 Subdivision for purpose of agriculture in Zones Nos 1 (a) and 7

Omit clause 14 (4).

[3] Clause 14, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

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[4] Clause 15 Subdivision for purpose of dwellings in Zone Nos 1 (a) and 7

Omit the clause.

[5] Clause 18 Dwellings in Zones Nos 1 (a) and 7

Omit “or 15 (2)” from clause 18 (2) (b) (iii).

[6] Clause 18A

Insert after clause 18:

18A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.45 Mulwarree Local Environmental Plan 1995**[1] Clause 5 Interpretation**

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 11 Subdivision of land generally

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[3] Clause 12 Subdivision of land for the purposes of dwelling-houses within Zone No 1 (a), 1 (b), 7 (a) or 7 (b)

Omit clause 12 (3)–(5).

[4] Clause 12 (6) and (7)

Omit “, (3) and (4)” wherever occurring.

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[5] Clause 19A

Insert after clause 19:

19A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.46 Murrumbidgee Local Environmental Plan 1994

[1] Clause 5 Definitions

Insert after clause 5 (3):

- (4) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision for purpose of agriculture within Zone No 1 (a)

Omit clause 12 (3).

[3] Clause 12, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[4] Clause 17 Dwelling-houses within Zone No 1 (a)

Insert “or” at the end of clause 17 (2) (a) (ii).

[5] Clause 17 (2) (a) (iii)

Omit the subparagraph.

[6] Clause 17A

Insert after clause 17:

17A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

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- (a) the lot was created before that commencement, or
 - (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.47 Murrurundi Local Environmental Plan 1993**[1] Clause 5 Interpretation**

Insert after clause 5 (3):

- (4) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision of rural land

Omit clause 12 (4).

[3] Clause 12, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 14 Dwelling-houses on rural land

Omit “, or” from clause 14 (1) (b).

[5] Clause 14 (1) (c)

Omit the paragraph.

[6] Clause 14A

Insert after clause 14:

14A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.48 Muswellbrook Local Environmental Plan 1985

[1] Clause 5 Interpretation

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 14 Subdivision—special provisions

Omit clause 14 (4).

[3] Clause 14, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 15 Dwelling-houses

Omit “, or” from clause 15 (1) (c).

[5] Clause 15 (1) (d)

Omit the paragraph.

[6] Clause 15A

Insert after clause 15:

15A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
(b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.49 Narrandera Local Environmental Plan 1991

[1] Clause 12 Subdivision for the purpose of agriculture in Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

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[2] Clause 13 Subdivision for the purposes of dwellings in Zone No 1 (a)

Omit clause 13 (2).

[3] Clause 17A

Insert after clause 17:

17A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.50 Nundle Local Environmental Plan 2000**[1] Clause 5 Definitions and interpretation**

Omit clause 5 (3). Insert instead:

- (3) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision for the purpose of agriculture in Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[3] Clause 14 Subdivision for the purpose of a dwelling in Zone No 1 (a)

Omit clause 14 (3) and (4).

[4] Clause 16A

Insert after clause 16:

16A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.51 Nymboida Local Environmental Plan 1986

[1] Clause 5 Interpretation

Insert after clause 5 (4):

- (5) Notes in this plan do not form part of this plan.

[2] Clause 10 Subdivision of land within Zone No 1 (a)

Omit clause 10 (3) and (4).

[3] Clause 10, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 11 Erection of dwelling-houses on land within Zone No 1 (a)

Omit clause 11 (1) (b).

[5] Clause 12

Insert after clause 11:

12 Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
(b) development consent to the creation of the lot was applied for, or granted, before that commencement.

[6] Clause 13 Subdivision of land within Zone No 1 (b)

Omit clause 13 (3) and (4).

[7] Clause 14 Erection of dwelling-houses on land within Zone No 1 (b)

Omit clause 14 (1) (b).

[8] Clause 14 (1) (c)

Omit “subclause (5)”. Insert instead “clause 13 (5)”.

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[9] Clause 14, note

Insert at the end of the clause:

Note. Clause 12 provides that this plan, as in force immediately before the commencement of the *State Environmental Planning Policy (Rural Lands) 2008*, continues to apply in respect of development for the purposes of erecting a dwelling-house on any lot created before that commencement. Nothing in that clause permits the creation of any additional lots.

[10] Clause 30 Subdivision of land within Zone No 7 (d)

Omit clause 30 (3) and (4).

[11] Clause 31 Erection of dwelling-houses on land within Zone No 7 (d)

Omit clause 31 (1) (b).

[12] Clause 31, note

Insert at the end of the clause:

Note. Clause 12 provides that this plan, as in force immediately before the commencement of the *State Environmental Planning Policy (Rural Lands) 2008*, continues to apply in respect of development for the purposes of erecting a dwelling-house on any lot created before that commencement. Nothing in that clause permits the creation of any additional lots.

1.52 Oberon Local Environmental Plan 1998**[1] Clause 12 Subdivision for the purpose of agriculture in Zone No 1 (a) or 1 (c)**

Omit clause 12 (3)–(5) and (8).

[2] Clause 12, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[3] Clauses 13 and 14

Omit the clauses.

[4] Clause 16 Control of subdivision for other purposes in Zone No 1 (a) or 1 (e)

Omit “, 12A, 13 and 14” from clause 16 (1). Insert instead “and 12A”.

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[5] Clause 16 (3)

Omit the subclause.

[6] Clause 18 Dwelling-houses in Zone No 1 (a)

Omit clause 18 (1) (a) (iii).

[7] Clause 18B

Insert after clause 18A:

18B Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.53 Parkes Local Environmental Plan 1990

[1] Clause 5 Interpretation

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 13 Subdivision of land within Zone No 1 (a)

Omit clause 13 (4) and (5).

[3] Clause 13, note

Insert at the end of clause 13:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 14A

Insert after clause 14:

14A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

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- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.54 Parry Local Environmental Plan 1987

[1] Clause 5 Interpretation

Insert after clause 5 (4):

- (5) Notes in this plan do not form part of this plan.

[2] Clause 13 Subdivision of land within Zone No 1 (a), 1 (b) or 1 (f)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[3] Clause 14 Subdivision exceptions—Zone No 1 (a) or 1 (b)

Omit clause 14 (1)–(5) and (8).

[4] Clause 17 Dwelling-houses—Zone No 1 (a), 1 (b), 1 (c) or 1 (f)

Omit “14,” from clause 17 (2) (b).

[5] Clause 17B

Insert after clause 17A:

17B Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.55 Quirindi Local Environmental Plan 1991

[1] Clause 5 Definitions

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

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[2] Clause 15 Subdivision of rural land

Omit clause 15 (4).

[3] Clause 15, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables the subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 16 Dwelling-houses on rural land

Omit clause 16 (4).

[5] Clause 16A

Insert after clause 16:

16A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.56 Rylstone Local Environmental Plan 1996

[1] Clause 5 Interpretation

Insert after clause 5 (3):

- (4) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision for the purposes of agriculture within Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[3] Clause 13 Subdivision for the purposes of dwellings within Zone No 1 (a)

Omit clause 13 (1) (a). Insert instead:

- (a) has an area of not less than 40 hectares, and

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[4] Clause 13 (2)

Omit the subclause.

[5] Clause 20 Subdivision for the purposes of dwellings within Zone No 7 (c)

Omit clause 20 (1) (a). Insert instead:

- (a) has an area of not less than 40 hectares, and

[6] Clause 20 (2)

Omit the subclause.

[7] Clause 22A

Insert after clause 22:

22A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
 (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.57 Scone Local Environmental Plan 1986**[1] Clause 5 Interpretation**

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 10 Subdivision of land within Zone No 1 (d), 1 (e), 1 (i), 1 (s) or 7 (a)

Omit clause 10 (7).

[3] Clause 10, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 12 Rural dwellings

Omit clause 12 (2) (b).

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[5] Clause 12A

Insert after clause 12:

12A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.58 Singleton Local Environmental Plan 1996

[1] Clause 9 How are terms defined in this plan?

Insert after clause 9 (3):

- (4) Notes in this plan do not form part of this plan.

[2] Clause 11 What general subdivision controls apply?

Omit “13,” from clause 11 (3).

[3] Clause 12 What provisions apply generally to subdivision in the Rural and Environment Protection Zones?

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 13 What provision is there for concessional lot subdivision in the Rural Zone?

Omit the clause.

[5] Clause 17 On what land in the Rural Zone can a dwelling-house or dual occupancy-attached be erected?

Omit “or 13” from clause 17 (4).

[6] Clause 17A

Insert after clause 17:

17A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising

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under a provision of this plan (as in force before that amendment) to erect a dwelling-house or a dual occupancy-attached on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.59 Tallaganda Local Environmental Plan 1991

[1] Clause 5 Interpretation

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 13 Subdivision of land for the purpose of agriculture within Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[3] Clause 14 Subdivision for the purpose of dwellings within Zone No 1 (a)

Omit the clause.

[4] Clause 21 Dwelling-houses within Zone No 1 (a)

Omit clause 21 (2) (b).

[5] Clause 21A

Insert after clause 21:

21A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.60 Temora Local Environmental Plan 1987

[1] Clause 5 Interpretation

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision of rural land—Zone No 1 (a) or 1 (b)

Omit the definition of *concessional allotment* from clause 12 (2).

Insert instead:

concessional allotment means an allotment referred to in subclause (4) (a).

[3] Clause 12 (4) (a) (iv)

Omit “, or”.

[4] Clause 12 (4) (b)

Omit the paragraph.

[5] Clause 12, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[6] Clause 14 Dwelling-houses on land within Zone No 1 (a) or 1 (b)

Omit clause 14 (1) (b).

[7] Clause 14A

Insert after clause 14:

14A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.61 Tumbarumba Local Environmental Plan 1998**[1] Clause 5 Interpretation**

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 11 Subdivision of land within Zone No 1 (a) or 7 (d)

Omit the definition of *concessional lot* from clause 11 (2).

[3] Clause 11 (6) and (7)

Omit the subclauses.

[4] Clause 11 (9)

Omit “, (6)”.

[5] Clause 11, note

Insert at the end of clause 11:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[6] Clause 13 Rural dwellings

Omit clause 13 (2) (c).

[7] Clause 13A

Insert after clause 13:

13A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
 (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.62 Tumut Local Environmental Plan 1990**[1] Clause 5 Definitions**

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

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[2] Clause 12 Subdivision of land in Zone No 1 (a), 1 (b), 1 (c) or 1 (c1)

Insert “and” at the end of clause 12 (3) (a).

[3] Clause 12 (3) (b)

Omit the paragraph.

[4] Clause 12 (4)

Omit “(other than land referred to in subclause (5))”.

[5] Clause 12 (5)–(7) and (11)

Omit the subclauses.

[6] Clause 12, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[7] Clause 13 Dwelling-houses and dwellings in Zone No 1 (a), 1 (b), 1 (c), 1 (c1) or 1 (d)

Omit clause 13 (2) (a) (iii).

[8] Clause 13A

Insert after clause 13:

13A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.63 Urana Local Environmental Plan 1900

[1] Clause 5 Definitions

Insert after clause 5 (3):

- (4) Notes in this plan do not form part of this plan.

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[2] Clause 12 Subdivision for the purposes of agriculture in Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[3] Clause 14

Omit the clause. Insert instead:

14 Subdivision for the purposes of dwelling-houses in Zone No 1 (a)

The Council shall not consent to the creation of an allotment of land in Zone No 1 (a) intended to be used primarily for the purposes of a dwelling-house unless the allotment has an area of not less than 100 hectares.

[4] Clause 16 Dwelling-houses in Zone No 1 (a)

Omit clause 16 (1) (b) (i).

[5] Clause 16A

Insert after clause 16:

16A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.64 Wagga Wagga Rural Local Environmental Plan 1991**[1] Clause 5 Interpretation**

Insert after clause 5 (4):

- (5) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision for the purposes of agriculture in Zone No 1

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

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[3] Clause 13 Subdivision for the purposes of dwellings in Zone No 1

Omit the clause.

[4] Clause 15 Subdivision for the purposes of the creation of small rural holdings

Omit clause 15 (5).

[5] Clause 17A

Insert after clause 17:

17A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.65 Wakool Local Environmental Plan 1992

[1] Clause 5 Definitions

Insert after clause 5 (3):

- (4) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision for the purpose of agriculture in Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[3] Clause 14 Subdivision for the purpose of dwelling-houses in Zone No 1 (a)

Omit the clause.

[4] Clause 18A

Insert after clause 18:

18A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising

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under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.66 Walcha Local Environmental Plan 2000**[1] Clause 5 Definitions**

Omit clause 5 (4). Insert instead:

- (4) Notes in this plan do not form part of this plan.

[2] Clause 13 Subdivision for the purpose of agriculture in Zones Nos 1 (a) and 7 (d)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[3] Clause 14 Subdivision for the purpose of dwellings in Zones Nos 1 (a) and 7 (d)

Omit clause 14 (1).

[4] Clause 14 (2)

Omit “Notwithstanding subclause (1), consent”. Insert instead “Consent”.

[5] Clause 18A

Insert after clause 18:

18A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.67 Weddin Local Environmental Plan 2002

[1] Clause 7 Definitions

Insert after clause 7 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 15 Concessional subdivision

Omit the clause.

[3] Clause 16 Subdivision for the purpose of agriculture in Zone No 1 (a)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[4] Clause 22A

Insert after clause 22:

22A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
(b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.68 Wellington Local Environment Plan 1995

[1] Clause 6 Definitions

Insert after clause 6 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 13 Subdivision of land within Zone No 1 (a)

Omit clause 13 (5) and (6).

[3] Clause 13, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

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[4] Clause 17A

Insert after clause 17:

17A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.69 Wentworth Local Environmental Plan 1993**[1] Clause 5 Definitions**

Insert after clause 5 (3):

- (4) Notes in this plan do not form part of this plan.

[2] Clause 13 Subdivision of land within Zone No 1 (a), 1 (c) or 1 (d)

Omit clause 13 (6A).

[3] Clause 13, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[4] Clause 16A

Insert after clause 16:

16A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

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1.70 Windouran Local Environmental Plan 1999

[1] Clause 5 Definitions

Omit clause 5 (4). Insert instead:

- (4) Notes in this plan do not form part of this plan.

[2] Clause 12 Subdivision for the purpose of agriculture within Zone No 1 (a)

Omit clause 12 (3).

[3] Clause 12, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

[4] Clause 14 Subdivision for the purpose of dwelling-houses within Zone No 1 (a)

Omit the clause.

[5] Clause 17 Dwelling-houses within Zone No 1 (a)

Insert “or” at the end of clause 17 (2) (a) (ii).

[6] Clause 17 (2) (a) (iii)

Omit the subparagraph.

[7] Clause 17A

Insert after clause 17:

17A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
(b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.71 Yass Local Environmental Plan 1987

[1] Clause 11 Land within Zone No 1 (a) or 1 (b)

Omit “, (5)” from clause 11 (2).

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[2] Clause 11 (5) and (6)

Omit the subclauses.

[3] Clause 11, note

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* enables subdivision of lots smaller than allowed by this plan for the purposes of primary production.

[4] Clause 14 Dwelling-houses

Omit “clause 11 (3),” from clause 14 (1) (a).

Insert instead “clause 11 (3) or (4), or”.

[5] Clause 14 (1) (b)

Omit the paragraph.

[6] Clause 14A

Insert after clause 14:

14A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

1.72 Young Local Environmental Rural Plan 1993**[1] Clause 5 Interpretation**

Insert after clause 5 (2):

- (3) Notes in this plan do not form part of this plan.

[2] Clause 11 Subdivision for the purpose of agriculture or horticulture in Zones Nos 1 (a1), 1 (a2), 1 (a3) and 7 (e)

Insert at the end of the clause:

Note. Clause 9 of the *State Environmental Planning Policy (Rural Lands) 2008* also enables the subdivision of lots for the purposes of primary production.

State Environmental Planning Policy (Rural Lands) 2008

Amendment of other environmental planning instruments

Schedule 1

[3] **Clause 12 Subdivision for the purpose of dwellings in Zones Nos 1 (a1), 1 (a2), 1 (a3) and 7 (e)**

Omit the clause.

[4] **Clause 16 Dwelling-houses—Zones Nos 1 (a1), 1 (a2), 1 (a3), 1 (c1), 1 (c2) and 7 (e)**

Omit “12 or” from clause 16 (3) (a).

[5] **Clause 16A**

Insert after clause 16:

16A Dwelling entitlements on existing concessional lots

The amendment of this plan by the *State Environmental Planning Policy (Rural Lands) 2008* does not affect any entitlement arising under a provision of this plan (as in force before that amendment) to erect a dwelling-house, or a dual occupancy under clause 31, on a lot, if:

- (a) the lot was created before that commencement, or
- (b) development consent to the creation of the lot was applied for, or granted, before that commencement.

[6] **Clause 31 Dual occupancy**

Omit “an allotment created pursuant to clause 12 or” from clause 31 (5) (a).

[7] **Clause 31, note**

Insert at the end of the clause:

Note. Clause 16A provides that this plan, as in force immediately before the commencement of the *State Environmental Planning Policy (Rural Lands) 2008*, continues to apply in respect of development for the purposes of erecting a dwelling-house or a dual occupancy on any lot created before that commencement. Nothing in that clause permits the creation of any additional lots.

State Environmental Planning Policy (Rural Lands) 2008

Schedule 2 State significant agricultural land

Schedule 2 State significant agricultural land

(Clause 13)

Note. At the time this Policy was made, this Schedule was blank.



New South Wales

Kempsey Local Environmental Plan 1987 (Amendment No 96)

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*. (GRA6322614/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Kempsey Local Environmental Plan 1987 (Amendment No 96)

Kempsey Local Environmental Plan 1987 (Amendment No 96)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Kempsey Local Environmental Plan 1987 (Amendment No 96)*.

2 Aims of plan

This plan aims:

- (a) to allow, with the consent of Kempsey Shire Council, the subdivision of the land to which this plan applies (being land within Zone No 1 (a1) (Rural "A1" Zone)) into 12 lots, comprising 11 community development lots and one residue lot that is community property, and
- (b) to rezone the community property from Zone No 1 (a1) (Rural "A1" Zone) to Zone No 7 (b) (Environmental Protection (Habitat) Zone) under *Kempsey Local Environmental Plan 1987*.

3 Land to which plan applies

This plan applies to Lot 1, DP 196559, Beranghi Road, Crescent Head, as shown partly coloured light brown, edged heavy black and lettered "1 (a1)" and partly coloured light green, edged heavy black and lettered "7 (b)" on the map marked "Kempsey Local Environmental Plan 1987 (Amendment No 96)" deposited in the office of Kempsey Shire Council.

4 Amendment of Kempsey Local Environmental Plan 1987

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

Kempsey Local Environmental Plan 1987 (Amendment No 96)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Interpretation

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

Kempsey Local Environmental Plan 1987 (Amendment No 96)

[2] Clause 37 Development on certain lands

Insert “, subject to any conditions specified in Column 2 of that Schedule” after “that land”.

[3] Clause 37, Schedule

Insert at the end of the Schedule to the clause in Columns 1 and 2, respectively:

Lot 1, DP 196559, Beranghi Road, Crescent Head, as shown partly coloured light brown, edged heavy black and lettered “1 (a1)” and partly coloured light green, edged heavy black and lettered “7 (b)” on the map marked “Kempsey Local Environmental Plan 1987 (Amendment No 96)” (*the rezoning map*).

Subdivision under the *Community Land Development Act 1989* so as to create 11 community development lots (being the 11 lots shown coloured light brown, edged heavy black and lettered “1 (a1)” on the rezoning map) and one lot that is community property (being the residue of the land shown coloured light green, edged heavy black and lettered “7 (b)” on the rezoning map) and the erection of a single dwelling-house on each of the community development lots so created.



New South Wales

Liverpool Local Environmental Plan 1997 (Amendment No 114)

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*. (P07/00242/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Liverpool Local Environmental Plan 1997 (Amendment No 114)

Liverpool Local Environmental Plan 1997 (Amendment No 114)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Liverpool Local Environmental Plan 1997 (Amendment No 114)*.

2 Aims of plan

The aims of this plan are as follows:

- (a) to rezone part of the land to which this plan applies at Edmondson Park to increase spatial effectiveness and to enable active recreation uses of flood liable land,
- (b) to make consequential urban design changes by amendment of the land use and density controls,
- (c) to identify the land affected by the South West Rail Link and to appropriately zone adjoining land that was deferred matter under *Liverpool Local Environmental Plan 1997 (Amendment No 83)*,
- (d) to identify and to provide controls to appropriately manage environmentally sensitive areas, including waterways, riparian corridors, biological linkages, remnant native vegetation and associated buffers,
- (e) to amend certain site specific controls,
- (f) to define the Edmondson Park Town Centre and to provide controls to guide its development.

3 Land to which plan applies

- (1) With respect to the aims set out in clause 2 (a), (c), (d) and (e), this plan applies to certain land at Edmondson Park, as shown edged heavy black on Sheet 1 of the map marked "Liverpool Local Environmental Plan 1997 (Amendment No 114)" deposited in the office of Liverpool City Council.
- (2) With respect to the aim set out in clause 2 (b), this plan applies to certain land at Edmondson Park, as shown edged heavy black on Sheet 2 of that map.

Liverpool Local Environmental Plan 1997 (Amendment No 114)

Clause 4

-
- (3) With respect to the aim set out in clause 2 (f), this plan applies to certain land at Edmondson Park, as shown edged heavy black on Sheet 3 of that map.

4 Amendment of Liverpool Local Environmental Plan 1997

Liverpool Local Environmental Plan 1997 is amended as set out in Schedule 1.

Liverpool Local Environmental Plan 1997 (Amendment No 114)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Definitions

Insert in alphabetical order in clause 6 (1):

Edmondson Park Town Centre means the land shown edged heavy black on Sheet 3 of the map marked “Liverpool Local Environmental Plan 1997 (Amendment No 114)”.

[2] Clause 6 (1), definition of “The map”

Insert in appropriate order:

Liverpool Local Environmental Plan 1997 (Amendment No 114)—Sheets 1–3

[3] Clause 70G Meaning of “locality”

Omit the clause.

[4] Clause 70H Development control plan for Edmondson Park Town Centre

Omit “(other than clause 70I)” from clause 70H (1).

[5] Clause 70H (1)

Omit “within locality LA, LB, LC, LD, LE, LF, LG or LH”.

Insert instead “in Edmondson Park Town Centre”.

[6] Clause 70H (1) (a)

Omit “for the locality”.

[7] Clause 70H (2)

Omit “within the locality”.

Insert instead “in Edmondson Park Town Centre”.

[8] Clause 70H (3)

Omit “A development control plan for a locality is to outline the development of all the land to which it applies. In particular, such a plan”.

Insert instead “The development control plan is to outline the development of all land in Edmondson Park Town Centre. In particular, the plan”.

Liverpool Local Environmental Plan 1997 (Amendment No 114)

Amendments

Schedule 1

-
- [9] **Clause 70H (3) (b)**
Omit the paragraph. Insert instead:
(b) to assess the impact of development in Edmondson Park Town Centre on adjoining land, and
- [10] **Clause 70H (3) (c)**
Omit “within the locality”.
Insert instead “in Edmondson Park Town Centre”.
- [11] **Clause 70H (3) (d)**
Omit “within the locality” where firstly occurring.
Insert instead “in Edmondson Park Town Centre”.
- [12] **Clause 70H (3) (d) (i)**
Omit “for land within the locality”.
- [13] **Clause 70H (3) (d) (ii)**
Omit “within the locality”.
- [14] **Clause 70H (3) (g)**
Omit “arrangements, and”. Insert instead “arrangements.”.
- [15] **Clause 70H (3) (h)**
Omit the paragraph.
- [16] **Clause 70H (4)**
Omit “a development control plan for locality LG”.
Insert instead “the development control plan for Edmondson Park Town Centre”.
- [17] **Clause 70H (4) (a)**
Omit “through the locality”.
- [18] **Clause 70H (4) (b) and (c)**
Omit “within the locality” wherever occurring.
- [19] **Clause 70I Development on land across adjoining locality boundaries**
Omit the clause.
-

Liverpool Local Environmental Plan 1997 (Amendment No 114)

Schedule 1 Amendments

[20] Clause 70J Density controls

Omit “is not inconsistent with” from clause 70J (2).

Insert instead “will not result in a net site density that is less than”.

[21] Clause 70J (5), definition of “net site density”

Omit “area occupied by those dwellings, excluding any public roads or open space”.

Insert instead “whole area of the land on which development is carried out, including internal streets plus half the width of any adjoining access roads that provide vehicular access, but excluding public open space and other non-residential land”.

[22] Clause 70J (5), definition of “prescribed net site density”

Omit “83”. Insert instead “114”.

[23] Clause 70L Development within 5 (a) Special Uses zone and Edmondson Park Town Centre

Omit “locality LG” from clause 70L (1).

Insert instead “Edmondson Park Town Centre”.

Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

Fisheries Management (Aquaculture) Regulation 2007

Clause 37 (3) – Notice of Granting of Class 1
Aquaculture Lease

THE Minister has granted the following Class 1 Aquaculture Lease:

OL86/200 within the estuary of the Manning River, having an area of 0.1595 hectares to Neil Currie of Taree, NSW, for a term of 15 years expiring on 4 March 2023.

OL88/066 within the estuary of Wallis Lake, having an area of 0.9143 hectares to MS Verdich and Sons Pty Ltd of Forster, NSW, for a term of 15 years expiring on 13 March 2023.

OL79/049 within the estuary of Wallis Lake, having an area of 0.4101 hectares to Tadeven Pty Ltd of Tuncurry, NSW, for a term of 15 years expiring on 13 March 2023.

OL88/043 within the estuary of Wallis Lake, having an area of 0.3502 hectares to Tadeven Pty Ltd of Tuncurry, NSW, for a term of 15 years expiring on 13 March 2023.

OL95/030 within the estuary of Wallis Lake, having an area of 0.4276 hectares to Tadeven Pty Ltd of Tuncurry, NSW, for a term of 15 years expiring on 13 March 2023.

OL59/280 within the estuary of Wagonga Inlet, having an area of 0.3042 hectares to James Croucher and William Rose of Narooma, NSW, for a term of 15 years expiring on 4 March 2023.

AL07/003 within the estuary of the Richmond River, having an area of 1.6308 hectares to Ian Cardow of Lennox Head, NSW, for a term of 15 years expiring on 7 April 2023.

OL76/220 within the estuary of Wallis Lake, having an area of 0.8416 hectares to Graham Barclay of Forster, NSW, for a term of 15 years expiring on 13 March 2023.

OL81/125 within the estuary of Wallis Lake, having an area of 1.9401 hectares to Rinaldo Lani of Forster, NSW, for a term of 15 years expiring on 13 March 2023.

OL83/317 within the estuary of Wallis Lake, having an area of 1.3470 hectares to Rinaldo Lani of Forster, NSW, for a term of 15 years expiring on 13 March 2023.

OL87/052 within the estuary of Wallis Lake, having an area of 1.6544 hectares to Rinaldo Lani of Forster, NSW, for a term of 15 years expiring on 13 March 2023.

OL71/360 within the estuary of Wallis Lake, having an area of 0.9365 hectares to Clift Oysters Pty Ltd of Forster, NSW, for a term of 15 years expiring on 13 March 2023.

Clause 39 (4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following class 1 Aquaculture Leases:

OL76/185 within the estuary of the Macleay River, having an area of 1.0151 hectares to Thomas Lange of Arakoon, NSW, for a term of 15 years expiring on 11 October 2022.

OL78/032 within the estuary of the Manning River, having an area 0.7214 hectares to Robert Lauder and Raymond

Stack of Old Bar, NSW, for a term of 15 years expiring on 13 March 2023.

OL61/133 within the estuary of the Hawkesbury River, having an area 5.6618 hectares to Robert Moxham of Brooklyn NSW, for a term of 15 years expiring on 3 April 2022.

OL61/029 within the estuary of the Hawkesbury River, having an area 4.2110 hectares to CE & Y Moxham Pty Ltd of Brooklyn NSW, for a term of 15 years expiring on 20 November 2022.

OL62/115 within the estuary of the Hawkesbury River, having an area 0.6430 hectares to CE & Y Moxham Pty Ltd of Brooklyn NSW, for a term of 15 years expiring on 18 December 2022.

OL61/197 within the estuary of the Hawkesbury River, having an area 0.9408 hectares to CE & Y Moxham Pty Ltd of Brooklyn NSW, for a term of 15 years expiring on 29 May 2022.

OL78/008 within the estuary of Pambula Lake, having an area of 0.4446 hectares to Andrew and Katherine Baker of Pambula, NSW, for a term of 15 years expiring on 25 April 2023.

BILL TALBOT,
Director, Fisheries Conservation and Aquaculture
Fisheries, Compliance and Regional Relations
NSW Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Easement

Fisheries Management Act 1994

Easement for Sewerage Purposes

I, IAN MACDONALD MLC, Minister for Primary Industries declare, pursuant to the Fisheries Management Act 1994, that the interest in land described in Schedule 1 to this notice, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.

Pursuant to section Part 8 Section 223 of the Fisheries Management Act 1994, this acquisition is taken to be for an authorised work and the Minister for Primary Industries is taken to be the constructing authority for the purposes of the Public Works Act 1912.

Dated this 30th day of April 2008.

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

SCHEDULE 1

Easement for sewerage purposes 2.4metres wide over Lot 138, DP 720912 as shown in Deposited Plan 1044611 and therein designated "A" Proposed Easement to Drain Sewage 2.4 wide.

FISHERIES MANAGEMENT ACT 1994Section 8 Notification – Fishing Closure
Kogarah Bay and Tributaries

I, DOUGLAS FRASER HOCKING, Executive Director, Fisheries, Compliance and Regional Relations, pursuant to section 8 of the Fisheries Management Act 1994 ("the Act") and with the delegated authority of the Minister for Primary Industries and the Director-General of the NSW Department of Primary Industries pursuant to sections 227 and 228 of the Act, do by this notification, prohibit the taking of the species of fish specified in Column 1 of the Schedule by the methods of fishing specified in Column 2 of the Schedule to this notification, from the waters described opposite in Column 3 of the Schedule.

This prohibition is effective from 11 May 2008 for a period of five years unless sooner amended or revoked.

SCHEDULE

<i>Column 1 Species</i>	<i>Column 2 Methods</i>	<i>Column 3 Waters</i>
Bivalve molluscs (including pipis and cockles) and whelks.	All methods.	The whole of the waters of Kogarah Bay (Georges River), north of a line extending from Tom Uglys Point east to the St George Motor Boat Club including the foreshore extending from the mean high water mark, to ten (10) metres horizontally seaward from the mean low water mark.

Dated this 6th day of May 2008.

D. F. HOCKING,
Executive Director,
Fisheries, Compliance and Regional Relations,
NSW Department of Primary Industries

PLANT DISEASES ACT 1924

Proclamations P185, P186, P187, P188, P189, P190

ERRATUM

THE Plant Diseases Act notices proclamations P185, P186, P187, P188, P189, P190 which appeared in the *Government Gazette* No. 48 at folios 2998, 2999, 3000, 3001, 3003, 3004 on the 2 May 2008 the date on these proclamations are incorrect and should have read 23rd day of April 2008.

PLANT DISEASES ACT 1924

Proclamation P183

ERRATUM

THE Plant Diseases Act notices proclamation P183 which appeared in the *Government Gazette* No. 33 at folio 2269 on the 14 March 2008 the date on this proclamation was incorrect and should have read 5th day of March 2008.

STOCK DISEASES ACT 1923

Notification No. 1811-OJD

Declaration of a Protected Area, a Protected (Control) Area as regards Johne's disease in sheep (known as ovine Johne's disease or OJD)

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

- A. pursuant to section 3 (2) (a) and 11A of the Stock Diseases Act 1923 ('the Act'), revoke Notification No. 1805-OJD published in New South Wales Government Gazette No. 108 of 31 August 2007 at pages 6673-6674 and any notification revived as a result of this revocation; and
- B. pursuant to section 11A of the Act, declare the lands described in the Schedule to be a Protected Area (to be known as the 'OJD Exclusion Area'), and all other lands in New South Wales to be a Protected (Control) Area (to be known as the 'OJD Management Area'), as regards Johne's disease in sheep (known as ovine Johne's disease or OJD); and
- C. pursuant to section 11A of the Act prohibit the bringing into the Protected Area of any sheep from any part of the Protected (Control) Area unless:
 - (a) the sheep are accompanied by a Completed Health Statement for Sheep that is given to the person to whom the sheep are delivered; or
 - (b) the sheep are 'exempt sheep'; or
 - (c) the sheep originate from the Protected Area and are transported in a vehicle through the Protected (Control) Area without unloading, and back into the Protected Area; or
 - (d) the sheep are moved in accordance with:
 - a written permit issued by an inspector under section 7 (6) of the Act, or
 - an order given by an inspector under section 8 (1) (b) of the Act.

Definitions

In this Notification:

Completed Health Statement for Sheep means:

- a document sourced from a booklet titled 'National Sheep Health Statement Version 1 March 2008' or from a subsequent edition approved by the Director, Animal and Plant Biosecurity, and duly completed by the owner and/or person responsible for the husbandry of the sheep.
- a document sourced electronically titled 'National Sheep Health Statement Version 1 March 2008' or from a subsequent edition approved by the Director, Animal and Plant Biosecurity, and duly completed by the owner and/or person responsible for the husbandry of the sheep.
- a document approved from time to time by the Director, Animal and Plant Biosecurity, and duly completed by the owner and/or person responsible for the husbandry of the sheep.

Director, Animal and Plant Biosecurity, means the Director, Animal and Plant Bio-security, of NSW Department of Primary Industries.

exempt sheep means:

- sheep being moved to slaughter, directly or via a slaughter-only sale;
- lambs accompanied by a National Vendor Declaration on which section 7 has been filled in with the words “PRIME LAMBS FOR SLAUGHTER ONLY”; and
- sheep being sent or delivered to a Health Statement for Sheep exempt sale approved by a Senior Regional Animal Health Manager no later than 48 hours before the sale.

sale includes, sell, offer for sale, assist in selling and attempt to sell.

Senior Regional Animal Health Manager means Senior Regional Animal Health Manager, of NSW Department of Primary Industries.

SCHEDULE Protected Area

The whole of the lands contained in the Armidale, Balranald, Bourke, Brewarrina, Broken Hill, Cobar, Condobolin, Coonabarabran, Coonamble, Hay, Hillston, Milparinka, Moree, Narrabri, Northern New England, Northern Slopes, Nyngan, Walgett, Wanaaring, Wentworth, and Wilcannia Rural Lands Protection Districts.

Notes

Contravening a provision of this Notification is an offence under section 20H(1)(a) of the Act. The maximum penalty for such an offence is \$11,000.

A map of the ‘OJD Exclusion Area’ and the ‘OJD Management Area’ as regards Johne’s disease in sheep, is published on the NSW Department of Primary Industries’ website at www.ojdinfo.nsw.gov.au.

National Sheep Health Statements are sourced from the web or from booklets printed by state Departments of Primary Industries.

The course of action to be taken by the owner or occupier of the land in the ‘OJD Exclusion Area’, and in the ‘OJD Management Area’, and by the owner of the sheep, the owner’s agent, or by any other person in charge of the sheep in each of those areas shall be as ordered by an inspector.

1866-OJD is the NSW Department of Primary Industries’ reference.

For further information, contact the NSW Department of Primary Industries on (02) 6391 3691.

Dated this 2nd day of May 2008.

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

STOCK DISEASES ACT 1923

Proclamation No. 566-OJD

Proclamation to restrict the importation or introduction into New South Wales of sheep on account of Johne’s disease

Her Excellency Professor MARIE BASHIR, A.C., C.V.O.,
Governor

I, Professor MARIE BASHIR, A.C., C.V.O., Governor of the State of New South Wales, with the advice of the Executive Council:

- A. pursuant to sections 3 (2) (a) and 11B of the Stock Diseases Act 1923 (‘the Act’), revoke Proclamation No. 564-OJD published in New South Wales Government Gazette No. 108 of 31 August 2007 at pages 6674-6675, and any Proclamation revived as a result of its revocation; and
- B. pursuant to section 11B of the Act, and being of the opinion that certain sheep might be infected with, or might carry or spread, Johne’s disease (in the form commonly known as ovine Johne’s disease or OJD), restrict the importation or introduction into the State of sheep as set out in the Schedule.

SCHEDULE

Bringing of sheep into the OJD Exclusion Area of New South Wales

1. A person must not bring or cause or permit sheep to be brought into the part of New South Wales known as the ‘OJD Exclusion Area’ unless:
 - (a) the sheep are accompanied by a Completed Health Statement for Sheep that is given to the person to whom the sheep are delivered; or
 - (b) the sheep are exempt sheep; or
 - (c) the sheep are moved in accordance with:
 - a written permit issued by an inspector under section 7 (6) of the Act, or
 - an order given by an inspector under section 8 (1) (b) of the Act
 in circumstances that are of a kind approved from time to time by the Deputy Director-General of the Division of Agriculture, Biosecurity and Mine Safety or Director, Animal and Plant Biosecurity.

Bringing of sheep for sale or agistment into the OJD Management Area of New South Wales

2. A person must not bring or cause or permit sheep to be brought into the part of New South Wales known as the ‘OJD Management Area’ for sale or agistment unless:
 - (a) the sheep are accompanied by a Completed Health Statement for Sheep that is given to the person to whom the sheep are delivered; or
 - (b) the sheep are for sale and are exempt sheep; or
 - (c) the sheep are moved in accordance with:
 - a written permit issued by an inspector under section 7 (6) of the Act, or
 - an order given by an inspector under section 8 (1) (b) of the Act

in circumstances that are of a kind approved from time to time by the Deputy Director-General of the Division of Agriculture, Biosecurity and Mine Safety or Director, Animal and Plant Biosecurity.

Definitions

In this Proclamation:

Completed Health Statement for Sheep means:

- a document sourced from a booklet titled 'National Sheep Health Statement Version 1 March 2008' or from a subsequent edition approved by the Director, Animal and Plant Biosecurity, and duly completed by the owner and/or person responsible for the husbandry of the sheep.
- a document sourced electronically titled 'National Sheep Health Statement Version 1 March 2008' or from a subsequent edition approved by the Director, Animal and Plant Biosecurity, and duly completed by the owner and/or person responsible for the husbandry of the sheep.
- a document approved from time to time by the Director, Animal and Plant Biosecurity, and duly completed by the owner and/or person responsible for the husbandry of the sheep.

Deputy Director-General of the Division of Agriculture, Biosecurity and Mine Safety, means the Deputy Director-General of the Division of Agriculture, Biosecurity and Mine Safety, of NSW Department of Primary Industries.

Director, Animal and Plant Biosecurity, means the Director, Animal and Plant Bio-security, of NSW Department of Primary Industries.

exempt sheep means:

- sheep being moved to slaughter, directly or via a slaughter-only sale;
- lambs accompanied by a National Vendor Declaration on which section 7 has been filled in with the words "PRIME LAMBS FOR SLAUGHTER ONLY"; and
- sheep being sent or delivered to a Health Statement for Sheep exempt sale approved by a Senior Regional Animal Health Manager no later than 48 hours before the sale.

'OJD Exclusion Area' means the part of New South Wales declared by Notification from time to time to be a Protected Area as regards Johne's disease in sheep.

'OJD Management Area' means the part of New South Wales declared by Notification from time to time to be a Protected (Control) Area as regards Johne's disease in sheep.

sale includes, sell, offer for sale, assist in selling and attempt to sell.

Senior Regional Animal Health Manager means Senior Regional Animal Health Manager, of NSW Department of Primary Industries.

Notes

Introducing sheep into New South Wales in contravention of this Proclamation is an offence under section 20 of the Act. The maximum penalty for such an offence is ordinarily \$11,000, but is \$22,000 if the sheep are diseased, and \$110,000

and 6 months imprisonment if the sheep are diseased and other sheep in the State become diseased as a result.

The doing of other things in contravention of this Proclamation is an offence under section 20H(1)(a) of the Act. The maximum penalty for such an offence is \$11,000.

National Sheep Health Statements are sourced from the web or from booklets printed by state Departments of Primary Industries.

A map of the 'OJD Exclusion Area' and the 'OJD Management Area' as regards Johne's disease in sheep, is published on the NSW Department of Primary Industries' website at www.ojdinfo.nsw.gov.au

566-OJD is the NSW Department of Primary Industries' reference.

For further information, contact the NSW Department of Primary Industries on (02) 6391 3351.

Signed and sealed at Sydney this 7th day of May 2008.

By Her Excellency's Command,

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

(T08-0082)

No. 3484, RODINIA RESOURCES PTY LTD (ACN 129 217 885), area of 30 units, for Group 1, dated 29 April, 2008. (Cobar Mining Division).

(T08-0083)

No. 3485, JOHN SLADE (ACN 72243835393), area of 95 units, for Group 1, dated 2 May, 2008. (Coffs Harbour Mining Division).

(T08-0084)

No. 3486, GOLDMINCO CORPORATION (ACN 669 382 832), area of 70 units, for Group 1, dated 5 May, 2008. (Orange Mining Division).

MINING LEASE APPLICATION

(08-3916)

No. 319, MOOLARBEN COAL MINES PTY LIMITED (ACN 108 601 672), area of about 3.18 hectares, to mine for coal, dated 1 May, 2008. (Orange Mining Division).

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

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATION

(T08-0039)

No. 3439, now Exploration Licence No. 7128, ALLIANCE (NSW) PTY LTD (ACN 096 947 223), County of Yancowinna, Map Sheet (7134), area of 8 units, for Group 1, dated 21 April, 2008, for a term until 21 April, 2010.

MINING LEASE APPLICATIONS

(T03-0091)

Orange No. 225, now Mining Lease No. 1617 (Act 1992), BROULA KING JOINT VENTURE PTY LTD (ACN 113 348 459), Parish of Bumbaldry, County of Montegale, Map Sheet (8530-2-S), area of 74.92 hectares, to mine for gold, dated 31 March, 2008, for a term until 31 March, 2029.

(06-103)

Orange No. 275, now Mining Lease No. 1616 (Act 1992), SOMERSET MINING PTY LTD (ACN 003 430 215), Parish of Broula, County of Forbes, Map Sheets (8630-3-N, 8630-3-S), area of 33.91 hectares, to mine for iron minerals and limestone, dated 31 March, 2008, for a term until 31 March, 2029. As a result of the grant of this title, Exploration Licence No. 5909 has partly ceased to have effect.

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

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

(T04-0020)

Exploration Licence No. 6241, RIMFIRE PACIFIC MINING NL (ACN 006 911 744), area of 15 units. Application for renewal received 5 May, 2008.

(T03-0878)

Exploration Licence No. 6249, GUM RIDGE MINING PTY LIMITED (ACN 108 530 650), area of 4 units. Application for renewal received 30 April, 2008.

(T03-0971)

Exploration Licence No. 6250, REEDY CREEK PTY LIMITED (ACN 108 530 678), area of 21 units. Application for renewal received 30 April, 2008.

(04-4682)

Exploration Licence No. 6428, RENISON COAL PTY LTD (ACN 100 163 942) AND NORTHERN ENERGY CORPORATION LIMITED (ACN 081 244 395), area of 1527 hectares. Application for renewal received 6 May, 2008.

(05-287)

Exploration Licence No. 6573, DEEPYELLOW LIMITED (ACN 006391948), area of 120 units. Application for renewal received 6 May, 2008.

(T85-0824)

Mining Lease No. 1189 (Act 1973), CLIMAX AUSTRALIA PTY LIMITED (ACN 002 164 598), area of 252 hectares. Application for renewal received 2 May, 2008.

(T08-3920)

Mining Purposes Lease No. 219 (Act 1973), DORIS ADELENE FULLER, area of 5 hectares. Application for renewal received 28 April, 2008.

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

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(T08-0737)

Exploration Licence No. 4642, PETER WARREN ENGLISH, County of Murchison, Map Sheet (9037), area of 1 units, for a further term until 10 March, 2010. Renewal effective on and from 30 April, 2008.

(06-7630)

Exploration Licence No. 5671, STIRLING MINERALS LIMITED (ACN 123 972 814), County of Wellesley, Map Sheets (8624, 8724), area of 5 units, for a further term until 9 January, 2010. Renewal effective on and from 30 April, 2008.

(T03-0035)

Exploration Licence No. 6132, PLATSEARCH NL (ACN 003 254 395), EAGLEHAWK GEOLOGICAL CONSULTING PTY LTD (ACN 061 324 454) AND TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Yancowinna, Map Sheets (7134, 7234), area of 74 units, for a further term until 30 September, 2009. Renewal effective on and from 28 March, 2008.

(T03-0065)

Exploration Licence No. 6172, DART RESOURCES PTY LTD (ACN 050 030 245), Counties of Selwyn and Wynyard, Map Sheets (8525, 8526), area of 37 units, for a further term until 11 December, 2009. Renewal effective on and from 30 April, 2008.

(05-243)

Exploration Licence No. 6482, COBAR CONSOLIDATED RESOURCES LIMITED (ACN 118 684 576), Counties of Booroondarra, Mouramba and Robinson, Map Sheets (7934, 8033, 8034), area of 146 units, for a further term until 17 November, 2009. Renewal effective on and from 7 April, 2008.

(05-290)

Exploration Licence No. 6511, COALWORKS LIMITED (ACN 114 702 831), County of Arrawatta, Map Sheet (9039), area of 4 units, for a further term until 2 March, 2010. Renewal effective on and from 30 April, 2008.

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:

(04-623)

Exploration Licence No. 6375, NEWCREST OPERATIONS LIMITED (ACN 009 221 505), County of Forbes and County of Gipps, Map Sheets (8430, 8431), area of 104 units. Cancellation took effect on 27 April, 2008.

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

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

NOTICE is given that the following leases have been cancelled:

(06-4859)

Gold Lease No. 5897 (Act 1906), GEOFFREY CHARLES WALKER, Parish of Sofala, County of Roxburgh; and Parish of Sofala, County of Roxburgh, Map Sheets (8831-4-N, 8831-4-N), area of 6.07 hectares. Cancellation took effect on 26 April, 2008.

(06-4859)

Gold Lease No. 5904 (Act 1906), GEOFFREY CHARLES WALKER, Parish of Sofala, County of Roxburgh; and Parish of Sofala, County of Roxburgh, Map Sheets (8831-4-N, 8831-4-N), area of 5.382 hectares. Cancellation took effect on 26 April, 2008.

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

TRANSFERS

(T03-0856)

Exploration Licence No. 6190, formerly held by VIDORO PTY LTD (ACN 094 217 482) has been transferred to THE COLONIAL COPPER COMPANY PTY. LTD. (ACN 007 930 243). The transfer was registered on 25 April, 2008.

(T03-0856)

Exploration Licence No. 6446, formerly held by VIDORO PTY LTD (ACN 094 217 482) has been transferred to THE COLONIAL COPPER COMPANY PTY. LTD. (ACN 007 930 243). The transfer was registered on 25 April, 2008.

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

Roads and Traffic Authority

ROADS ACT 1993

Notice of Dedication of Land as Public Road at
Bringelly in the Liverpool City Council area

THE Roads and Traffic Authority of New South Wales, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

T D Craig
Manager, Compulsory Acquisition & Road Dedication
Roads and Traffic Authority of New South Wales

—————
SCHEDULE

ALL those pieces or parcels of land situated in the Liverpool City Council area, Parish of Bringelly and County of Cumberland, shown as:

Lots 12 to 30 inclusive Deposited Plan 255036;

Lots 2, 3, and 4 Deposited Plan 574550;

Lot 1 Deposited Plan 584256; and

Lot 53 Deposited Plan 746911.

(RTA Papers: 259.1921)

ROADS ACT 1993

Notice of Dedication of Land as Public Road at
Wiley Park in the Canterbury City Council area

THE Roads and Traffic Authority of New South Wales, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

T D Craig
Manager, Compulsory Acquisition & Road Dedication
Roads and Traffic Authority of New South Wales

—————
SCHEDULE

ALL those pieces or parcels of land situated in the Canterbury City Council area, Parish of St George and County of Cumberland, shown as Lots 23, 24 and 25 Deposited Plan 1112577.

(RTA Papers: FPP 78.1196; RO 78.1196)

ROADS ACT 1993

Notice of Dedication of Land as Public Road at
Bringelly in the Camden Council area

THE Roads and Traffic Authority of New South Wales, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

T D Craig
Manager, Compulsory Acquisition & Road Dedication
Roads and Traffic Authority of New South Wales

—————
SCHEDULE

ALL those pieces or parcels of land situated in the Camden Council area, Parish of Cook and County of Cumberland, shown as Lots 54 and 55 Deposited Plan 746911.

(RTA Papers: 259.1921)

ROADS ACT 1993

Notice of Dedication of Land as Public Road at
Hurlstone Park in the Canterbury City Council area

THE Roads and Traffic Authority of New South Wales, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

T D Craig
Manager, Compulsory Acquisition & Road Dedication
Roads and Traffic Authority of New South Wales

—————
SCHEDULE

ALL those pieces or parcels of land situated in the Canterbury City Council area, Parish of Petersham and County of Cumberland, shown as Lots 3 and 4 Deposited Plan 1122480.

(RTA Papers: FPP 5M1152; RO 78.12068)

ROAD TRANSPORT (GENERAL) ACT 2005

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

LIVERPOOL PLAINS SHIRE COUNCIL, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which 19/25 metre B-Double and 4.6 m High vehicles may be used.

Date: 5 May 2008.

General Manager
Liverpool Plains Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as the Liverpool Plains Shire Council **19/25metre B-Double and 4.6 m High Repeal** Notice No. **1/2008**

2. Commencement

This Notice takes effect on the date of gazettal.

3. Amendment

The General B Double Permit Notice 2005 is amended by omitting the following from appendix 2 of that Notice:

<i>Type</i>	<i>Road</i>	<i>Starting point</i>	<i>Finishing point</i>
25 & 4.6m high	Old Quirindi Shire Council blanket gazettal		
19/25 & 4.6m high	Liverpool Plains Shire Council gazettal – 01/2006		

ROAD TRANSPORT (GENERAL) ACT 2005

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

URALLA 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 which 25 metre B-Double vehicles may be used subject to any requirements or conditions set out in the Schedule.

THOMAS PATRICK O'CONNOR,
General Manager,
Uralla Shire Council
(by delegation from the Minister for Roads)
5 May 2008

SCHEDULE**1. Citation**

This Notice may be cited as the. Uralla Shire Council 25metre B-Double route Notice No. 01/2008.

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 25 metre B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Saumarez War Service Road	New England Highway	4.6km east of highway	

ROAD TRANSPORT (GENERAL) ACT 2005

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

LIVERPOOL PLAINS 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 **4.6 metre High Vehicles** may be used subject to any requirements or conditions set out in the Schedule.

Dated 5 May 2008.

General Manager
Liverpool Plains Shire Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited as Liverpool Plains Shire Council **4.6 Metre High Vehicle** Route Notice No. 1/2008.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force unless it is amended or repealed earlier.

4. Application

This Notice applies to those **4.6 metre high** vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
4.6m high		Liverpool Plains Shire Council area. Refer to starting and finishing points for areas and points of exclusions.	All local road and regional road network <u>except for:</u> <ul style="list-style-type: none"> • Pandora's Pass Road • The unsealed section of MR358 • Chilcotts Creek Road • Swinging Ridges Road between Ardglan and Borambil Creek Road • MR579 Gap Road <u>Approved</u> streets and roads in the towns and villages are: Quirindi: <ul style="list-style-type: none"> - SH29 (Loader & Lennox Streets) - MR126 (Loder Street, Nelson Street, Whitaker Street, George Street, Henry Street east of George Street roundabout, Henry Street west of George Street and Dewhurst Street) - MR130 (George Street, Station Street and Hawker Street) - Pryor Street west of MR130 - Centre Street - Fairbairn Street - Cross Street - Borah Creek Road from Allnutt Street to town limits - Allnutt Street - Russell & Duke Streets between MR126 and SH29 - Fitzroy Street - Young Street - Industrial Drive - South Street east of Loder Street Werris Creek: <ul style="list-style-type: none"> • MR130 (Single Street) • MR579 (Gap Road) from MR130 to Silo Road • Silo Road • Parks Street • Werriston Road • Russell Street • Stock Route Road 		That transport operators be advised that: <ol style="list-style-type: none"> (1) It is their responsibility as the driver of the transport to satisfy themselves that the proposed route is suitable for use under the conditions existing at the time and undertake a risk assessment of the route prior to travelling the route to assess the suitability of travel along the route. (2) Temporary route restrictions may be imposed when routes become impassable for heavy vehicles. (3) Following rainfall the driver must check with the Liverpool Plains Shire Council, or the RTA Area Office, regarding possible road closures. (4) Extreme care must be taken on the route especially during wet weather or during school bus hours.

<i>Type</i>	<i>Road No</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
			<p>Spring Ridge:</p> <ul style="list-style-type: none"> - MR129 (Darby Road) - Steele Street <p>Wallabadah:</p> <ul style="list-style-type: none"> - SH9 (Coach Street) - MR126 (Maria Street) - Martyn Street - Elizabeth Street <p>Willow Tree:</p> <ul style="list-style-type: none"> - SH9 (New England Highway) - MR358 (Willow Tree to Merriwa Road) <p>Caroona:</p> <ul style="list-style-type: none"> - MR129 - SR55 (Williewarina Road) <p>Premer:</p> <ul style="list-style-type: none"> - MR129 - Ellerslie Street - Premer Street <p>Pine Ridge:</p> <ul style="list-style-type: none"> - SR1 (Bundella Road) <p>Blackville:</p> <ul style="list-style-type: none"> - SR3 (Blackville Road) - SR11 (Bartons Lane) - SR61 (Dimby Lane) <p>Currabubula:</p> <ul style="list-style-type: none"> - MR130 - Davis Street - Alford Street 		

ROAD TRANSPORT (GENERAL) ACT 2005

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

LIVERPOOL PLAINS 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 **25 metre B-Doubles** may be used subject to any requirements or conditions set out in the Schedule.

Dated 5 May 2008.

GENERAL MANAGER,
Liverpool Plains Shire Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited as Liverpool Plains Shire Council **25 Metre B-Double** route Notice No. 1/2008

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force unless it is amended or repealed earlier.

4. Application

This Notice applies to those **25 metre B-Double** vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
25		Liverpool Plains Shire Council area. Refer to starting and finishing points for areas and points of exclusions.	All local road and regional road network <u>except for</u> : <ul style="list-style-type: none"> • Pandora's Pass Road • The unsealed section of MR358 • Chilcotts Creek Road • Swinging Ridges Road between Ardglen and Borambil Creek Road • MR579 Gap Road <u>Approved</u> streets and roads in the towns and villages are: Quirindi: <ul style="list-style-type: none"> - SH29 (Loader & Lennox Streets) - MR126 (Loder Street, Nelson Street, Whitaker Street, George Street, Henry Street east of George Street roundabout, Henry Street west of George Street and Dewhurst Street) - MR130 (George Street, Station Street and Hawker Street) - Pryor Street west of MR130 - Centre Street - Fairbairn Street - Cross Street - Borah Creek Road from Allnutt Street to town limits - Allnutt Street - Russell & Duke Streets between MR126 and SH29 - Fitzroy Street - Young Street - Industrial Drive - South Street east of Loder Street Werris Creek: <ul style="list-style-type: none"> - MR130 (Single Street) - MR579 (Gap Road) from MR130 to Silo Road - Silo Road - Parks Street - Werriston Road - Russell Street - Stock Route Road 		That B-Double transport operators be advised that: <ol style="list-style-type: none"> (1) It is their responsibility as the driver of the B-Double transport to satisfy themselves that the proposed route is suitable for use under the conditions existing at the time and undertake a risk assessment of the route prior to travelling the route to assess the suitability of travel along the route. (2) Temporary route restrictions may be imposed when routes become impassable for heavy vehicles. (3) Following rainfall the driver of a B-Double transport must check with the Liverpool Plains Shire Council, or the RTA Area Office, regarding possible road closures. (4) Extreme care must be taken on the route especially during wet weather or during school bus hours.

<i>Type</i>	<i>Road No</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
			<p>Spring Ridge:</p> <ul style="list-style-type: none"> - MR129 (Darby Road) - Steele Street <p>Wallabadah:</p> <ul style="list-style-type: none"> - SH9 (Coach Street) - MR126 (Maria Street) - Martyn Street - Elizabeth Street <p>Willow Tree:</p> <ul style="list-style-type: none"> - SH9 (New England Highway) - MR358 (Willow Tree to Merriwa Road) <p>Caroona:</p> <ul style="list-style-type: none"> - MR129 - SR55 (Williewarina Road) <p>Premer:</p> <ul style="list-style-type: none"> - MR129 - Ellerslie Street - Premer Street <p>Pine Ridge:</p> <ul style="list-style-type: none"> - SR1 (Bundella Road) <p>Blackville:</p> <ul style="list-style-type: none"> - SR3 (Blackville Road) - SR11 (Bartons Lane) - SR61 (Dimby Lane) <p>Currabubula:</p> <ul style="list-style-type: none"> - MR130 - Davis Street - Alford Street 		

Department of Water and Energy

WATER ACT 1912

AN application for a licence 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:

Border Rivers Valley

Daryl Leslie Cleeve, William Journeaux Cleeve and Betty Jane Cleeve for two pumps on the Dumaresq River on Lots 1, 4 and 22 DP 750122 Parish Texas, County Arrawatta for irrigation of 165 hectares (lucerne) (New licence, splitting entitlement of existing licence 90SL100340). (Ref: 90SL100971).

Written objections to the applications specifying grounds thereof, may be made by any statutory authority or local occupier within the proclaimed local (declared) area and must be lodged with the Department of Water and Energy, PO Box 796, Murwillumbah NSW 2484, within 28 days of publication.

DENNIS MILLING,
Manager Licensing

Other Notices

APRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given of the making of a Vocational Training Order for the recognised traineeship vocation of Health Services – Aboriginal and Torres Strait Islander Health.

The Order specifies a number of matters in relation to the required training for this vocation, including the term/s of training, competency outcomes and course/s of study to be undertaken.

The Order will take effect from the date of publication in the Gazette.

A copy of the Order may be inspected at any State Training Services Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

APRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given of the making of a Vocational Training Order for the recognised traineeship vocation of Health Services – Pathology.

The Order specifies a number of matters in relation to the required training for this vocation, including the term/s of training, competency outcomes and course/s of study to be undertaken.

The Order will take effect from the date of publication in the Gazette.

A copy of the Order may be inspected at any State Training Services Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of incorporation pursuant to section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

WYANGALA MOTOR BOAT & SKI CLUB INC
Y0047010

SOUTH WEST ROCKS CRICKET CLUB
INCORPORATED Y1615929

PACTOK INCORPORATED Y16928714

PACTOK INC Y1628714

HAWKESBURY HOPPERS ROPE SKIPPING
TEAM INC Y1272144

AUSTRALIAN NURSES IN AIDS GROUP INC
Y01290926

FINLEY SENIOR CITIZENS CLUB INC Y0012821

CHRISTINE GOWLAND,
Manager,
Financial Analysis Branch,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
7 May 2008

ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association Pursuant to Section 54A

THE incorporation of Coffs Harbour & District Clay Target Club Incorporated cancelled on 22 February 2008 is reinstated pursuant to section 54A of the Associations Incorporation Act 1984.

Dated: The 30th day of April 2008.

CHRISTINE GOWLAND,
Manager,
Financial Analysis Branch,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce

BANKS AND BANK HOLIDAYS ACT 1912

PROCLAMATION

(L.S.) 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 19(1) of the Banks and Bank Holidays Act 1912, do, by this my Proclamation, appoint Monday, 9 June 2008, to be observed as a public holiday throughout New South Wales for the purpose of celebrating the Anniversary of the Birthday of Her Majesty the Queen.

Signed and sealed at Sydney, this 7th day of May, 2008.

By Her Excellency's Command,

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

GOD SAVE THE QUEEN !

CO-OPERATIVES ACT 1992

Notice under section 601AB of the Corporations Act 2001 as applied by section 325 of the Co-Operatives Act 1992

NOTICE is hereby given that the Co-operative mentioned below will be deregistered when two months have passed since the publication of this notice.

The Trade Union Medical Co-operative Society
Limited

Dated this fifth day of May 2008.

C GOWLAND,
Delegate of the Registrar of Co-Operatives

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, 8 and 9 of Schedule 1 of the Game and Feral Animal

Control Regulation 2004 for deer control defined in the Game Council Wollongong LGA Deer Management Plan within the Wollongong Local Government Area.

For the period 9/05/2008 – 31/12/2009.

Approved by Game Council of NSW this 9th day of May 2008.

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

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical name listed hereunder.

Assigned Name:	Joshua Porter Reserve
Designation:	Reserve
L.G.A.:	Wyong Shire Council
Parish:	Wallarah
County:	Northumberland
L.P.I. Map:	Catherine Hill Bay
1:100,000 Map:	Lake Macquarie 9231
Reference:	GNB 5219

The position and the extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's Web Site at www.gnb.nsw.gov.au.

WARWICK WATKINS,
Chairperson

Geographical Names Board
PO Box 143, Bathurst NSW
Ph 1800 025 700

GEOGRAPHICAL NAMES ACT 1966

Notice of Amendment of Address Locality Boundaries

Within the Eurobodalla Local Government Area

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day amended the boundary between the address localities of Mossy Point and Jeremadra increasing the extent of Mossy Point as shown on map GNB3762-1.

The position and extent of these address localities are recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's web site at www.gnb.nsw.gov.au.

WARWICK WATKINS,
Chairperson

Geographical Names Board
PO Box 143
BATHURST NSW 2795

HERITAGE ACT, 1977

Direction pursuant to section 34(1)(a)
to list an item on the State Heritage Register

Randwick Presbyterian Church

SHR No 1777

IN pursuance of Section 34 (1) (a) of the Heritage Act, 1977, I, the Minister for Planning, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B".

FRANK SARTOR, M.P.,
Minister for Planning

Sydney, 11th day of 2008.

SCHEDULE "A"

The item known as Randwick Presbyterian Church, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Lot 566 DP 752011 in Parish of Alexandria, County of Cumberland shown on the plan catalogued HC 2203 in the office of the Heritage Council of New South Wales.

HERITAGE ACT, 1977

Erratum

THE notice published in the *Government Gazette* No. 44, Page 2946 of 24 April 2008, relating to the order under 57(2) for the Historic Houses Trust should not have included item No. 12 Government House Sydney in Schedule A.

INCORPORATION OF PARENTS AND CITIZENS ASSOCIATIONS

THE following association is hereby incorporated under the Parents and Citizens Associations Incorporation Act 1976.

1. Stoker Siding School
2. Temora West Public School
3. Blakehurst Public School
4. South Coogee Public School
5. Winmalee High School
6. Crestwood High School
7. Asquith Boys High School
8. Shortland Primary School
9. Canterbury Girls High School
10. Kempsey High School
11. Mayfield East School

JOHN DELLA BOSCA, M.L.C.,
Minister for Education and Training

LOCAL GOVERNMENT REMUNERATION TRIBUNAL

2008 ANNUAL REVIEW

BACKGROUND

1. Pursuant to Section 241 of the Local Government Act 1993 (the Act) the Local Government Remuneration Tribunal hereby determines in each category of Council, the maximum and minimum amount of fees to be paid to Mayors and Councillors of Councils, as well as chairpersons and members of County Councils.

2. On 9 November 2007 the Tribunal wrote to all Mayors advising the commencement of the 2008 annual review. In respect of this review the Tribunal stated that:

“The current fee structure was introduced by the Tribunal in 1995. Aside from increases to the quantum of allowance the fee structure has remained largely unchanged since that time. As outlined in the 2007 Report the Tribunal will undertake a review of the fees as part of this review.

The Tribunal would welcome submissions from individual Councils or joint submissions in regard to the quantum and/or structure of fees.”

“The Tribunal does not intend to undertake a further review of categories during the 2008 review. The Tribunal will review the categories of Councils again as part of the 2009 review. Until then the Tribunal would not expect to move Councils within categories unless there is a significant change in the role and responsibilities of individual Councils.”

3. The Tribunal also wrote to the Presidents of the Local Government and Shires Associations (LGSA) in similar terms, and subsequently met with the Presidents. The Tribunal wishes to place on record its appreciation to the Presidents for making time to see the Tribunal.

4. The LGSA provided a submission on fees and related matters. The submission outlined matters of Local Government administration which impact upon the roles and Councillors and Mayors.

5. As in previous years, the LGSA has recommended that fees be set as a percentage of the annual salary paid to NSW Members of Parliament. In the model suggested by the LGSA the fees for Mayors would be pegged between 10% and 80% of the annual salary of MPs and fees for Councillors would be pegged at between 5% and 40%. Also, the fee for Councillors would be set at 50% of the fee paid to the Mayor for each Council category.

6. In making its recommendation the LGSA also sought consideration of the model recently adopted in Queensland as recommended by the Queensland Local Government Remuneration Tribunal.

7. Of the other submissions received the majority either supported the LGSA proposal or sought a general increase in fees. One submission recommended that the Act be amended to provide the following:

- Councillor fees be equivalent to 50% of total Mayoral remuneration.
- Mayor fees be set as percentage of MP salaries.
- Councillors receive an additional allowance when they act in the office of Mayor when the Mayor is on leave.

- Councillors receive an additional allowance when taking on the role of chairing one or more of the formal sub-committees of Council.

2008 REVIEW

8. Under the Act the Tribunal's role is limited to determining the categories of Councils (s.239) and determining the minimum and maximum fee range for Councillors and Mayors in each of those categories. Councillors vote annually on what fee within this range they will pay themselves. Other emoluments paid to Councillors and Mayors are not determined by the Tribunal. These are a matter for each Council and the Department of Local Government. Any expansion of the role of the Tribunal into these areas would require a change to the legislation.

9. For this review the Tribunal will be determining the quantum of fee increase to take effect on and from 1 July 2008. In making its Determination the Tribunal has had regard to a number of factors including:

- Interstate comparisons
- the proposal that fees be set as a percentage of the salary of Members of Parliament
- performance measures
- training and development
- the nature of full time versus volunteer service
- the ability to attract suitable candidates to stand for local government election.

Interstate Comparisons

10. The LGSA has drawn attention to recent changes to the level and structure of fees paid to Councillors and Mayors in Queensland and Victoria. In particular, it has drawn attention to the decision by the Queensland Local Government Remuneration Tribunal to determine the ranges of fees for Councillors and Mayors based upon percentages of the salary payable to Members of the Queensland Legislative Assembly.

11. In making its determination the Queensland Local Government Remuneration Tribunal made the following general comments:

“In determining appropriate remuneration levels the Tribunal has attempted to achieve a fair balance between affordability and appropriate compensation to Councillors for the time and commitments required to properly, and competently, perform their role. The Tribunal also believes it is necessary to set rates which properly reflect the workloads and expectations associated with performing the duties of a mayor, deputy mayor and Councillor in the 10 categories.”

12. The Tribunal notes and accepts that fee levels both in Queensland and Victoria are higher than those in NSW. The Tribunal also notes, however, that there are significant reasons why this should be the case

13. Councillors in Queensland previously set their own fees which were historically higher than those paid in NSW. The Tribunal, in its 2004 Report made the following observations about this practice:

“...Under the Queensland Local Government Act Councillors can set their own fees. The Tribunal is unaware as to the rationale that led to this approach being enshrined in legislation. It is not a matter for the Tribunal to comment on the pros and cons of other jurisdictions. The Tribunal does note, however,

that such an approach can lead to disparities in fee setting.

The following examples, taken from the list of fees provided by the LGSA, illustrate this point. In two Councils with a population of less than 1000 one pays its Mayor over \$41,000 pa, the other \$15,000. Another Council, with a population of just under 50,000 residents, pays its Mayor \$102,000 whereas a Council with more than twice that population size pays its Mayor \$94,000."

14. It is important to note that the Queensland Tribunal's initial determination followed a period of significant local government reform in Queensland. In 2007 the Queensland Government implemented a state-wide local government reform program and established the Local Government Reform Commission. As a result of that review the number of Councils in Queensland was reduced from 157 to 73 ie the number of Councils was reduced by more than 50 percent.
15. On 10 April 2008 the Victorian Government introduced a new support package for Councillors in Victoria. The new package includes an increase in the range of fees of 30 per cent plus superannuation contributions of 9 percent. The increase of 30 percent is the first since 2000 and is equivalent to the total increase paid since that time to Victorian Statutory and Executive Officers.
16. It should also be noted that the fee structure for Councils in Victoria was introduced following significant local government reform in Victoria when in 1995 the number of Councils was reduced from 210 to 78 ie a decrease of 37 percent in the number of Councils.
17. In both cases the underlying reason for significant fee increases has been massive reform of Local Government in each State. Queensland now has 73 Councils and Victoria has 78 Councils. By comparison NSW has 152 Councils. The obvious result of the reforms in Queensland and Victoria is to increase the size not only in area but also population of each of the remaining councils.
18. Based on the March 2007 figures NSW, Queensland and Victoria had the following populations

NSW	6.875 million
Victoria	5.188 million
Qld	4.162 million
19. This translates into the following average population figures for each council

NSW	45,000 per LGA
Vic	66,500 per LGA
Qld	57,000 per LGA

Link fees to the salary of a Member of Parliament

20. The LGSA has again proposed that Councillor and Mayoral fees be set as a percentage of the salary of a Member of Parliament. This matter is raised almost annually by the LGSA or individual Councils and, as on each previous occasion, it is not supported by the Tribunal.
21. The scope and range of responsibilities for Councillors and Mayors do not justify any nexus with the salary of a Member of Parliament.

22. This view was first articulated in the Tribunal's initial Report and Determination in 1994 which states:

"...the comparison with politicians (is not) valid on the basis that Councils are local government and that the mayor is the "political head". Councils are not statute-making bodies. Their constitution, powers, authorities, duties and functions are determined in accordance with the 1993 Act."
23. In other words, Members of Parliament are empowered to make laws. Councillors and Mayors are not. Another factor against a nexus was the number of MPs vis-à-vis Councillors and Mayors. The Tribunal expressed its view on this matter in its 2007 Report;

"...The Tribunal notes that there are 152 Mayors whereas there are 93 Members of the Legislative Assembly. The Tribunal also notes that Mayors are assisted by up to 12 Councillors as well as the General Manager and staff of the Council. The Tribunal cannot readily perceive any appropriate nexus between the fees of MPs and Mayors. However if this issue is presented again as part of the 2008 review, the Tribunal will look at it again."
24. The Tribunal has re examined this matter but finds that the rationale for not linking MP salaries to Mayors and Councillors adopted in previous reports and most recently expressed in the 2007 Report remains valid.
25. Although the Queensland Tribunal has linked Councillor remuneration to the salaries of MPs, that model was introduced following a period of significant reform in local government. Should there be significant change to or restructure of local government in NSW the Tribunal would comprehensively review the fee structure at that time.

Performance measures

26. Given the inherent difficulties associated with measuring performance of individual Councils or the overall performance of Councils across NSW, the Tribunal does not consider it appropriate or practical to factor in a measure of performance when determining an overall adjustment to fees.
27. This is made clear in the Tribunal's 1996 Report, which confirmed:

"...The fees are determined on the basis that Councils are performing in accordance with the Council's Charter (s.8 of the 1993 Act). The commitment of candidates for election on 9 September, 1995 to such a Charter is a matter for each community to assess".
28. While the Tribunal does not have a direct role in assessing the performance of Councils it is noted that the Department of Local Government does undertake such an assessment. This information is published annually as the Comparative Information on New South Wales Local Government Councils.
29. There may be some scope for the Tribunal to use this information when reviewing categories in 2009. Section 240 (1) the Act requires the Tribunal to consider a number of matters when determining categories for Councils and mayors. In determining categories the Tribunal may consider inter alia:
 - *"...the nature and volume of business dealt with by each Council; and*

- *such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government.*”

30. Finally, the Act empowers the Minister to take action against poorly performing Councils. The Local Government Act 1993 by ss 255 and 256 provides for the Governor, by proclamation, to declare vacant all civic offices in relation to a Council, on the recommendation of the Minister, if a public inquiry concerning the Council has been held, or on the recommendation of the ICAC. The Governor may appoint an administrator and/or order the holding of a fresh Council election.

31. The following Councils are currently under administration in NSW: Warringah, Liverpool City, Walgett Shire, Tweed Shire, Broken Hill City, Port Macquarie-Hastings, and Wollongong. A public inquiry is presently under way in relation to Shellharbour.

Full time paid employment versus volunteer service

32. The Tribunal has consistently affirmed the principle that Council representation is voluntary in nature and that it is not appropriate to equate the office of Councillor with a position in paid employment. The fees are not to be considered salaries or wages but are provided to acknowledge the contribution Councillors make to their local community. The Act refers to Councillors and mayors receiving a fee which implies a payment for services, and section 251 of the Act confirms that the role is not “employment” and that the fee is not a salary.

33. Should any future local government reform result in a substantial increase in Councillor responsibility then the position may need to be reconsidered but there is no reason at present to change this principle.

The ability to attract suitable candidates to stand for election.

34. The Tribunal has again considered whether the level of fees is sufficient to attract good candidates to stand for election. This issue is of particular significance this year as general local government elections will be held on 27 September 2008.

35. The Department of Local Government recently released a publication titled “Candidates and Councillors 2004: Report on the survey of Local Government Elected Members and Candidates for elections held between March and December 2004”.

36. The following table shows the number of candidates and the gender of those candidates who stood in the 2004 election compared with previous elections.

Table 2 Gender of Candidates 1991-2004 (page 9)

Election	Male		Male Change	Female		Female Change	Total No.
	No.	(%)		No.	(%)		
1991	2,949	77%		871	(23%)		3,820
1995	2,938	72%	-0.4%	1,125	(28%)	+29%	4,084
1999	3,441	70%	+15%	1,508	(30%)	+25%	4,950
2004	3,428	68%	-0.4%	1,645	(32%)	+9%	5,078

37. This data shows that the number of candidates has continued to increase since 1991, despite a reduction in Council numbers and Councillor positions, and that the number of women seeking election has increased.

38. While the level of fees does not appear to discourage people from standing for election, the LGSA suggests that

the low level of fees may be discouraging a more diverse range of people from seeking election to Councils.

39. The Department’s survey also found that:

- The typical Councillor was male, professional, aged 50-59 years, and spoke English as a first language.
- The typical mayor at the 2004 election was male, employed as a primary producer/farmer, aged 50-59 years, spoke English as a first language and had served three terms on Council.
- The following groups were still under represented: women, those aged between 18 and 39 years, those whose first language is not English, lower income occupations, Aboriginal and Torres Strait Islander people.

40. The profile of the “typical” Councillor is reflected by the type of people seeking election to local government.

- At the 2004 elections, 56% of the candidates standing for election were aged 40-59 years, which is similar to the 1999 and 1995 election results. The next most common age group is 60-69.
- Between 1999 and 2004 the number of people standing for election declined in the following age groups: 25-29 years, 30-39 years and 40-49 years.

41. The survey results indicate that existing Councillors and those seeking election do not represent a cross section of the community.

42. In a survey of Councillors conducted on behalf of the LGSA and included in their 2007 submission, it was suggested that money was not a motivating factor in seeking office. This statement may however reflect the profile of current Councillors who are predominantly male, employed and/or of retirement age.

43. That survey also found that, on average, 43% of respondents aged 45 and under stated that “financial hardship” was a reason for not standing for election again.

44. It is possible that the current level of fees discourages younger people and/or people of more diverse backgrounds from seeking election to local government, but it is not clear that any increase in the level of fees would improve this situation.

Training and development

45. The Tribunal accepts that Councillors need to be trained and properly informed of their roles and responsibilities. The Tribunal has been advised that the LGSA and Department of Local Government work together to develop training programs to educate new and existing Councillors. The LGSA provides a number of training programs for Councillors as part of its Councillor Professional Development Program (CPDP). In the six months following the 2004 elections, the LGSA conducted 31 workshops for approximately 400 Councillors. These workshops included induction programs for new Councillors and other workshops relating to planning legislation, strategic management, meeting procedures and change management.

46. The LGSA also provides Councils with a draft “Councillor Training and Development Plan” and recommends that Councils identify funding in their budgets for Councillor training.

47. The Tribunal welcomes the Department's and LGSA's initiative in Councillor training and development and will be interested to watch the extent of participation in these programs in the coming years.

Conclusion

48. In making its determination the Tribunal is of the firm view that the vast majority of Councils and Councillors are performing properly and discharging their duties responsibly. The Tribunal considers that poor performance by a small number of Councils and/or Councillors is not representative of local government across the state.

49. The Tribunal also notes that Councils spend a large proportion of their time on planning matters and that these are currently the subject of reform by the State Government. The Tribunal will monitor the impact of these reforms on Councils' workloads and responsibilities over the coming year.

50. As outlined in the 2007 report the Tribunal will undertake a review of the categories of Councils as part of the 2009 annual review. The Tribunal will seek detailed information from Councils in regard to categorisation at that time.

51. Having regard to the factors discussed in the report, and after considering key economic indicators, and after taking the views of the Assessors into account, the Tribunal considers that an increase of 4 per cent in the fees for Councillors and Mayors is appropriate for the current year and so determines.

Local Government Remuneration Tribunal

HELEN WRIGHT

Dated: 30 April 2008.

DETERMINATION PURSUANT TO SECTION 239
OF CATEGORIES OF COUNCILS AND COUNTY
COUNCILS EFFECTIVE FROM 1 JULY 2008

(as determined with effect from 1 July 2006)

Category S1 (1 Council)	Sydney
Category S2 (3 Councils)	Newcastle Parramatta Wollongong
Category S3	County Councils
Category S4 (engaged in significant commercial activities)	County Councils
Category 1A (2 Councils)	
Blacktown	
Penrith	
Category 1. (16 Councils)	
Bankstown	Liverpool
Baulkham Hills	North Sydney
Campbelltown	Randwick
Fairfield	Ryde
Gosford	Sutherland
Hornsby	Warringah
Hurstville	Willoughby
Lake Macquarie	Wyang

Category 2. (21 Councils)

Ashfield	Lane Cove
Auburn	Leichhardt
Botany	Manly
Burwood	Marrickville
Camden	Mosman
Canada Bay	Pittwater
Canterbury	Rockdale
Holroyd	Strathfield
Hunters Hill	Waverley
Kogarah	Woollahra
Ku ring Gai	

Category 3. (32 Councils)

Albury City	Greater Taree
Armidale Dumaresq	Griffith
Ballina	Hastings
Bathurst Regional	Hawkesbury
Bega Valley	Kempsey
Blue Mountains	Lismore
Broken Hill	Maitland
Byron	Orange
Cessnock	Pt Stephens
Clarence Valley	Shellharbour
Coffs Harbour	Shoalhaven
Dubbo	Tamworth Regional
Eurobodalla	Tweed Heads
Gt Lakes	Wagga Wagga
Goulburn Mulwaree	Wingecarribee
Queanbeyan	Wollondilly

Category 4. (77 Councils)

Balranald	Glen Innes Severn	Narromine
Bellingen	Gloucester	Palerang
Berrigen	Greater Hume	Parkes
Bland	Gundagai	Oberon
Blayney	Gunnedah	Richmond Valley
Bogan	Guyra	Singleton
Bombala	Gwydir	Snowy River
Boorowa	Harden	Temora
Bourke	Hay	Tenterfield
Brewarrina	Inverell	Tumbarumba
Cabonne	Jerilderie	Tumut
Carrathool	Junea	Upper Hunter
Central Darling	Kiama	Upper Lachlan
City of Lithgow	Kyogle	Uralla
Cobar	Lachlan	Urana
Conargo	Leeton	Wakool
Coolamon	Liverpool Plains	Walcha
Cooma-Monaro	Lockhart	Walgett
Coonamble	Mid-Western Regional	Warren
Cootamundra	Moree Plains	Warrumbungle
Corowa	Murray	Weddin
Cowra	Murrumbidgee	Wellington
Deniliquin	Muswellbrook	Wentworth
Dungog	Nambucca	Yass Valley
Forbes	Narrabri	Young
Gilgandra	Narrandera	

TOTAL GENERAL PURPOSE COUNCILS 152

Category S3 (10 Councils)

Castlereagh – Macquarie	Richmond River
Central Murray	Southern Slopes
Far North Coast	Upper Hunter
Hawkesbury River	Upper Macquarie
New England Weeds	

Category S4 (6 Councils)

Central Tablelands	Riverina Water	
Goldenfields Water	Rous	
MidCoast		
TOTAL COUNTY COUNCILS		14

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**DETERMINATION PURSUANT TO SECTION 241 OF
FEES FOR COUNCILLORS AND MAYORS**

PURSUANT to s.241 of the Local Government Act 1993, the annual fees to be paid in each of the categories to Councillors, Mayors, members and chairpersons of County Councils effective on and from 1 July 2008 are determined as follows:

	Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
	<i>Minimum</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Maximum</i>
Category 4	6,870	9,060	7,300	19,790
Category 3	6,870	15,120	14,610	33,010
Category 2	6,870	15,120	14,610	33,010
Category 1	10,300	19,250	21,910	51,130
Category 1A	13,740	22,680	29,210	66,100
S4	1,370	7,560	2,930	12,420
S3	1,370	4,530	2,930	8,250
S2	13,740	22,680	29,210	66,100
S1	20,620	30,240	126,160	166,000

* This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

Local Government Remuneration Tribunal

HELEN WRIGHT

Dated: 30 April 2008.

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LOCAL GOVERNMENT ACT 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land and Easements

THE Mid-Western Regional Council declares, with the approval of Her Excellency the Governor, that the land and easements described in the Schedule below, excluding mines and deposits of minerals within the land, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for water supply purposes.

Dated at Gulgong this 16th day of April 2008.

WARWICK L. BENNETT,
General Manager

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SCHEDULE

LAND

Lot 2 in Deposited Plan 1089775.

INTEREST IN LAND

Easement rights for water pipeline in the terms set out hereunder over the site shown in:

Deposited Plan 1089775 as:

'(E) PROPOSED EASEMENT FOR WATER PIPELINES
5 WIDE AND VARIABLE WIDTH'.

Easement rights for access in the terms set out hereunder over the site shown in:

Deposited Plan 1089775 as:

'(C) PROPOSED EASEMENT FOR ACCESS 10
WIDE'.

Rights to be Acquired:- Easement for Water Pipeline
FULL AND FREE right for the Body having the benefit of this easement (being a public or local authority) and every person authorised by it from time to time and at all times to pass and convey water in any quantities through the servient tenement TOGETHER WITH the right to use for the purpose of the easement any line of pipes (including works ancillary thereto) already laid within the servient tenement for the purposes of the passage and conveyance of such water or any pipe or pipes in replacement, substitution or duplication therefore and where no such line of pipes exists to lay place and maintain a line of pipes of sufficient internal diameter beneath the surface of the servient tenement and to lay place and maintain upon the surface of the servient tenement any works ancillary to the said line of pipes AND TOGETHER WITH the right for the Body having the benefit of this easement (being a public or local authority) and every person authorised by it with any tools, implements, or machinery, necessary for the purposes, to enter upon the servient tenement and to remain there for any reasonable time for the purposes of laying, inspecting, cleansing, repairing, maintaining, or renewing such pipeline or any part thereof (including works ancillary thereto) AND for any of the aforesaid purposes to open the soil of the servient tenement to such extent as may be necessary PROVIDED THAT the Body having the benefit of this easement (being a public or local authority) and every person authorised by it will take all reasonable precautions to ensure as little disturbance as possible to the surface of the servient tenement and will restore that surface as nearly as practicable to its original condition.

Easement for Access

FULL AND FREE right for the Body having the benefit of this easement (being a public or local authority) and every person authorised by it from time to time and at all times to go, pass and repass for all purposes with or without materials, tools, implements, plant, machinery, or vehicles upon and over the surface of the servient tenement TOGETHER WITH the right to enter upon the servient tenement from time to time and at all times with any materials, tools, implements, plant machinery, or vehicles and to remain there for any reasonable time for the purpose of laying upon the surface of the servient tenement, rock, stone, gravel, bitumen, concrete or other material, or for the purpose of removing the surface and undersurface of the servient tenement and substituting therefor either in whole or part, rock, stone, gravel, bitumen, concrete or other material and of forming and maintaining a road thereon to such standards as may from time to time be determined by the Body having the benefit of this easement.

SPA Reference 349.

LOCAL GOVERNMENT ACT 1993

Narromine Sewerage

THE Minister for Water Utilities of the State of New South Wales, declares that all right, title and interest in the works described in the Schedule hereto, which were constructed for the purpose of Narromine Sewerage Scheme are vested in Narromine Shire Council.

NATHAN REES, M.P.,
Minister for Water Utilities

SCHEDULE

Works of sewerage, for the town of Narromine comprising Sewerage treatment works, effluent irrigation scheme and augmentation of pump stations 1 and 2. DoC reference S917.

LOCAL GOVERNMENT ACT 1993

Dubbo Sewerage

THE Minister for Water Utilities of the State of New South Wales, declares that all right, title and interest in the works described in the Schedule hereto, which were constructed for the purpose of Dubbo Sewerage Scheme are vested in Dubbo City Council.

NATHAN REES, M.P.,
Minister for Water Utilities

SCHEDULE

Works of sewerage for the town of Dubbo comprising a pump station and pipelines to transfer sewage from Bunglegumby to Troy Junction STP, Augmentation Troy Junction Sewage treatment plant, Construction of Greengrove Effluent irrigation scheme (including effluent storage, pump station, rising main and irrigation scheme) and Augmentation of Alfred Street pump station. Doc Ref. S956.

LOCAL GOVERNMENT ACT 1993

Mumbil Sewerage

THE Minister for Water Utilities of the State of New South Wales, declares that all right, title and interest in the works described in the Schedule hereto, which were constructed for the purpose of Mumbil Sewerage Scheme are vested in Wellington Council.

NATHAN REES, M.P.,
Minister for Water Utilities

SCHEDULE

Works of sewerage for the town of Mumbil comprising sewage treatment plant and effluent evaporation ponds. Construction of new pipeline to treatment works. Doc Ref. S953.

POISONS AND THERAPEUTIC GOODS ACT 1966

Restoration of Drug Authority

IN accordance with the provisions of clause 171 (1) of the Poisons and Therapeutic Goods Regulation 2002, a direction has been issued that the order prohibiting Dr Miriam Marguerite Adair of 12 Benaroon Avenue, St Ives 2075 from supplying or having possession of drugs of addiction

as authorised by clause 101 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 76 of the Regulation, for the purpose of her profession as a medical practitioner, shall cease to operate from 5 May 2008.

PROFESSOR DEBORA PICONE, AM,
Director-General

Department of Health, New South Wales
Sydney, 30 April 2008

POISONS AND THERAPEUTIC GOODS ACT 1966

Authorisation to Supply Poisons and Restricted Substances

PURSUANT to clauses 166 and 167 of the Poisons and Therapeutic Goods Regulation 2002, I, JOHN LUMBY, Chief Pharmacist, a duly appointed delegate of the Director-General of the Department of Health, do hereby grant AUTHORITY to registered nurses, hereby specified as a class of persons, to supply those poisons and restricted substances listed in the Schedule hereunder either singly or in combination, pursuant to clauses 16 and 52 of that Regulation and subject to the following conditions:

- (1) the nurse is employed in connection with a vaccination program in a health service or a place of work; and
- (2) the nurse administers a vaccine only in connection with that vaccination program; and
- (3) the nurse has successfully completed
 - (a) the New South Wales Health Department Immunisation Accreditation Program for Registered Nurses, prior to 2001; and/or
 - (b) the immunisation education program administered by the New South Wales College of Nursing, from 2001; and/or
 - (c) an interstate or overseas immunisation education program that conforms to the National Guidelines for Immunisation Education for Registered Nurses and as approved by the NSW College of Nursing; and
- (4) the nurse administers tuberculin purified protein derivative for tuberculosis skin testing and tuberculosis vaccine only if they have completed additional education in the use of these substances and only if the nurse's record of education states that this additional education has been completed; and
- (5) the storage, pre-vaccination assessment and administration of each vaccine is at all times undertaken in accordance with the procedures specified in the National Health and Medical Research Council's The Australian Immunisation Handbook, as in force from time to time; and
- (6) during each vaccination program the nurse carries adrenaline for use in the treatment of anaphylaxis; and
- (7) administration of adrenaline is at all times undertaken in accordance with the procedures specified in the National Health and Medical Research Council's The Australian Immunisation Handbook, as in force from time to time; and
- (8) the nurse reports an Adverse Event Following Immunisation (AEFI) to the local Public Health Unit, as required under the Public Health Act 1991; and

- (9) the nurse ensures that a medical practitioner is contactable for medical advice at all times during the vaccination program; and
- (10) to maintain authority to immunise, the nurse annually reviews best practice policy for immunisation. This may be, but is not limited to, attendance at updates or seminars on current practices. A statement of proficiency in cardio-pulmonary resuscitation must also be obtained.

SCHEDULE

adrenaline
 diphtheria vaccine
 haemophilus influenzae Type B (Hib) vaccine
 hepatitis A vaccine
 hepatitis B vaccine
 human papillomavirus vaccine
 influenza vaccine
 measles-mumps-rubella vaccine
 meningococcal vaccine
 pertussis vaccine
 pneumococcal vaccine
 poliomyelitis vaccine
 rotavirus vaccine
 rubella vaccine
 tetanus vaccine
 tuberculin purified protein derivative
 tuberculosis vaccine
 varicella vaccine

Previous authorisations to supply restricted substances dated 15 July 2005, 20 December 2006 and 29 May 2007 published in the New South Wales Government Gazette Nos. 94, 189 and 76 respectively, are hereby revoked.

JOHN LUMBY,
 Chief Pharmacist

Department of Health, New South Wales
 Sydney, 6 May 2008

POISONS AND THERAPEUTIC GOODS ACT 1966

Order Under Clause 171 (1), Poisons and Therapeutic Goods Regulation 2002

Withdrawal of Drug Authority

IN accordance with the provisions of clause 171 (1) of the Poisons and Therapeutic Goods Regulation 2002 an order has been made on Dr KELVIN WONG, MPO 316556 of 49 Cranbrook Road, Rose Bay 2029 prohibiting him, until further notice, as a medical practitioner from having possession of and supplying drugs of addiction as authorised by clause 101 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 76 of the Regulation.

This order is to take effect on and from 12 May 2008.

Department of Health, New South Wales.
 Sydney, 8 May 2008

Professor DEBORA PICONE, A.M.,
 Director-General

**PORTS AND MARITIME ADMINISTRATION
 ACT 1995 (NSW)**

Land Acquisition (Just Terms Compensation) Act 1991
 Notice of Compulsory Acquisition of Land for the
 Purposes of the Ports and Maritime Administration Act
 1995 (NSW)

THE Minister for Ports and Waterways by his delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Ports and Maritime Administration Act 1995 (NSW).

Dated at Sydney, this 7th day of May 2008.

STEVE DUNN,
 Acting Chief Executive, Maritime Authority of NSW
 a duly authorised delegate of
 the Minister for Ports and Waterways

SCHEDULE

All that piece or parcel of Crown land situated in the Botany Bay Local Government area, parish of Botany, County of Cumberland being Lot 1 in Deposited Plan 1122339 having an area of 1,323 m2 or thereabouts.

PUBLIC HEALTH ACT 1991

Variation of notice under section 54A of the Public Health Act 1991

I, Reba Meagher, M.P., Minister for Health, in accordance with section 54A of the Public Health Act 1991, do hereby, with immediate effect, vary my order under section 54A of the Public Health Act 1991, which was published in Government Gazette No. 185 of 21 December 2007, page 10681, by deleting sub-paragraph (b) (i) of that order and replacing it with the following sub-paragraph

(i) Black Devil (chocolate flavour);

Signed this 5th day of May 2008.

REBA MEAGHER, M.P.,
 Minister for Health

SUBORDINATE LEGISLATION ACT 1989

Public Trustee Regulation 2008

NOTICE is given (as required by section 5 (2) (a) of the Subordinate Legislation Act 1989) of the intention to make a regulation under the Public Trustee Act 1913. The Regulation makes provision with respect to: the fees, commission and charges payable in connection with the administration of estates by the Public Trustee; the fees payable for managing the common fund under section 36A of the Public Trustee Act 1913 and for trust investment planning by the Public Trustee; other matters in relation to the administration of estates; the maintenance of an index of wills; and the duties of members of staff.

A copy of the draft Regulation and the Regulatory Impact Statement can be obtained: at www.lawlink.nsw.gov.au/lpd under Public Consultation, Regulatory Impact Statements; by emailing lpd_enquiries@agd.nsw.gov.au; or by phoning (02) 8061 9222. Comments and submissions are invited on the draft Regulation and the Regulatory Impact Statement and must be received by 9 June 2008.

Protection of the Environment Operations (Waste) Regulation 2005 – General Exemption Under Part 6, clause 51A

The waste tyre civil engineering exemption 2008

Name

1. This exemption is to be known as 'The waste tyre civil engineering exemption 2008'.

Commencement

2. This exemption commences on 9 May 2008.

Duration

3. This exemption is valid until revoked by the Environment Protection Authority (EPA) by notice published in the Government Gazette.

Legislation

4. Clauses 51 and 51A of the *Protection of the Environment Operations (Waste) Regulation 2005* (the Regulation) authorise the EPA to exempt a person from any of the following provisions in relation to an activity or class of activities relating to certain waste that is to be land applied or used as a fuel:

- the provisions of sections 47 to 49 and 88 of the *Protection of the Environment Operations Act 1997* (the Act),
- the provisions of Schedule 1 to the Act, either in total or as they apply to a particular activity, and
- the provisions of Part 3 and clauses 45 and 47 of the Regulation.

Exemption

5. This Notice of Exemption exempts the responsible person listed in Column 1 of Table 1 from the provision/s listed in Column 2 of that table but only in relation to activities involving the relevant waste and only where the responsible person complies with the conditions referred to in Column 3 of the table.

However, this Notice of Exemption does not exempt the responsible person from the provisions specified in Column 2 where the relevant waste is received at premises that are, despite this exemption, required to be licensed for waste disposal (application to land) activities under the provisions of the Act.

Table 1

Column 1	Column 2	Column 3
Responsible person	Provisions from which the responsible person is exempt	Conditions to be met by the responsible person
Processor	section 48 of the Act in respect of clause 39 of Schedule 1 to the Act	all requirements specified in section 7 and 8
Consumer	section 48 of the Act in respect of clauses 34, 39, 41 and 42 of Schedule 1 to the Act section 88 of the Act clause 47 of the Regulation	all requirements specified in section 7 and 9

This Notice of Exemption is a general exemption for the purposes of clause 51(3) of the Regulation.

Definitions

6. In this Notice of Exemption:

Characterisation means sampling and testing that must be conducted on the waste tyre for the range of chemicals and other attributes listed in Column 1 of Table 2.

Composite sample means a sample that combines 5 discrete sub-samples into a single sample for the purpose of analysis.

Consumer means a person who applies, causes, or permits the application to land of waste tyre within the definitions of "application to land" in accordance with the Act. The consumer may be the landholder responsible for the land to which waste tyre is applied. Where a person responsible for transporting the waste tyre to the land application site is also the party applying the waste tyre, this person must also meet the responsibilities of the consumer.

Once-off sampling means sampling and testing that must be conducted only once on a batch, truckload or stockpile of waste tyre that is not repeated, reproduced and does not form part of a continuous process.

Processor means a person who processes, mixes, blends, or otherwise incorporates waste tyre into a material for supply to a consumer.

Relevant waste means waste tyre that meets the requirements of Section 7.

Routine sampling means sampling and testing that must be conducted on the waste tyre on an ongoing and regular basis.

Waste tyre means used, rejected or unwanted tyres, including shredded tyres, tyre pieces, or tyre crumb, and contains at least 98% tyre material.

General conditions

7. This Notice of Exemption is subject to the following conditions:

7.1. The chemical concentration or other attribute of the waste tyre listed in Column 1 of Table 2 must not exceed any of the following:

7.1.1. the absolute maximum concentration or other value listed in Column 4 of Table 2,

7.1.2. for characterisation or once-off tests, the maximum average (based on the arithmetic mean) concentration or other value listed in Column 2 of Table 2, and

7.1.3. for routine tests, the maximum average (based on the arithmetic mean) concentration or other value listed in Column 3 of Table 2.

7.2. The waste tyre can only be applied to land for use in civil engineering structures and road making activities (using industry recognised standards such as the Building Code of Australia).

Processor responsibilities

8. The following conditions must be met by the processor for this exemption to apply:

8.1. Sampling must be undertaken in accordance with Australian Standard 1141 Methods for sampling and testing aggregates (or equivalent). Sampling and information on sample storage and preparation must be detailed in a written sampling plan.

8.2. Where the waste tyre is generated as part of a continuous process, the processor must undertake characterisation and routine sampling according to the requirements listed in Column 1 and Column 2 of Table 3.

8.3. Where the waste tyre is not generated as part of a continuous process, the processor may undertake once-off sampling of a batch, truckload or stockpile

of waste tyre according to the requirements listed in Column 3 of Table 3, for the range of chemicals and other attributes listed in Column 1 of Table 2.

- 8.4. Where there is a change in inputs that is likely to affect the properties in the waste tyre, characterisation must be repeated. Characterisation samples can be used for routine testing and subsequent calculations.
- 8.5. Processors must keep a written record of all characterisation, routine and/or once-off test results for a period of three years.
- 8.6. Records of the quantity of waste tyre supplied to the consumer and the consumer's name and address must be kept for a period of three years.
- 8.7. The processor of waste tyre must provide a written statement of compliance to the consumer with each transaction, certifying that the waste tyre complies with the relevant conditions of this exemption.
- 8.8. The processor of waste tyre must make information on the latest characterisation and routine test results available to the consumer.

Consumer responsibilities

9. The following conditions must be met by the consumer for this exemption to apply:

- 9.1. Records of the quantity of the waste tyre received by the consumer and the suppliers' name and address must be kept for a period of three years.
- 9.2. The waste tyre must not be applied in or beneath water, including groundwater.
- 9.3. The consumer must land apply the relevant waste within a reasonable period of time.

Chemical and other material property requirements

10. This Notice of Exemption only applies to waste tyre where the chemical and other attributes listed in Column 1 of Table 2 comply with the chemical concentrations and other values listed in Column 2, Column 3 and Column 4 of Table 2, when analysed according to test methods specified in Column 5 of Table 2.

Table 2

Column 1	Column 2	Column 3	Column 4	Column 5
Chemicals and other attributes	Maximum average concentration for characterisation (mg/kg 'dry weight' unless otherwise specified)	Maximum average concentration for routine testing (mg/kg 'dry weight' unless otherwise specified)	Absolute maximum concentration (mg/kg 'dry weight' unless otherwise specified)	Test method specified within Section
1. Mercury	0.5	0.5	1	12.1
2. Cadmium	0.5	0.5	1	12.2
3. Lead	25	25	50	12.2
4. Copper	25	25	50	12.2
5. Nickel	25	25	50	12.2
6. Zinc	1.5%	1.5%	3.0%	12.2
7. Electrical Conductivity	0.5 dS/m	0.5 dS/m	1 dS/m	12.3
8. Plaster, clay lumps and other friable material	0.1%	0.1%	0.2%	12.4

9. Plastic, bitumen, paper, cloth, paint, wood and other vegetable matter	0.05%	0.05%	0.1%	12.4
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Sampling and testing requirements

11. This Notice of Exemption only applies to waste tyre sampled according to the requirements in Table 3.

Table 3

Column 1	Column 2	Column 3
Characterisation frequency	Routine sampling frequency	Once-off sampling frequency
20 composite samples, by taking 1 composite sample from a different batch, truckload or stockpile. This must be repeated every 2 years.	5 composite samples per 4,000 tonnes or 5 composite samples per 6 months.	10 composite samples per 4,000 tonnes.

Test methods

12. All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities, or equivalent. All chemicals and other attributes listed in Column 1 of Table 2 must be measured in accordance with the test methods specified below:

- 12.1. Test methods for measuring the mercury concentration in waste tyre:
 - 12.1.1. Particle size reduction & sample splitting may be required.
 - 12.1.2. Analysis using USEPA SW-846 Method 7471B Mercury in solid or semisolid waste (manual cold vapour technique), or an equivalent analytical method with a detection limit < 20% of the stated absolute maximum concentration in Table 2, Column 3 (i.e. 0.2 mg/kg dry weight).
 - 12.1.3. Report as mg/kg dry weight.
- 12.2. Test methods for measuring chemicals 2 - 6 in waste tyre:
 - 12.2.1. Particle size reduction & sample splitting may be required.
 - 12.2.2. Sample preparation by digesting using USEPA SW-846 Method 3051A Microwave assisted acid digestion of sediments, sludges, soils, and oils.
 - 12.2.3. Analysis using USEPA SW-846 Method 6010C Inductively coupled plasma - atomic emission spectrometry, or an equivalent analytical method with a detection limit < 10% of the stated absolute maximum concentration in Table 2, Column 3 (i.e. 2.5 mg/kg dry weight for lead).
 - 12.2.4. Report as mg/kg dry weight.
- 12.3. Test methods for measuring the electrical conductivity in waste tyre:
 - 12.3.1. Sample preparation by mixing 1 part waste tyre with 5 parts distilled water.
 - 12.3.2. Analysis using Method 104 (Electrical Conductivity). *In* Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999 (or an equivalent analytical method).
 - 12.3.3. Report electrical conductivity in deciSiemens per metre (dS/m).

- 12.4. Test methods for measuring 8 - 9 in waste tyre:
 - 12.4.1. NSW Roads & Traffic Authority Test Method T276 Foreign Materials Content of Recycled Crushed Concrete (or an equivalent method).
 - 12.4.2. Report as %.

Exemption Granted

Mark Gorta
Manager, Waste Management Section
Environment Protection Authority
by delegation

Notes

The EPA may amend or revoke this exemption at any time. It is the responsibility of the generator, processor and consumer to ensure that they comply with all relevant requirements of the most current exemption. The current version of an exemption will be available on the EPA website: www.environment.nsw.gov.au

In gazetting this general exemption, the EPA is exempting the relevant waste from the specific requirements of the Act and Regulations as stated in this exemption. The EPA is not in any way endorsing the use of this substance or guaranteeing that the substance will confer benefit.

The use of exempted material remains subject to other relevant environmental regulations within the Act and Regulations. For example, a person who pollutes land (s142A) or water (s120), or does not meet the special requirements for asbestos waste (clause 42), regardless of having an exemption, is guilty of an offence and subject to prosecution.

For the purposes of arrangements between a generator, a processor and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of waste material from one party to another. A 'statement of compliance' must be in writing and be provided with each transaction.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment, human health or agriculture will not be harmed.

The consumer should assess whether or not the exempted material is fit for the purpose the material is proposed to be used and whether this use will cause harm. The consumer may need to seek expert engineering or technical advice.

This exemption does not apply to any material received at a premises that is required to be licensed for waste disposal (application to land) activities under the provisions of the Act. This exemption does not remove the need for a site at which processing occurs to be licensed, if required under Schedule 1 of the Act.

This exemption does not alter the requirements of any other relevant legislation that must be met in utilising this material, including for example, the need to prepare a Material Safety Data Sheet (MSDS).

Regardless of any exemption provided by the EPA, the person who causes or permits the application of the substance to land must ensure that the action is lawful and consistent with the development consent requirements of the land.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

Failure to comply with the conditions of this Notice of Exemption may constitute an offence under clause 51 of the Regulation and the responsible person will be required to comply with the normal regulatory provisions.

Protection of the Environment Operations (Waste) Regulation 2005 – General Exemption Under Part 6, clause 51A

The basalt fines exemption 2008

Name

1. This exemption is to be known as 'The basalt fines exemption 2008'.

Commencement

2. This exemption commences on 9 May 2008.

Duration

3. This exemption is valid until revoked by the Environment Protection Authority (EPA) by notice published in the Government Gazette.

Legislation

4. Clauses 51 and 51A of the *Protection of the Environment Operations (Waste) Regulation 2005* (the Regulation) authorise the EPA to exempt a person from any of the following provisions in relation to an activity or class of activities relating to certain waste that is to be land applied or used as a fuel:

- the provisions of sections 47 to 49 and 88 of the *Protection of the Environment Operations Act 1997* (the Act),
- the provisions of Schedule 1 to the Act, either in total or as they apply to a particular activity, and
- the provisions of Part 3 and clauses 45 and 47 of the Regulation.

Exemption

5. This Notice of Exemption exempts the responsible person listed in Column 1 of Table 1 from the provision/s listed in Column 2 of that table but only in relation to activities involving the relevant waste and only where the responsible person complies with the conditions referred to in Column 3 of the table.

However, this Notice of Exemption does not exempt the responsible person from the provisions specified in Column 2 where the relevant waste is received at premises that are, despite this exemption, required to be licensed for waste disposal (application to land) activities under the provisions of the Act.

Table 1

Column 1	Column 2	Column 3
Responsible person	Provisions from which the responsible person is exempt	Conditions to be met by the responsible person
Processor	section 48 of the Act in respect of clause 39 of Schedule 1 to the Act	all requirements specified in section 7 and 8
Consumer	section 48 of the Act in respect of clauses 34, 39, 41 and 42 of Schedule 1 to the Act section 88 of the Act clause 47 of the Regulation	all requirements specified in section 7 and 9

This Notice of Exemption is a general exemption for the purposes of clause 51(3) of the Regulation.

Definitions

6. In this Notice of Exemption:

Basalt fines means a material comprising of naturally excavated basalt with a maximum particle size of 9.5 mm, that is derived from the processing of basalt or the recycling of railway ballast.

Characterisation means sampling and testing that must be conducted on the basalt fines for the range of chemicals and other attributes listed in Column 1 of Table 2.

Composite sample means a sample that combines 5 discrete sub-samples into a single sample for the purpose of analysis.

Consumer means a person who applies, causes, or permits the application to land of basalt fines within the definitions of "application to land" in accordance with the Act. The consumer may be the landholder responsible for the land to which basalt fines are applied.

Once-off sampling means sampling and testing that must be conducted only once on a batch, truckload or stockpile of basalt fines that is not repeated, reproduced and does not form part of a continuous process.

Processor means a person who processes, mixes, blends, or otherwise incorporates basalt fines into a material for supply to a consumer.

Relevant waste means basalt fines that meet the requirements of Section 7.

Routine sampling means sampling and testing that must be conducted on the basalt fines on an ongoing and regular basis.

General conditions

7. This Notice of Exemption is subject to the following conditions:

7.1. The chemical concentration or other attribute of the basalt fines listed in Column 1 of Table 2 must not exceed any of the following:

7.1.1. the absolute maximum concentration or other value listed in Column 4 of Table 2,

7.1.2. for characterisation or once-off tests, the maximum average (based on the arithmetic mean) concentration or other value listed in Column 2 of Table 2, and

7.1.3. for routine tests, the maximum average (based on the arithmetic mean) concentration or other value listed in Column 3 of Table 2.

7.2. The basalt fines can only be applied to land for building or maintaining railway infrastructure, for road making activities, or as a soil amendment material.

Processor responsibilities

8. The following conditions must be met by the processor for this exemption to apply:

8.1. Sampling must be undertaken in accordance with Australian Standard 1141 Methods for sampling and testing aggregates (or equivalent). Sampling and information on sample storage and preparation must be detailed in a written sampling plan.

8.2. Where the basalt fines are generated as part of a continuous process, the processor must undertake characterisation and routine sampling according to the requirements listed in Column 1 and Column 2 of Table 3.

8.3. Where the basalt fines are not generated as part of a continuous process, the processor may undertake once-off sampling of a batch, truckload or stockpile of basalt fines according to the requirements listed in Column 3 of Table 3, for the range of chemicals and other attributes listed in Column 1 of Table 2.

- 8.4. Where there is a change in inputs that is likely to affect the properties in the basalt fines, characterisation must be repeated. Characterisation samples can be used for routine testing and subsequent calculations.
- 8.5. Processors must keep a written record of all characterisation, routine and/or once-off test results for a period of three years.
- 8.6. Records of the quantity of basalt fines supplied to the consumer and the consumer's name and address must be kept for a period of three years.
- 8.7. The processor of basalt fines must provide a written statement of compliance to the consumer with each transaction, certifying that the basalt fines comply with the relevant conditions of this exemption.
- 8.8. The processor of basalt fines must make information on the latest characterisation and routine test results available to the consumer.

Consumer responsibilities

9. The following conditions must be met by the consumer for this exemption to apply:

- 9.1. Records of the quantity of the basalt fines received by the consumer and the suppliers' name and address must be kept for a period of three years.
- 9.2. The consumer must land apply the relevant waste within a reasonable period of time.

Chemical and other material property requirements

10. This Notice of Exemption only applies to basalt fines where the chemical and other attributes listed in Column 1 of Table 2 comply with the chemical concentrations and other values listed in Column 2, Column 3 and Column 4 of Table 2, when analysed according to test methods specified in Column 5 of Table 2.

Table 2

Column 1	Column 2	Column 3	Column 4	Column 5
Chemicals and other attributes	Maximum average concentration for characterisation (mg/kg 'dry weight' unless otherwise specified)	Maximum average concentration for routine testing (mg/kg 'dry weight' unless otherwise specified)	Absolute maximum concentration (mg/kg 'dry weight' unless otherwise specified)	Test method specified within Section
1. Mercury	0.5	Not required	1	12.1
2. Cadmium	0.5	0.5	1	12.2
3. Lead	50	50	100	12.2
4. Arsenic	15	15	30	12.2
5. Chromium (total)	25	Not required	50	12.2
6. Copper	25	Not required	50	12.2
7. Nickel	25	Not required	50	12.2
8. Zinc	75	75	150	12.2
9. Electrical Conductivity	1 dS/m	1 dS/m	2 dS/m	12.3
10. Metal, glass, asphalt, ceramics and slag	2.5%	Not required	5%	12.4
11. Plaster, clay lumps and other	0.25%	Not required	0.5%	12.4

friable materials				
12. Rubber, plastic, bitumen, paper, cloth, paint, wood and other vegetable matter	0.05%	Not required	0.1%	12.4

Sampling and testing requirements

11. This Notice of Exemption only applies to basalt fines sampled according to the requirements in Table 3.

Table 3

Column 1	Column 2	Column 3
Characterisation frequency	Routine sampling frequency	Once-off sampling frequency
20 composite samples, by taking 1 composite sample from a different batch, truckload or stockpile. This must be repeated every 2 years.	5 composite samples per 4,000 tonnes or 5 composite samples per 3 months.	10 composite samples per 4,000 tonnes.

Test methods

12. All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities, or equivalent. All chemicals and other attributes listed in Column 1 of Table 2 must be measured in accordance with the test methods specified below:

- 12.1. Test methods for measuring the mercury concentration in basalt fines:
 - 12.1.1. Particle size reduction & sample splitting may be required.
 - 12.1.2. Analysis using USEPA SW-846 Method 7471B Mercury in solid or semisolid waste (manual cold vapour technique), or an equivalent analytical method with a detection limit < 20% of the stated absolute maximum concentration in Table 2, Column 2 (i.e. 0.1 mg/kg dry weight).
 - 12.1.3. Report as mg/kg dry weight.
- 12.2. Test methods for measuring chemicals 2 - 8 in basalt fines:
 - 12.2.1. Particle size reduction & sample splitting may be required.
 - 12.2.2. Sample preparation by digesting using USEPA SW-846 Method 3051A Microwave assisted acid digestion of sediments, sludges, soils, and oils.
 - 12.2.3. Analysis using USEPA SW-846 Method 6010C Inductively coupled plasma - atomic emission spectrometry, or an equivalent analytical method with a detection limit < 10% of the stated absolute maximum concentration in Table 2, Column 3 (i.e. 5 mg/kg dry weight for lead).
 - 12.2.4. Report as mg/kg dry weight.
- 12.3. Test methods for measuring the electrical conductivity in basalt fines:
 - 12.3.1. Sample preparation by mixing 1 part basalt fines with 5 parts distilled water.
 - 12.3.2. Analysis using Method 104 (Electrical Conductivity). *In* Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999 (or an equivalent analytical method).
 - 12.3.3. Report in deciSiemens per metre (dS/m).

- 12.4. Test method for measuring the attributes 10 - 12 in basalt fines:
- 12.4.1. NSW Roads & Traffic Authority Test Method T276 Foreign Materials Content of Recycled Crushed Concrete (or an equivalent method) and modified to use a 2.36mm sieve.
 - 12.4.2. Report as %.

Exemption Granted

Mark Gorta
Manager, Waste Management Section
Environment Protection Authority
by delegation

Notes

The EPA may amend or revoke this exemption at any time. It is the responsibility of the generator, processor and consumer to ensure that they comply with all relevant requirements of the most current exemption. The current version of an exemption will be available on the EPA website: www.environment.nsw.gov.au

In gazetting this general exemption, the EPA is exempting the relevant waste from the specific requirements of the Act and Regulations as stated in this exemption. The EPA is not in any way endorsing the use of this substance or guaranteeing that the substance will confer benefit.

The use of exempted material remains subject to other relevant environmental regulations within the Act and Regulations. For example, a person who pollutes land (s142A) or water (s120), or does not meet the special requirements for asbestos waste (clause 42), regardless of having an exemption, is guilty of an offence and subject to prosecution.

For the purposes of arrangements between a generator, a processor and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of waste material from one party to another. A 'statement of compliance' must be in writing and be provided with each transaction.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment, human health or agriculture will not be harmed.

The consumer should assess whether or not the exempted material is fit for the purpose the material is proposed to be used and whether this use will cause harm. The consumer may need to seek expert engineering or technical advice.

This exemption does not apply to any material received at a premises that is required to be licensed for waste disposal (application to land) activities under the provisions of the Act. This exemption does not remove the need for a site at which processing occurs to be licensed, if required under Schedule 1 of the Act.

This exemption does not alter the requirements of any other relevant legislation that must be met in utilising this material, including for example, the need to prepare a Material Safety Data Sheet (MSDS).

Regardless of any exemption provided by the EPA, the person who causes or permits the application of the substance to land must ensure that the action is lawful and consistent with the development consent requirements of the land.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

Failure to comply with the conditions of this Notice of Exemption may constitute an offence under clause 51 of the Regulation and the responsible person will be required to comply with the normal regulatory provisions.

Protection of the Environment Operations (Waste) Regulation 2005 – General Exemption Under Part 6, clause 51A

The recovered fines from construction and demolition waste processing exemption 2008

Name

1. This exemption is to be known as 'The recovered fines from construction and demolition waste processing exemption 2008'.

Commencement

2. This exemption commences on 9 May 2008. 'The recovered fines exemption 2008' which commenced 2 May 2008 is revoked from 9 May 2008.

Duration

3. This exemption is valid until 1 February 2009 unless revoked at an earlier date by the Environment Protection Authority (EPA) by notice published in the Government Gazette.

Legislation

4. Clauses 51 and 51A of the *Protection of the Environment Operations (Waste) Regulation 2005* (the Regulation) authorise the EPA to exempt a person from any of the following provisions in relation to an activity or class of activities relating to certain waste that is to be land applied or used as a fuel:

- the provisions of sections 47 to 49 and 88 of the *Protection of the Environment Operations Act 1997* (the Act),
- the provisions of Schedule 1 to the Act, either in total or as they apply to a particular activity, and
- the provisions of Part 3 and clauses 45 and 47 of the Regulation.

Exemption

5. This Notice of Exemption exempts the responsible person listed in Column 1 of Table 1 from the provision/s listed in Column 2 of that table but only in relation to activities involving the relevant waste and only where the responsible person complies with the conditions referred to in Column 3 of the table.

However, this Notice of Exemption does not exempt the responsible person from the provisions specified in Column 2 where the relevant waste is received at premises that are, despite this exemption, required to be licensed for waste disposal (application to land) activities under the provisions of the Act.

Table 1

Column 1	Column 2	Column 3
Responsible person	Provisions from which the responsible person is exempt	Conditions to be met by the responsible person
Processor	section 48 of the Act in respect of clause 39 of Schedule 1 to the Act	all requirements specified in section 7 and 8
Consumer	section 48 of the Act in respect of clauses 34, 39, 41 and 42 of Schedule 1 to the Act section 88 of the Act clause 47 of the Regulation	all requirements specified in section 7 and 9

This Notice of Exemption is a general exemption for the purposes of clause 51(3) of the Regulation.

Definitions

6. In this Notice of Exemption:

Characterisation means sampling and testing that must be conducted on the recovered fines for the range of chemicals and other attributes listed in Column 1 of Table 2.

Composite sample means a sample that combines 5 discrete sub-samples into a single sample for the purpose of analysis.

Consumer means a person who applies, causes, or permits the application to land of recovered fines within the definitions of “application to land” in accordance with the Act. The consumer may be the landholder responsible for the land to which recovered fines are applied.

NA means not applicable.

Processor means a person who processes, mixes, blends, or otherwise incorporates recovered fines into a material for supply to a consumer.

Recovered fines means a soil or sand substitute with a maximum particle size of 9.5 mm that is derived from the processing of mixed construction and demolition waste including residues from the processing of skip bin waste.

Relevant waste means recovered fines that meet the requirements of Section 7.

Routine sampling means sampling and testing that must be conducted on the recovered fines on an ongoing and regular basis.

General conditions

7. This Notice of Exemption is subject to the following conditions:

7.1. The chemical concentration or other attribute of the recovered fines listed in Column 1 of Table 2 must not exceed any of the following:

7.1.1. the absolute maximum concentration or other value listed in Column 4 of Table 2.

7.2. The recovered fines can only be applied to land for the purposes of construction or landscaping. This approval does not apply to any of the following applications:

- (a) Construction of dams or related water storage infrastructure,
- (b) Mine site rehabilitation,
- (c) Quarry rehabilitation,
- (d) Sand dredge pond rehabilitation,
- (e) Back-filling of quarry voids,
- (f) Raising or reshaping of land used for agricultural purposes, and
- (g) Construction of roads on private land.

Processor responsibilities

8. The following conditions must be met by the processor for this exemption to apply:

8.1. Sampling must be undertaken in accordance with Australian Standard 1141 Methods for sampling and testing aggregates (or equivalent). Sampling and information on sample storage and preparation must be detailed in a written sampling plan.

8.2. The recovered fines must be sampled according to the requirements listed Column 1 and Column 2 of Table 3.

- 8.3. Where there is a change in inputs that is likely to affect the properties of the recovered fines, characterisation must be repeated. Characterisation samples can be used for routine testing and subsequent calculations.
- 8.4. Processors must keep a written record of all characterisation and routine test results for a period of three years.
- 8.5. Records of the quantity of recovered fines supplied to the consumer and either the consumer's name and address or the registration details of the vehicle used to transport the recovered fines, must be kept for a period of three years.
- 8.6. The processor of recovered fines must provide a written statement of compliance to the consumer with each transaction, certifying that the recovered fines comply with the relevant conditions of this exemption.
- 8.7. The processor of recovered fines must make information on the latest characterisation and routine test results available to the consumer.

Consumer responsibilities

9. The following conditions must be met by the consumer for this exemption to apply:
 - 9.1. Records of the quantity of the recovered fines received by the consumer and the suppliers' name and address must be kept for a period of three years.
 - 9.2. The relevant waste must not be applied in or beneath water including groundwater.
 - 9.3. The consumer must land apply the relevant waste within a reasonable period of time.

Chemical and other material property requirements

10. This Notice of Exemption only applies to recovered fines where the chemical and other attributes listed in Column 1 of Table 2 comply with the chemical concentrations and other values listed in Column 4 of Table 2, when analysed according to test methods specified in Column 5 of Table 2.

Table 2

Column 1	Column 2	Column 3	Column 4	Column 5
Chemicals and other attributes	Maximum average concentration for characterisation (mg/kg 'dry weight' unless otherwise specified)	Maximum average concentration for routine testing (mg/kg 'dry weight' unless otherwise specified)	Absolute maximum concentration (mg/kg 'dry weight' unless otherwise specified)	Test method specified within Section
1. Mercury	NA	NA	1.5	12.1
2. Cadmium	NA	NA	1.5	12.2
3. Lead	NA	NA	200	12.2
4. Arsenic	NA	NA	30	12.2
5. Chromium (total)	NA	NA	100	12.2
6. Copper	NA	NA	150	12.2
7. Nickel	NA	NA	60	12.2
8. Zinc	NA	NA	400	12.2
9. Total Organic Carbon	NA	NA	10%	12.3
10. Electrical Conductivity	NA	NA	3 dS/m	12.4

11. pH *	NA	NA	6.5 - 10.0	12.4
12. Total Polycyclic Aromatic Hydrocarbons (PAHs)	NA	NA	40	12.5
13. Benzo(a)pyrene	NA	NA	1	12.5
14. Total Petroleum Hydrocarbons (TPHs) C ₆ - C ₉	NA	NA	80	12.6
15. Total Petroleum Hydrocarbons (TPHs) C ₁₀ - C ₃₆	NA	NA	800	12.6
16. Total Chlorinated Hydrocarbons	NA	NA	1	12.7
17. Total Organochlorine Pesticides	NA	NA	1	12.8
18. Total Polychlorinated Biphenyls (PCBs)	NA	NA	1	12.9
19. Glass, metal and rigid plastics	NA	NA	0.1%	12.10
20. Plastics - light flexible film	NA	NA	0.1%	12.10
21. Proportion (by weight) retained on a 0.425 mm sieve	NA	NA	90%	12.11

*Note: The ranges given for pH are for the minimum and maximum acceptable pH values in the recovered fines.

Sampling and testing requirements

11. This Notice of Exemption only applies to recovered fines sampled according to the requirements in Table 3.

Table 3

Column 1	Column 2
Characterisation frequency	Routine sampling frequency
20 composite samples, by taking 1 composite sample from a different batch, truckload or stockpile. Characterisation must be completed within the first 6 months following gazettal.	5 composite samples per 1000 tonnes.

Test methods

12. All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities, or equivalent. All chemicals and other attributes listed in Column 1 of Table 2 must be measured in accordance with the test methods specified below:

- 12.1. Test methods for measuring the mercury concentration in recovered fines:
 12.1.1. Particle size reduction & sample splitting may be required.

- 12.1.2. USEPA SW-846 Method 7471B Mercury in solid or semisolid waste (manual cold vapour technique), or an equivalent analytical method with a detection limit < 20% of the stated absolute maximum concentration in Table 2, Column 4 (i.e. 0.3 mg/kg dry weight).
- 12.1.3. Report as mg/kg dry weight.
- 12.2. Test methods for measuring chemicals 2 - 8 in recovered fines:
 - 12.2.1. Particle size reduction & sample splitting may be required.
 - 12.2.2. Sample preparation by digestion using USEPA SW-846 Method 3051A Microwave assisted acid digestion of sediments, sludges, soils, and oils (or an equivalent analytical method).
 - 12.2.3. Analysis using USEPA SW-846 Method 6010C Inductively coupled plasma - atomic emission spectrometry, or an equivalent analytical method with a detection limit < 10% of the stated absolute maximum concentration in Table 2, Column 4 (i.e. 20 mg/kg dry weight for lead).
 - 12.2.4. Report as mg/kg dry weight.
- 12.3. Test methods for measuring the total organic carbon content in recovered fines:
 - 12.3.1. Method 105 (Organic Carbon). *In* Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999 (or an equivalent analytical method).
 - 12.3.2. Reporting as % total organic carbon.
- 12.4. Test methods for measuring the electrical conductivity and pH in recovered fines:
 - 12.4.1. Sample preparation by mixing 1 part recovered fines with 5 parts distilled water.
 - 12.4.2. Analysis using Method 103 (pH) and 104 (Electrical Conductivity). *In* Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999 (or an equivalent analytical method).
 - 12.4.3. Report electrical conductivity in deciSiemens per metre (dS/m).
- 12.5. Test method for measuring PAHs and benzo(a)pyrene in recovered fines:
 - 12.5.1. Analysis using USEPA SW-846 Method 8100 Polynuclear aromatic hydrocarbons (or an equivalent analytical method).
 - 12.5.2. Calculate the sum of all 16 PAHs for total PAHs.
 - 12.5.3. Report total PAHs as mg/kg dry weight.
 - 12.5.4. Report benzo(a)pyrene as mg/kg.
- 12.6. Test method for measuring TPHs in recovered fines:
 - 12.6.1. Method 506 (Petroleum Hydrocarbons). *In* Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999 (or an equivalent analytical method).
 - 12.6.2. Report C₆ – C₉ as mg/kg.
 - 12.6.3. Report C₁₀ – C₃₆ as mg/kg.
- 12.7. Test methods for measuring total chlorinated hydrocarbons in recovered fines:
 - 12.7.1. Analysis using USEPA SW-846 Method 8021B Aromatic and halogenated volatiles by gas chromatography using photoionization

- and/or electrolytic conductivity detectors (or an equivalent analytical method).
- 12.7.2. Calculate the total sum of carbon tetrachloride, chlorobenzene, chloroform, 1,2-dichlorobenzene, 1,4-dichlorobenzene, 1,2-dichloroethane, 1,1-dichloroethene, 1,2-dichloroethene, dichloromethane (methylene chloride), 1,1,1,2-tetrachloroethane, 1,1,2,2-tetrachloroethane, 1,2,4-trichlorobenzene, 1,1,1-trichloroethane, 1,1,2-trichloroethane, trichloroethene, vinyl chloride and hexachlorobutadiene concentrations.
- 12.7.3. Report total chlorinated hydrocarbons as mg/kg.
- 12.8. Test methods for measuring total organochlorine pesticides in recovered fines:
- 12.8.1. Analysis using USEPA SW-846 Method 8081B Organochlorine pesticides by gas chromatography (or an equivalent analytical method).
- 12.8.2. Calculate the total sum of aldrin, alpha BHC, beta BHC, gamma BHC (lindane), delta BHC, chlordane, DDT, DDD, DDE, dieldrin, endrin, endrin aldehyde, heptachlor, heptachlor epoxide, hexachlorobenzene, methoxychlor and endosulfan (includes endosulfan I, endosulfan II and endosulfan sulphate).
- 12.8.3. Report total organochlorine pesticides as mg/kg.
- 12.9. Test methods for measuring the PCBs in recovered fines:
- 12.9.1. USEPA SW-846 Method 8082A Polychlorinated Biphenyls (PCBs) by gas chromatography (or an equivalent analytical method).
- 12.9.2. Calculate the total sum of Aroclor 1016 (CAS Registry No. 12674-11-2), Aroclor 1221 (CAS Registry No. 11104-28-2), Aroclor 1232 (CAS Registry No. 11141-16-5), Aroclor 1242 (CAS Registry No. 53469-21-9), Aroclor 1248 (CAS Registry No. 12672-29-6), Aroclor 1254 (CAS Registry No. 11097-69-1), Aroclor 1260 (CAS Registry No. 11096-82-5).
- 12.9.3. Report total PCBs as mg/kg.
- 12.10. Test method for measuring 19 - 20 in recovered fines:
- 12.10.1. NSW Roads & Traffic Authority Test Method T276 Foreign Materials Content of Recycled Crushed Concrete (or an equivalent method), using a 2.36 mm sieve for 19 of Column 1, Table 2.
- 12.10.2. Report as %.
- 12.11. Test method for measuring 21 in recovered fines:
- 12.11.1. NSW Roads & Traffic Authority Test Method T106 Coarse particle distribution in road construction materials (by dry sieving) and T107 Fine particle distribution in road construction materials (or an equivalent method).
- 12.11.2. Report as %.

Exemption Granted

Mark Gorta
Manager, Waste Management Section
Environment Protection Authority
by delegation

Notes

The EPA may amend or revoke this exemption at any time. It is the responsibility of the generator, processor and consumer to ensure that they comply with all relevant requirements of the most current exemption. The current version of an exemption will be available on the EPA website: www.environment.nsw.gov.au

In gazetting this general exemption, the EPA is exempting the relevant waste from the specific requirements of the Act and Regulations as stated in this exemption. The EPA is not in any way endorsing the use of this substance or guaranteeing that the substance will confer benefit.

The use of exempted material remains subject to other relevant environmental regulations within the Act and Regulations. For example, a person who pollutes land (s142A) or water (s120), or does not meet the special requirements for asbestos waste (clause 42), regardless of having an exemption, is guilty of an offence and subject to prosecution.

For the purposes of arrangements between a generator, a processor and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of waste material from one party to another. A 'statement of compliance' must be in writing and be provided with each transaction.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment, human health or agriculture will not be harmed.

The consumer should assess whether or not the exempted material is fit for the purpose the material is proposed to be used and whether this use will cause harm. The consumer may need to seek expert engineering or technical advice.

This exemption does not apply to any material received at a premises that is required to be licensed for waste disposal (application to land) activities under the provisions of the Act. This exemption does not remove the need for a site at which processing occurs to be licensed, if required under Schedule 1 of the Act.

This exemption does not alter the requirements of any other relevant legislation that must be met in utilising this material, including for example, the need to prepare a Material Safety Data Sheet (MSDS).

Regardless of any exemption provided by the EPA, the person who causes or permits the application of the substance to land must ensure that the action is lawful and consistent with the development consent requirements of the land.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

Failure to comply with the conditions of this Notice of Exemption may constitute an offence under clause 51 of the Regulation and the responsible person will be required to comply with the normal regulatory provisions.

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

COWRA SHIRE COUNCIL

Roads Act 1993

Naming of Road – Noble Road, Billimari

NOTICE is hereby given that Cowra Shire Council in pursuance of section 162 of the Roads Act 1993, has named the road described hereunder:

<i>Description of Road</i>	<i>Name</i>
The unnamed road south of Lot 178 DP 750361, between Riley Lane and Logan Street, Billimari.	Noble Road

Authorised by resolution of Council at its meeting held on 29 October 2007. JAMES RONCON, General Manager, Cowra Shire Council Private Bag 342, Cowra NSW 2794.

[3892]

DENILQUIN COUNCIL

Naming of Public Road – Pindara Lane

Erratum

THE notice published in the *Government Gazette* of 28th April 2000, Folio 3668 contained an error.

The road name was published as
“PINDERA LANE”

it should have read
“PINDARA LANE”

This erratum now amends that error with the gazettal date remaining 28 April 2000.

[3893]

LAKE MACQUARIE CITY COUNCIL

Intention To Vest Land

Council of the City of Lake Macquarie notifies that

- (a) Lots 66 and 67 in DP 26188 shown as public garden and recreation space in DP 26188, a plan approved by the predecessor of this Council, Lake Macquarie Shire Council, and
- (b) Lot 68 in DP 26188 shown as reserve for drainage in DP 26188

Vest in the Council of the City of Lake Macquarie pursuant to section 50 (4) Local Government Act 1993.

[3894]

PORT MACQUARIE-HASTINGS COUNCIL

Roads Act 1993

Roads (General) Regulation 2000

Naming of Roads

NOTICE is hereby given that the Port Macquarie-Hastings Council in pursuance of section 162 of the Roads Act 1993, has renamed that section of the former Ocean Drive between Lake Road and Koala Street, Port Macquarie as “John Fraser Place”. DAVID MEAD, General Manager, Port Macquarie-Hastings Council, corner Lord and Burrawan Streets, Port Macquarie NSW 2444.

[3895]

TWEED SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Acquisition) Act 1991

Notice of Compulsory Acquisition of Land

THE Tweed Shire Council declares, with the approval of Her Excellency the Governor that the lands described in the Schedule below, excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of a public road. Dated at Murwillumbah, 5 May 2008, M. RAYNER, General Manager, Tweed Shire Council, PO Box 816, Murwillumbah NSW 2484.

SCHEDULE

Lot 1, DP 1120947. [3896]

TWEED SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

TWEED SHIRE COUNCIL declares with the approval of Her Excellency the Governor that the easements described in the schedule below, excluding any mines or deposits of minerals in those easements, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for water and sewerage purposes. Dated at Murwillumbah, 7 February 2008, MIKE RAYNER, General Manager.

SCHEDULE

1. Easement for sewage 4 wide and variable width within Lot 49, DP 755724 shown as “S” created in DP 1093716.
2. Easement to drain water 4 wide and variable width within Lot 49, DP 755724 shown as “D” created in DP 1093716. [3897]

ESTATE NOTICES

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of ARTHUR ALBERT BURROWS, late of Amity House 59-63 Karne Street, Narwee formerly of 39 Roberts Avenue, Mortdale, in the State of New South Wales, aged pensioner, who died on 16 May 2007, must send particulars of the claim to the executor, Denis Manning Anderson, c.o. Denis M. Anderson, Solicitor, 10 Regent Street, Kogarah NSW 2217, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 4 July 2007. DENIS M. ANDERSON, Solicitor, 10 Regent Street, Kogarah NSW 2217 (PO Box 148, Kogarah 1485), tel.: (02) 9587 0440. [3898]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of GORDON ALEXANDER AICKIN late of Killara in the State of New South Wales, retired company director deceased, who died on 8 March 2008 must send particulars of their claim to the executor, Gordon David Aickin, care of Truman Hoyle Lawyers, Level 11, 68 Pitt Street Sydney within one calendar month from the publication of this notice. After that time the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 1 May 2008. TRUMAN HOYLE LAWYERS, Level 11, 68 Pitt Street Sydney NSW, DX 263 SYDNEY, ref: SR 8208. [3899]

COMPANY NOTICES

NOTICE of voluntary winding up. – AC Patterson & Co, SC0000419. – Notice is hereby given pursuant to the Companies (New South Wales) Code that at a general meeting of the members of the abovenamed solicitor corporation duly convened and held on 30 June 2007, the following resolution was duly passed: “The Solicitor Corporation, AC Patterson & CO Sol/Corp, be voluntarily wound up immediately.” Dated 6 May 2008. HARRIET WELD KETLEY, Chalk & Fitzgerald Lawyers & Consultants, Level 9, Currency House, 23 Hunter Street Sydney NSW 2000. [3900]

OTHER NOTICES

PUBLIC NOTICE

Proposed termination of Strata Scheme No. 4827
being property situate at 1-5/150 Henry Parry Drive,
Gosford NSW 2250

NOTICE TO SEND IN CLAIMS

NOTICE is given of an intention to apply to the Registrar-General for an order terminating the above Strata Scheme and the consequent winding up of the Owners Corporation pursuant to section 51A Strata Titles (Freehold Development) Act 1973.

Any person having any claim against the Owners Corporation of the above Strata Scheme, or any estate or interest in or claim against any of the lots comprised in the Strata Scheme, is required on or before Monday, 26 May 2008 to send particulars of the estate, interest or claim to Champion Legal, PO Box 7, Parramatta NSW 2124 quoting reference JJC:40680. [3901]