



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 54
Friday, 16 March 2001

Published under authority by the Government Printing Service

LEGISLATION

Proclamations

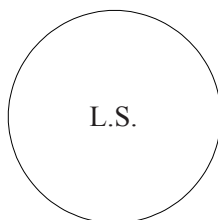
Fisheries Management and Environmental Assessment Legislation Amendment Act 2000 No 86— Proclamation

PROFESSOR MARIE BASHIR AO, Governor

I, Professor Marie Bashir AO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Fisheries Management and Environmental Assessment Legislation Amendment Act 2000*, do, by this my Proclamation, appoint 23 March 2001 as the day on which the uncommenced provisions of that Act (Schedule 6.2 [12] and [13] excepted) commence.

Signed and sealed at Sydney, this 14th day of March 2001.

By Her Excellency's Command,



The Hon EDWARD OBEID, M.L.C.,
Minister for Fisheries

GOD SAVE THE QUEEN!

Explanatory note

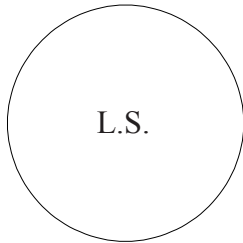
The object of this Proclamation is to commence the uncommenced provisions of the *Fisheries Management and Environmental Assessment Legislation Amendment Act 2000*, other than the provisions of that Act that deal with the importation of live fish. In particular, this proclamation commences the provisions of that Act with respect to commercial fisheries (Schedule 3), recreational fishing fees (Schedule 4), commercial fishing entitlements (Schedule 5) and habitat protection (Schedule 6).

Intoxicated Persons Amendment Act 2000 No 34—Proclamation

PROFESSOR MARIE BASHIR AO, Governor

I, Professor Marie Bashir AO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Intoxicated Persons Amendment Act 2000*, do, by this my Proclamation, appoint 16 March 2001 as the day on which that Act commences.

Signed and sealed at Sydney, this 14th day of March 2001.



By Her Excellency's Command,

BOB DEBUS, M.P.,
Attorney General

GOD SAVE THE QUEEN!

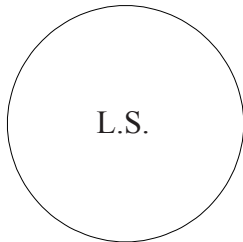
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Roads Amendment (Tolls) Act 1999 No 83—Proclamation

PROFESSOR MARIE BASHIR AO, Governor

I, Professor Marie Bashir AO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Roads Amendment (Tolls) Act 1999*, do, by this my Proclamation, appoint 17 March 2001 as the day on which that Act commences.

Signed and sealed at Sydney, this 14th day of March 2001.



By Her Excellency's Command,

CARL SCULLY, M.P.,
Minister for Roads

GOD SAVE THE QUEEN!

Regulations

Fisheries Management (General) Amendment (Miscellaneous Provisions) Regulation 2001

under the

Fisheries Management Act 1994

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

The Hon EDWARD OBEID, M.L.C.,
Minister for Fisheries

Explanatory note

The object of this Regulation is to amend the *Fisheries Management (General) Regulation 1995* (the **principal Regulation**) so as:

- (a) to substitute Division 5B of Part 5, and so update and expand its provisions concerning recreational fishing fees, as a result of amendments made to the *Fisheries Management Act 1994* (the **principal Act**) by the *Fisheries Management and Environmental Assessment Legislation Amendment Act 2000* (with new provision being made for certain exemptions from, and reductions in, the fishing fee payable, and the issue of fishing fee exemption certificates), and
- (b) to update certain references in the principal Regulation as a result of those amendments, and
- (c) to provide for the constitution of a panel to review matters concerning compensation payable for acquired commercial fishing entitlements, and
- (d) to increase the annual contribution payable by commercial fishers to the cost of research and to other industry costs from \$275 to \$315, and

Fisheries Management (General) Amendment (Miscellaneous Provisions) Regulation 2001

Explanatory note

- (e) to enable a licence for charter fishing boat to be cancelled, or an application for renewal of such a licence to be refused, if the boat has been used to allow more people to fish at any one time than the carrying capacity of the boat as at 4 August 1999 (the end of the assessment period referred to in clause 226H of the principal Regulation), and
- (f) to increase the membership of the Marine and Estuarine Recreational Charter Management Advisory Council from 7 to 9, with additional members from the Central Coast and Illawarra regions, and
- (g) to penalise the giving of false or misleading information in connection with the management of charter fishing boats, and
- (h) to enable the Minister for Fisheries to approve a regime for the payment by instalments of fees, charges and other sums of money due under the principal Act and the principal Regulation, and
- (i) to enable certain offences against the principal Act and principal Regulation to be dealt with by way of penalty notice, and
- (j) to make other provisions of a minor, consequential or ancillary nature.

This Regulation is made under the *Fisheries Management Act 1994*, including section 289 (the general regulation-making power) and various other sections referred to in the Regulation.

Fisheries Management (General) Amendment (Miscellaneous Provisions) Regulation 2001 Clause 1

Fisheries Management (General) Amendment (Miscellaneous Provisions) Regulation 2001

1 Name of Regulation

This Regulation is the *Fisheries Management (General) Amendment (Miscellaneous Provisions) Regulation 2001*.

2 Commencement

This Regulation commences on 23 March 2001.

3 Amendment of Fisheries Management (General) Regulation 1995

The *Fisheries Management (General) Regulation 1995* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Fisheries Management (General) Amendment (Miscellaneous Provisions)
Regulation 2001

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 3)

[1] Clause 105 Identification of recognised fishing grounds

Omit “Director” wherever occurring. Insert instead “Minister”.

[2] Part 5 Miscellaneous provisions relating to fisheries management

Omit Division 5B of Part 5. Insert instead:

Division 5B Recreational fishing fee

119J Definition

In this Division:

fishing fee means a fishing fee payable under Division 4A of Part 2 of the Act.

119K Exempt bodies of water

- (1) Any body of water comprising the backed up waters of a dam or impoundment located on private land is exempt for the purposes of section 34C (2) (g) of the Act if the surface area of the body of water (at full capacity) does not exceed 2 hectares.
- (2) For the purposes of this clause, a body of water is located on private land if the land on which it is located is not public water land.

119L Exempt fishers

- (1) For the purposes of section 34C (2) (h) of the Act, the following recreational fishers are exempt from paying a fishing fee:
 - (a) a fisher who holds a current pensioner concession card,
 - (b) a fisher who is of or over the age of 18 years of age and is only assisting a fisher under 18 years of age to take fish by means of a single dip or scoop net (prawns).

Fisheries Management (General) Amendment (Miscellaneous Provisions)
Regulation 2001

Amendments

Schedule 1

-
- (2) It is a condition of an exemption referred to in subclause (1) (a) that, if required to do so by a fisheries officer, a person who claims such an exemption must produce his or her current pensioner concession card for the fisheries officer's inspection.
- (3) In this clause, *pensioner concession card* means a card known as a "pensioner concession card" and issued by Centrelink or the Commonwealth Department of Veterans' Affairs, or any other card approved by the Minister as being equivalent to that card.

119M Reductions in fishing fee for fishing in far north

For the purposes of section 34F of the Act, the amount of the fishing fee payable by a recreational fisher for fishing:

- (a) in the tidal waters of the Tweed River, upstream of a line joining the eastern extremities of the Tweed River Breakwaters to:
- (i) Bray Park Weir on the Tweed River, and
 - (ii) Boat Harbour Bridge, Numinbah Road, on the Rous River, and
 - (iii) Scenic Drive Road Bridge on Duroby Creek, and
 - (iv) Scenic Drive Road Bridge on Bilambil Creek, and
 - (v) Robinson Road Bridge on Cobaki Creek, or
- (b) from the Tweed River Breakwaters, or
- (c) from the rocks and beach north of the Tweed River Breakwaters to the Queensland border, or
- (d) from the rocks and beach south of the Tweed River Breakwaters to the lighthouse at Fingal Head,

is reduced by 50 per cent of the fee otherwise payable.

119N Issue of replacement receipts

On payment of a fee of \$5, the Director may issue a replacement receipt for an official receipt issued under section 34G of the Act if satisfied that the original receipt is lost, damaged or destroyed.

Fisheries Management (General) Amendment (Miscellaneous Provisions)
Regulation 2001

Schedule 1 Amendments

119O Additional classes of persons to whom fishing fee exemption certificates may be issued

- (1) For the purposes of section 34I (3) (c) of the Act, the following persons are prescribed as classes of persons to whom fishing fee exemption certificates may be issued:
 - (a) an owner or lessee of private land on which there is a body of water comprising the backed up waters of a dam or impoundment, but only in relation to recreational fishing activities undertaken in those waters,
 - (b) a Local Aboriginal Land Council, but only in relation to traditional cultural fishing undertaken in tidal waters within its Local Aboriginal Land Council area or in State waters immediately east of that area:
 - (i) by Aboriginal persons whose names are included in the roll kept under the *Aboriginal Land Rights Act 1983* in respect of that Council, or
 - (ii) by Aboriginal persons who are in the company of an Aboriginal person referred to in subparagraph (i).
- (2) For the purposes of this clause, a body of water is located on private land if the land on which it is located is not public water land.

119P Fishing fee exemption certificates: period for which in force

- (1) Subject to this clause, a fishing fee exemption certificate under section 34I of the Act has effect for one year.
- (2) The Minister may issue an exemption certificate for a period determined by the Minister that is longer or shorter than one year.

119Q Fishing fee exemption certificates: fees

- (1) For the purposes of section 34I (4) of the Act:
 - (a) the fee for a one year exemption certificate under section 34I (3) (a) of the Act that operates to exempt up to 4 persons at a time carrying out recreational fishing activities under supervision or guidance is \$100, and

Fisheries Management (General) Amendment (Miscellaneous Provisions)
Regulation 2001

Amendments

Schedule 1

-
- (b) the fee for a one year exemption certificate under section 34I (3) (b) of the Act that operates to exempt:
- (i) up to 4 passengers at a time carrying out recreational fishing activities on a boat is \$100, or
 - (ii) between 5 and 9 passengers at a time carrying out recreational fishing activities on a boat is \$100, plus \$25 for the fifth and each additional passenger to be exempted, or
 - (iii) 10 or more passengers at a time carrying out recreational fishing activities on a boat is \$250.

Note. No fee is payable for an exemption certificate issued to a person referred to in clause 119O.

- (2) Any fee for an exemption certificate under section 34I (3) (a) or (b) of the Act is reduced by 50 per cent if the activities to which the certificate relates take place only in waters referred to in clause 119M.
- (3) If the Minister issues an exemption certificate under section 34I (3) (a) or (b) of the Act for a period that is longer or shorter than one year, the fee for the certificate is to be varied in proportion to the amount by which the period for which the certificate is issued differs from one year.
- (4) The fee for an exemption certificate must be paid before the certificate is issued.
- (5) An exemption certificate is to be in the form approved by the Minister and may be issued subject to such conditions as the Minister considers appropriate.

119R Amendment and cancellation of exemption certificates

- (1) The Minister may amend or cancel a fishing fee exemption certificate at any time by notice in writing to the holder of the certificate.
- (2) Without limiting subclause (1), the Minister may amend or cancel a fishing fee exemption certificate on the application of the holder of the certificate.

Fisheries Management (General) Amendment (Miscellaneous Provisions)
Regulation 2001

Schedule 1 Amendments

- (3) The following fees are payable in respect of an amendment of an exemption certificate under subclause (2):
- (a) an application fee of \$10,
 - (b) a supplementary fee equivalent to the amount (if any) by which the fee payable for an exemption certificate in the form of the amended certificate exceeds the sum of all fees that had been paid for the certificate before the application was made.

Division 5C Acquisition of commercial fishing entitlements

119S Constitution of compensation review panel

- (1) For the purposes of section 34O (2) of the Act, a panel is to consist of 3 members appointed by the Minister, of whom:
- (a) one is to be a person who, in the opinion of the Minister, has expertise in valuation and is otherwise appropriately qualified to conduct the review (not being a person who is engaged in the administration of the Act or in commercial fishing), and
 - (b) one is to be a person who, in the opinion of the Minister, has extensive practical experience in the commercial fishing industry (not being a person who is engaged in the administration of the Act or a person who has a financial interest in the fishery to which the review relates), and
 - (c) one is to be an officer of NSW Fisheries.
- (2) The member referred to in subclause (1) (a) is to be the chairperson of the panel.
- (3) A decision supported by the majority of the members of a panel is the decision of the panel.
- (4) Subject to subclause (3), the procedure of the panel is to be determined by the Minister.

[3] Clause 134K Endorsement fee

Omit clause 134K (3), (4) and (5).

Fisheries Management (General) Amendment (Miscellaneous Provisions)
Regulation 2001

Amendments

Schedule 1

[4] Clause 142 Annual contribution to cost of research and to other industry costs

Insert “and before 1 July 2001” after “1 February 1996” in clause 142 (1).

[5] Clause 142 (1A)

Insert after clause 142 (1):

(1A) For the purposes of section 106 of the Act, the annual contribution payable by a person who holds a Class 1, Class 2, Class 3 or Class 5 commercial fishing licence which is issued or renewed on or after 1 July 2001 is \$315.

[6] Clause 142 (3)

Insert after clause 142 (2):

(3) The contribution payable under this clause in relation to a commercial fishing licence is additional to any other contribution, fee or charge that is payable under the Act in relation to the licence.

[7] Clause 168 Endorsement fee

Omit clause 168 (4), (5) and (6).

[8] Clause 198 Director may approve payment of fees by instalments

Omit the clause.

[9] Clause 200I Endorsement fees

Omit clause 200I (5) and (6).

[10] Clause 200M Transfer fee

Omit clause 200M (3) and (4).

[11] Clause 226K Eligibility—time limit on applications

Omit “30 September 2000” from clause 226K (1).

Insert instead “30 April 2001”.

Fisheries Management (General) Amendment (Miscellaneous Provisions)
Regulation 2001

Schedule 1 Amendments

[12] Clause 226M Issue of licence

Omit clause 226M (1) (b).

[13] Clause 226M (2)

Omit “If the Minister issues a licence for a boat, the Director”.

Insert instead “If before 31 May 2001 the Minister decides to issue a licence for a boat, the Minister”.

[14] Clause 226M (2)

Insert “, or is to be used,” after “the boat is used”.

[15] Clause 226N Renewal of licence

Omit clause 226N (2) (b).

[16] Clause 226O Cancellation or suspension of licence

Omit clause 226O (b).

[17] Clause 226Q Other conditions of licence

Insert at the end of clause 226Q (before the note to that clause):

- (2) Despite subclause (1), the removal of the right side pectoral fin may be delayed until immediately after weigh-in if the fish is to be weighed:
 - (a) for the purpose of claiming a record, or
 - (b) in accordance with the rules of a fishing tournament in connection with which the fish has been caught.
- (3) Subclause (1) applies to the following species of fish only, namely, yellowfin tuna, southern bluefin tuna, all species of marlin, yellowtail kingfish and snapper.
- (4) It is a condition of a licence for a charter fishing boat that the boat displays the letters “CFB” adjacent to, and in the same size and colour of lettering as, the permit number for the boat wherever appearing on the outside of the hull.
- (5) It is a condition of a licence for a charter fishing boat that the number of persons permitted to fish from the boat at any one

Fisheries Management (General) Amendment (Miscellaneous Provisions)
Regulation 2001

Amendments

Schedule 1

time does not exceed the carrying capacity (as at 4 August 1999) of the boat relied on by the licence holder to satisfy the eligibility criteria for the licence under clause 226H or 226I, as the case requires.

[18] Clause 226S Application for review of refusal to issue a licence

Omit clause 226S (4). Insert instead:

- (4) A review request cannot be made under this clause after 30 June 2001.

[19] Clause 226T Application for review by third party

Omit “60” from clause 226T (2) (b). Insert instead “30”.

[20] Clause 226T (4)

Omit the subclause. Insert instead:

- (4) This clause does not apply to:
- (a) a licence for which an application is made following the transfer under clause 226L of a person’s entitlement to a history of operations in respect of a boat, or
 - (b) a licence that has been renewed under clause 226N.

[21] Clause 226V Conduct of review

Insert at the end of clause 226V (2) (b) (ii):

- , and
- (iii) had, prior to 22 October 1997, clearly demonstrated his or her financial investment or commitment in a boat for use in connection with marine and estuarine charter fishing in New South Wales.

[22] Clause 226V (2A)

Insert after clause 226V (2):

- (2A) Regardless of the nature of licence originally applied for, a panel may recommend the issue of either a transferable or a non-transferable licence.

Fisheries Management (General) Amendment (Miscellaneous Provisions)
Regulation 2001

Schedule 1 Amendments

[23] Clause 226X Action by Minister following review

Insert after clause 226X (3):

- (4) If before 30 June 2002 the Minister decides to issue a licence for a boat following a review under this clause, the Minister is to cause notice of the decision to be published in the Gazette and in a newspaper circulating in the area in which the boat is used, or is to be used, as a charter fishing boat.

[24] Clause 226Z Advisory Committee

Omit “7” from clause 226Z (2) (a). Insert instead “9”.

[25] Clause 226Z (2) (e)

Insert at the end of clause 226Z (2):

- (e) a chairperson of the Committee, being a person who is neither engaged in the administration of the Act nor engaged in charter fishing.

[26] Clause 226Z (4)

Omit “Council”. Insert instead “Committee”.

[27] Clause 226Z (5)

Omit the subclause. Insert instead:

- (5) The chairperson of the Advisory Committee is entitled to attend and chair meetings of the Committee but is not entitled to vote at any such meeting.

[28] Clause 226ZA Functions of Advisory Committee

Omit “management plan” from clause 226ZA (a).

Insert instead “fishery management strategy”.

[29] Clause 226ZA

Omit “management plan” and “plan” wherever occurring in clause 226ZA (b) and (c).

Insert instead “strategy”.

Fisheries Management (General) Amendment (Miscellaneous Provisions)
Regulation 2001

Amendments

Schedule 1

[30] Clause 226ZJ Regions for which members are to be elected

Omit “7” from clause 226ZJ (1). Insert instead “9”.

[31] Clause 226ZJ (1) (d), (d1) and (d2)

Omit clause 226ZJ (1) (d). Insert instead:

- (d) 1 member for the Central Coast region (the part of the State between 32°26'S and 33°35'S),
- (d1) 2 members for the Sydney region (the part of the State between 33°35'S and 34°05'S),
- (d2) 1 member for the Illawarra region (the part of the State between 34°05'S and 34°50'S),

[32] Clause 226ZQ

Insert after clause 226ZP:

226ZQ False or misleading information

A person must not furnish information, knowing it to be false or misleading in a material particular, in or in connection with:

- (a) any application for a licence, or
- (b) any catch record referred to in clause 226R.

Maximum penalty: 100 penalty units.

[33] Clauses 231, 235 (2), 256, 262, 264, 266, 267 and 267A

Omit “Director” wherever occurring. Insert instead “Minister”.

[34] Clause 267A (1)

Omit “or the Director’s nominee”.

[35] Clause 267D Inland restricted fishery MAC—transitional arrangements

Omit the clause.

Fisheries Management (General) Amendment (Miscellaneous Provisions)
Regulation 2001

Schedule 1 Amendments

[36] Part 12, Division 4

Insert after Division 3 of Part 12:

Division 4 Miscellaneous

271A Payment by instalments

- (1) Despite any other provision of this Regulation, but subject to the Act, the Minister may approve the payment by instalments of any fee, charge or other sum of money payable under the Act or this Regulation.
- (2) An approval may establish guidelines in accordance with which instalments are to be paid.
- (3) An approval may require interest to be paid on late instalments, at a rate not exceeding the rate payable on judgments of the Supreme Court.
- (4) If a person fails to pay an instalment on or before the due date, the total amount of all instalments unpaid on that date, together with any interest, becomes due and payable.

[37] Part 13 Savings and Transitional

Insert after clause 275:

276 Provision consequent on enactment of Fisheries Management and Environmental Assessment Legislation Amendment Act 2000

Anything done or omitted to be done by the Director before the commencement of Schedule 3 [14] and [15] to the *Fisheries Management and Environmental Assessment Legislation Amendment Act 2000* in connection with the exercise of a function under the Act or this Regulation, being a function that after that commencement is exercisable by the Minister, is taken to have been done or omitted by the Minister.

Fisheries Management (General) Amendment (Miscellaneous Provisions)
Regulation 2001

Amendments

Schedule 1

[38] Schedule 5 Penalty notice offences and short descriptions

Omit the matter relating to section 34I (1) (a) and (b) from Part 1.
Insert instead, in appropriate order:

Section 34J (1)	\$200	7001	Fail to pay fishing fee
Section 34J (2)	\$200	7002	Fail to have official receipt in possession
Section 127B (2)	\$200	8123	Use of unlicensed charter fishing boat
Section 127B (3)	\$500	8124	Permit use of unlicensed charter fishing boat
Section 127C (7)	\$200	8125	Contravene charter fishing boat licence

[39] Schedule 5, Part 2

Insert after the matter relating to clause 159:

Clause 226ZQ	\$500	8130	Provide false information
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Protection of the Environment Operations Amendment (Railway Systems Activities) Regulation 2001

under the

Protection of the Environment Operations Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Protection of the Environment Operations Act 1997*.

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

Explanatory note

Schedule 1 to the *Protection of the Environment Operations Act 1997* lists activities that are “scheduled activities” for the purposes of that Act. Such activities are required by sections 47, 48 and 49 of the Act to be licensed.

The object of this Regulation is to amend the description of “Railway systems” activities in Schedule 1 as a result of the restructuring of the State Rail Authority and the transfer of certain responsibilities to the Rail Infrastructure Corporation.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including section 5 (Scheduled activities).

Clause 1 Protection of the Environment Operations Amendment (Railway Systems Activities) Regulation 2001

Protection of the Environment Operations Amendment (Railway Systems Activities) Regulation 2001

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations Amendment (Railway Systems Activities) Regulation 2001*.

2 Amendment of Protection of the Environment Operations Act 1997

The *Protection of the Environment Operations Act 1997* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Protection of the Environment Operations Amendment (Railway Systems Activities) Regulation 2001

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Schedule 1 Schedule of EPA-licensed activities

Omit the matter relating to **Railway systems** from Part 1.

Insert instead:

Railway systems activities

- (1) A railway systems activity is any one or more of the following:
 - (a) installation of track,
 - (b) on-site repair of track,
 - (c) on-site maintenance of track,
 - (d) on-site upgrading of track,
 - (e) construction or significant alteration of any of the following, but only if it is connected with an activity listed in paragraphs (a)–(d):
 - (i) over track structures,
 - (ii) cuttings,
 - (iii) drainage works,
 - (iv) track support,
 - (v) earthworks,
 - (vi) fencing,
 - (vii) tunnels,
 - (viii) bridges,
 - (ix) level crossings,
 - (f) operation of rolling stock on track.
- (2) The following activities are not railway systems activities:
 - (a) activities in railway workshops (including the use of fuel burning equipment),
 - (b) re-fuelling of rolling stock,
 - (c) activities at railway fuel depots,
 - (d) repair, maintenance or upgrading of track away from the track site,

Protection of the Environment Operations Amendment (Railway Systems Activities) Regulation 2001

Schedule 1 Amendment

- (e) activities at railway station buildings (including platforms and offices),
- (f) loading of freight into or onto, and unloading of freight from, rolling stock,
- (g) activities at freight depots or centres,
- (h) operation of signalling, communication or train control systems.

(3) In this clause:

rolling stock means:

- (a) rolling stock used or intended to be used to transport passengers or freight for reward, or
- (b) rolling stock used or intended to be used to maintain track and equipment (whether or not for reward),

but does not include rolling stock used or intended to be used solely for heritage purposes.

track means railway track that forms part of, or consists of, a network of more than 30 kilometres of track and that is not solely used for heritage value rolling stock.

Note. The Rail Infrastructure Corporation (RIC) manages and controls track on which the State Rail Authority (SRA) operates its rolling stock. The RIC is required to be licensed under section 48 of the Act as the occupier of the premises (the track) at which the SRA's railway activities are carried on. The SRA on the other hand is not required to be licensed because it is not the occupier of the track.

Similarly, where a private person or body manages and controls track (i.e. a private railway line) and allows other persons or bodies to operate their rolling stock on that track, the manager and controller of the track is required to be licensed under section 48 of the Act as the occupier of the premises (the track). In such a case, the operator of the rolling stock is not an occupier of the track.

Roads (General) Amendment (Tolls) Regulation 2001

under the

Roads Act 1993

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

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to amend the *Roads (General) Regulation 2000* to provide for the following:

- (a) the payment of a toll by the use of an electronic device,
- (b) the creation of offences in relation to tampering or interfering with an electronic device or with equipment used in connection with the collection of a toll, paying or attempting to pay a toll with a voucher or device that is not issued by a toll operator and using a voucher or device to pay a toll on certain tollways for a class of vehicle not covered by the voucher or device,
- (c) a dispute resolution procedure to enable a person who has paid a toll or is required to pay a toll to object against the imposition of the toll or the amount of the toll imposed,
- (d) the exemption of certain vehicles from the requirement to pay a toll on specific tollways,
- (e) prescribing certain persons as authorised officers with respect to tollways and requiring such persons to wear certain identification when exercising functions in relation to tollways,

Roads (General) Amendment (Tolls) Regulation 2000

Explanatory note

- (f) prescribing a security indicator, for the purposes of section 250A (2) (b) of the *Roads Act 1993*, with respect to digital camera photographs that are used as evidence of failure or refusal to pay a toll or charge,
- (g) prescribing the Minister and public sector agencies as persons to whom certain information regarding the use or operation of approved toll cameras can be divulged,
- (h) other minor or consequential matters.

This Regulation is made under the *Roads Act 1993*, including section 250A (which is inserted in that Act by the *Roads Amendment (Tolls) Act 1999*, which commences on the same day as this Regulation) and section 264 (the general power to make regulations).

Roads (General) Amendment (Tolls) Regulation 2001

Clause 1

Roads (General) Amendment (Tolls) Regulation 2001

1 Name of Regulation

This Regulation is the *Roads (General) Amendment (Tolls) Regulation 2001*.

2 Commencement

This Regulation commences on 17 March 2001.

3 Amendment of Roads (General) Regulation 2000

The *Roads (General) Regulation 2000* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Roads (General) Amendment (Tolls) Regulation 2001

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 3)

[1] Clause 3 Definitions

Insert in alphabetical order:

toll has the same meaning as in section 250A of the Act.*toll operator* means:

- (a) the RTA, or
- (b) any other person to whom the RTA has leased any part of land on which a tollway is operated and who collects a toll in respect of the tollway.

[2] Clause 21A

Insert before clause 22:

21A Definitions

In this Part:

electronic device means a device, bearing a unique identifying number or alphanumeric identifier, issued by a toll operator for use in payment of a toll and affixed to a vehicle, or otherwise used, as approved by the toll operator.*electronic toll sign* means a sign in relation to a lane on a tollway indicating that a toll in respect of a vehicle in that lane may be paid by means of an electronic device.*toll collection point* means the point designated as the place where a toll is to be paid to or collected by a toll operator.**[3] Clause 22 Driver of vehicle to pay toll**

Omit “toll barrier” where firstly occurring in clause 22 (1).

Insert instead “toll collection point relating to the lane in which the vehicle is travelling”.

Roads (General) Amendment (Tolls) Regulation 2001

Amendments

Schedule 1

[4] Clauses 22 and 23

Omit “toll barrier” wherever occurring in clauses 22 and 23 (except where firstly occurring in clause 22 (1)).

Insert instead “toll collection point”.

[5] Clause 22 (1) (c)

Insert at the end of clause 22 (1) (b):

, or

- (c) the driver is permitted (either by arrangement with the toll operator or under an agreement entered into by a toll operator with respect to the tollway), to drive the vehicle past the toll collection point without paying the relevant toll.

[6] Clause 22 (2)

Omit “RTA” wherever occurring. Insert instead “toll operator”.

[7] Clause 23 Manner of payment of toll

Omit “RTA” where firstly occurring in clause 23 (1) (c).

Insert instead “relevant toll operator”.

[8] Clause 23 (1) (c)

Omit “the RTA” wherever occurring in clause 23 (1) (c) (except where firstly occurring in clause 23 (1) (c)).

Insert instead “that toll operator”.

[9] Clause 23 (1) (d)

Insert at the end of clause 23 (1) (c):

, or

- (d) in respect of a lane to which an electronic toll sign applies:
- (i) by means of an electronic device that indicates, or causes an indication, that the owner of the vehicle has paid to the toll operator an amount equivalent to the amount of any toll payable, or

Roads (General) Amendment (Tolls) Regulation 2001

Schedule 1 Amendments

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- (ii) by payment in accordance with any of paragraphs (a)–(c) unless it is clearly indicated that payment may not be made in that lane in the relevant manner.

[10] Clauses 23A–23E

Insert after clause 23:

23A Toll collection: offences

- (1) A person must not, without reasonable excuse, tamper or otherwise interfere with:
 - (a) any electronic device, or
 - (b) any equipment used in connection with the collection of a toll (such as a sensor unit, an electronic boom gate or automatic toll collecting machine), or
 - (c) any part of such a device or equipment.Maximum penalty: 10 penalty units.
- (2) A person must not pay or attempt to pay a toll with respect to a motor vehicle by use of a voucher or device:
 - (a) that is not acceptable to the relevant toll operator for the payment of the toll, or
 - (b) that is issued by a toll operator for the payment of the toll with respect to a class of motor vehicles to which that vehicle does not belong.Maximum penalty: 10 penalty units.

23B Objections in relation to payment of toll

- (1) A person who has paid a toll, or who is required to pay a toll, under this Part may object to:
 - (a) the imposition of the toll, or
 - (b) the amount of toll imposed,if the person is of the opinion that he or she is not liable for the toll (or the full amount of the toll) imposed.
- (2) An objection referred to in subclause (1) must:
 - (a) be in writing addressed to the toll operator, and

Roads (General) Amendment (Tolls) Regulation 2001

Amendments

Schedule 1

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- (b) if a toll was paid or a direction given as referred to in clause 22 (2)—state the approximate time and date when, and the location on the tollway where, the toll was paid or the direction given, and
 - (c) if the objector received a notification as referred to in paragraph (i) or (j)—set out the toll collection point, lane and direction of travel specified in that notification, and
 - (d) set out the grounds of the objection, and
 - (e) be signed by the objector, and
 - (f) if the toll was paid otherwise than by means of an electronic device—be made within 14 days after the payment of the toll, and
 - (g) if the toll was paid by means of an electronic device—be made within 14 days after receipt by the objector of a statement from a toll operator indicating:
 - (i) that the toll was paid, and
 - (ii) the amount of the toll paid, and
 - (h) if a direction was given under clause 22 (1) (b) (i)—be made within 7 days after the direction was given, and
 - (i) if a direction was given under clause 22 (1) (b) (ii)—be made within 7 days after the objector received in the post notification that a vehicle owned by the person was detected proceeding past a toll collection point without paying the relevant toll, and
 - (j) in any other case in which the objector received in the post notification that a vehicle owned by the person was detected proceeding past a toll collection point without paying the relevant toll—be made within 7 days after the objector received the notification.
- (3) A toll operator may deal with an objection by:
- (a) reimbursing to the objector all or part of the toll, or waiving payment of all or part of the toll, the subject of the objection, or
 - (b) dismissing the objection.
- (4) An objection under subclause (2) is not invalid merely because all the requirements of that subclause are not met but, in that

Roads (General) Amendment (Tolls) Regulation 2001

Schedule 1 Amendments

case, the toll operator:

- (a) may, within 7 days after receiving the objection, require the objector to provide such further information in relation to the objection as is specified by the toll operator, and
 - (b) must deal with the objection, and notify the objector of the decision on the objection, within 7 days after the further information is received by the toll operator.
- (5) Unless the objector is required to provide further information under subclause (4), the toll operator must, within 7 days after receiving an objection under this clause, notify the objector of the decision on the objection.
- (6) A notification under this clause must:
- (a) be in writing, and
 - (b) state that the objector may apply for a review of the decision as referred to in clause 23C.

23C Review of decision on objection

- (1) If the objector is not satisfied with the decision of the toll operator, he or she may apply in writing, within 14 days after receiving notification of the decision, for a review of the decision:
- (a) if the original objection was made to the RTA—to the Minister, or
 - (b) if the original objection was made to a toll operator other than the RTA—to an assessor (being a person, or a person belonging to a class of persons, nominated by the toll operator and approved by the RTA) who agrees to act as such.
- (2) The Minister, or the assessor, as the case requires, is not obliged to review a decision if the objector does not include copies of the original objection and the decision of the toll operator when applying for the review.

Roads (General) Amendment (Tolls) Regulation 2001

Amendments

Schedule 1

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- (3) On receiving an application for review, the Minister or the assessor, as the case requires, must:
- (a) confirm or reverse the decision of the toll operator with respect to the original objection within 21 days after receiving the application, and
 - (b) notify the applicant in writing of that decision.
- (4) The Minister, or the assessor, as the case requires, may require the toll operator who made the original decision to supply such information, within the time specified by the Minister or assessor, as may reasonably assist the Minister or assessor in reviewing the decision.
- (5) The Minister may appoint a person to exercise the Minister's functions under subclause (3) and a function so exercised is taken to be exercised by the Minister.

23D Security indicators: section 250A (2) (b) of Act

For the purposes of section 250A (2) (b) of the Act, an identifier consisting of a series of 48 characters that is an individual combination of letters, numbers and symbols that has been produced by an MD5 algorithm and that is imposed on a photograph at the time the photograph is taken is prescribed as a security indicator.

23E Divulging of information by prescribed persons: section 250A (5) (e) of Act

The following persons are prescribed for the purpose of section 250A (5) (e) of the Act:

- (a) the Minister,
- (b) a public sector agency, within the meaning of the *Privacy and Personal Information Protection Act 1998*.

[11] Clause 24 Maximum penalty for not paying charge

Omit "the RTA". Insert instead "the toll operator".

Roads (General) Amendment (Tolls) Regulation 2001

Schedule 1 Amendments

[12] Clause 35A

Insert after clause 35:

35A Exempt vehicles

The following vehicles are exempt from liability to pay a toll:

- (a) in the case of the Sydney Harbour Bridge—a class of vehicle described in Item 2, 3 or 4 of Schedule 1 to any order from time to time in force under section 215 of the Act,
- (b) in the case of any tollway declared to be a tollway by an order in force under section 52 of the Act—marked police vehicles, unmarked police vehicles displaying a flashing light or sounding an alarm, fire brigade vehicles and ambulances.

[13] Clause 77 Authorised officer

Insert at the end of the clause:

- (e) in respect of a tollway or the Sydney Harbour Bridge—an employee or agent of a toll operator.

[14] Clause 77 (2)

Insert at the end of clause 77:

- (2) An authorised officer referred to in subclause (1) (e) may exercise a function only if the authorised officer:
 - (a) wears a uniform issued by the toll operator, or
 - (b) wears an identity card, issued by the toll operator, that is clearly visible.

[15] Schedule 1 Penalty notice offences

Omit “tollway” from column 4 of the matter relating to clause 22 (1).

Insert instead “toll collection point”.

Roads (General) Amendment (Tolls) Regulation 2001

Amendments

Schedule 1

[16] Schedule 1

Omit all the matter relating to clause 24. Insert instead:

Clause 23A (1) (a)	232	6710	tamper/interfere with electronic device
Clause 23A (1) (b)	232	6711	tamper/interfere with equipment
Clause 23A (1) (c)	232	6717, 6713	tamper/interfere with part of device/equipment
Clause 23A (2) (a)	232	6718	use voucher/device not issued by toll operator
Clause 23A (2) (b)	232	6720	use voucher/device for wrong class of vehicle
Clause 24	115	6722	fail to pay toll to operator on demand

Rules

GREYHOUND RACING AUTHORITY (NSW)

AMENDMENTS TO RULES OF THE GREYHOUND RACING AUTHORITY 1999.

The following amendments to the above Rules are to be effective on and from April 2, 2001.

Delete Authority Rules 83 and 84 as appearing. **Insert** after Authority Rule 82:

- “83 Where a greyhound, in the opinion of the Stewards;
- (1) fights with any other greyhound during an Event; or
 - (2) fails to pursue the lure with due commitment in an Event; the Stewards may, except in the case where the greyhound is found to have been injured pursuant to Rule 84, impose a period of suspension in respect of the greyhound pursuant to Rule 83A or 84 as the case may be.
- 83A The period of suspension imposed by a Steward under Rule 83 shall be:
- (1) in the case of a first offence, at the track where the offence occurred, twenty-eight (28) days and until the completion of a satisfactory trial; or
 - (2) in the case of a second similar offence, at all tracks, three (3) months, and until the completion of a satisfactory trial; or
 - (3) in the case of a third or subsequent similar offence, at all tracks, twelve (12) months and until the completion of a satisfactory trial.
- 84 (1) (a) Where a greyhound fails to pursue the lure as provided under Rule 83(2), the greyhound shall be examined by the officiating veterinary surgeon or authorised person.
- (b) Where a greyhound is found not to be injured upon an examination pursuant to Rule 84(1)(a), the Owner or Trainer of the greyhound may seek a re-examination at a time on the day or night of the Meeting as agreed to by the Stewards.
 - (c) Where a greyhound is found to be suffering from an injury upon an examination pursuant to Rule 84(1)(a), a certificate shall be produced to the Stewards by the veterinary surgeon or authorised person detailing the injury. The Stewards shall endorse the greyhound's Certificate of Registration accordingly to show that the greyhound failed to pursue the lure, by reason of injury.
 - (d) The Stewards shall order a greyhound found to be suffering from an injury under Rule 84(1)(c) to undergo a satisfactory trial pursuant to Rule 9(7).
- (2) Where a greyhound is found to be in breach of Rule 83(2) for a second or subsequent time, the provisions of Rule 84(1c) shall not apply unless the endorsement has been cancelled pursuant to Rule 84B.

- 84A. Where a greyhound is found by the Stewards to have engaged in fighting or has failed to pursue the lure with due commitment during an Event the Stewards shall, subject to Rule 84(1)(c), endorse the Certificate of Registration of the greyhound with the particulars of the offence.
- 84B (1) Where the Certificate of Registration of a greyhound contains 1 (one) endorsement under Rule 84A or 84(1)(c) for fighting or failing to pursue the lure with due commitment and that greyhound competes in not less than ten (10) Events excluding a coursing event without again having its Certificate of Registration endorsed for a similar offence, the Board/Commission may, upon application by the Owner or Trainer of the greyhound, cancel the endorsement. Only one (1) application may be made pursuant to this Rule in respect of each greyhound.
- (2) Where the Board/Commission cancels an endorsement pursuant to Rule 84C(1) the Board/Commission shall, upon the Certificate of Registration of the greyhound concerned being produced to the Board/Commission, cause "Cancelled" to be stamped across the endorsement.
- (3) Where the Board/Commission causes "Cancelled" to be stamped over an endorsement pursuant to Rule 84c(2) then that one cancelled endorsement shall not be treated as a prior offence for the purpose of determining the length of the period of suspension to be imposed on a subsequent offence under Rule 83A.
- (4) Where a greyhound is suspended pursuant to Rule 83A(1) and is required to complete a satisfactory trial as determined by the Stewards pursuant to the provisions of Rule 9(7), such trial shall not take place on the date of occurrence and shall be in a field of four (4) which shall not be a qualifying trial or Event."

Delete from Authority Rule 4(1) the definition of "fought" as appearing therein.

Insert into Authority Rule 4(1) the following definition of "fighting" –

"fighting" means the act of a greyhound which deliberately turns the head and makes head or muzzle contact with another greyhound.

Delete from Authority Rule 4(2)(c) the following " , under rule 83 or 84".

Insert into Authority Rule 4(2)(c) after the words "in the case of a greyhound" the following " , under rule 83, 83A, 84, 84A or 84B".



S. (Steve) J. Rosier
Chief Executive.

GREYHOUND RACING AUTHORITY (NSW)

**AMENDMENTS TO
CLUB RULES FOR GREYHOUND RACING**

The following amendments to the above Rules are to be effective on and from April 2, 2001.

Delete from Club Rule 96 where appearing the following “Authority Rules 83 and 84 whichever be applicable.”

Insert into Club Rule 96 after the words “, they shall comply with”, the following “Authority Rules 83, 83A, 84, 84A or 84B whichever be applicable.”

Delete from Club Rule 2(1) the definition of “fought” as appearing therein.

Insert into Club Rule 2(1) the following definition of “fighting” –

“fighting” means the act of a greyhound which deliberately turns the head and makes head or muzzle contact with another greyhound.



S. (Steve) J. Rosier
Chief Executive.

Orders

Roads Act 1993—Order

PROFESSOR MARIE BASHIR AO, Governor

I, Professor Marie Bashir AO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of the definition of *approved toll camera* in section 250A of the *Roads Act 1993*, do, by this my Order, approve the following types of digital cameras as being designed to take a photograph of a vehicle that is driven in contravention of a requirement to pay a toll and to record on the photograph the matter specified in that definition:

- (a) SmartCam,
- (b) LaserCam,
- (c) TransCam.

Signed at Sydney, this 14th day of March 2001.

By Her Excellency's Command,

CARL SCULLY, M.P.,
Minister for Roads

Other Legislation

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to insert the following species of animal in Part 1 of Schedule 1 to that Act (Endangered species) and, accordingly, that Schedule is amended as set out in Annexure "A" to this Notice:

Animals

Invertebrates

Arthropoda

Insecta

Coleoptera

Carabidae

Nurus atlas Castelnau, 1867

The final determination to insert this species in Part 1 of Schedule 1 has been made because the Scientific Committee is of the opinion that its numbers have been reduced to such a critical level, and its habitats have been so drastically reduced, that it is in immediate danger of extinction.

Copies of the final determination may be inspected at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at all District Offices of the National Parks and Wildlife Service during business hours.

Threatened Species Conservation Act 1995 No 101—Final Determination

Signed at Sydney, this 28th day of February 2001.

Dr Chris Dickman
Chairperson
Scientific Committee

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended by inserting in Part 1 in alphabetical order under the heading “Animals” and the sub-headings “Invertebrates”, “Arthropoda” and “Insecta”, the matter:

Coleoptera

Carabidae

Nurus atlas Castelnau, 1867

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to insert the following species of animal in Part 1 of Schedule 1 to that Act (Endangered species) and, accordingly, that Schedule is amended as set out in Annexure "A" to this Notice:

Animals

Invertebrates

Arthropoda

Insecta

Coleoptera

Carabidae

Nurus brevis Motschulsky, 1865

The final determination to insert this species in Part 1 of Schedule 1 has been made because the Scientific Committee is of the opinion that its numbers have been reduced to such a critical level, and its habitats have been so drastically reduced, that it is in immediate danger of extinction.

Copies of the final determination may be inspected at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at all District Offices of the National Parks and Wildlife Service during business hours.

Threatened Species Conservation Act 1995 No 101—Final Determination

Signed at Sydney, this 28th day of February 2001.

Dr Chris Dickman
Chairperson
Scientific Committee

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended by inserting in Part 1 in alphabetical order under the heading “Animals” and the sub-headings “Invertebrates”, “Arthropoda”, “Insecta”, “Coleoptera” and “Carabidae”, the matter:

Nurus brevis Motschulsky, 1865

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to insert the following population of plants in Part 2 of Schedule 1 to that Act (Endangered populations) and, accordingly, that Schedule is amended as set out in Annexure "A" to this Notice:

Plants

Fabaceae

Glycine clandestina (broad leaf form) (Pullen 13342) *Glycine clandestina* (broad leaf form) in the Nambucca Local Government Area

The final determination to insert this population in Part 2 of Schedule 1 has been made because the Scientific Committee is of the opinion that the habitat of the population has been so drastically reduced that it is in immediate danger of extinction, it is not a population of a species already listed in Schedule 1, and it is or is likely to be genetically distinct.

Copies of the final determination may be inspected at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at all District Offices of the National Parks and Wildlife Service during business hours.

Signed at Sydney, this 28th day of February 2001.

Dr Chris Dickman

Chairperson
Scientific Committee

Threatened Species Conservation Act 1995 No 101—Final Determination

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended by inserting in Part 2 in alphabetical order under the heading “Plants” and the sub-heading “Fabaceae” the matter:

<i>Glycine clandestina</i> (broad leaf form) (Pullen 13342)	<i>Glycine clandestina</i> (broad leaf form) in the Nambucca Local Government Area
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Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedules 1 and 2 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination:

- (a) to insert the following species of animal in Part 1 of Schedule 1 to that Act (Endangered species), and
- (b) as a consequence, to omit reference to that species of animal from Schedule 2 to that Act (Vulnerable species),

and accordingly, those Schedules are amended as set out in Annexure "A" to this Notice:

Animals

Vertebrates

Mammals

Burramyidae

Burramys parvus Broom, 1896 Mountain Pygmy-possum

The final determination to insert this species in Part 1 of Schedule 1 has been made because the Scientific Committee is of the opinion that the species is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Copies of the final determination may be inspected at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at all District Offices of the National Parks and Wildlife Service during business hours.

Threatened Species Conservation Act 1995 No 101—Final Determination

Signed at Sydney, this 28th day of February 2001.

Dr Chris Dickman
Chairperson
Scientific Committee

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended by inserting in Part 1 in alphabetical order under the heading “Animals” and the sub-headings “Vertebrates”, “Mammals” and “Burramyidae” the matter:

Burramys parvus Broom, 1896 Mountain Pygmy-possum

Schedule 2 to the *Threatened Species Conservation Act 1995* is amended by omitting the following matter under the heading “Animals” and the sub-headings “Vertebrates” and “Mammals”:

Burramyidae

Burramys parvus Broom, 1896 Mountain Pygmy-possum

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to insert the following ecological community in Part 3 of Schedule 1 to that Act (Endangered ecological communities) and, accordingly, that Schedule is amended as set out in Annexure "A" to this Notice:

Endangered ecological communities

Mount Gibraltar Forest in the Sydney Basin Bioregion (as described in the final determination of the Scientific Committee to list the ecological community)

The final determination to insert this ecological community in Part 3 of Schedule 1 has been made because the Scientific Committee is of the opinion that the ecological community is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival cease to operate.

Copies of the final determination may be inspected at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at all District Offices of the National Parks and Wildlife Service during business hours.

Signed at Sydney, this 28th day of February 2001.

Dr Chris Dickman
Chairperson
Scientific Committee

Threatened Species Conservation Act 1995 No 101—Final Determination

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended by inserting in Part 3 in alphabetical order the matter:

Mount Gibraltar Forest in the Sydney Basin Bioregion (as described in the final determination of the Scientific Committee to list the ecological community)

NSW SCIENTIFIC COMMITTEE

Final Determination

The Scientific Committee, established by the Threatened Species Conservation Act, has made a Final Determination to list the Mount Gibraltar Forest in the Sydney Basin Bioregion, as an ENDANGERED ECOLOGICAL COMMUNITY on Part 3 of Schedule 1 of the Act. Listing of Endangered Ecological Communities is provided for by Part 2 of the Act.

The Scientific Committee has found that:

1. Mount Gibraltar Forest in the Sydney Basin Bioregion is the name given to the plant community characterised by the species assemblage listed in 2 below. All sites are within the Sydney Basin Bioregion. The community is described in Fisher, Ryan & Lembit (1995).
2. Mount Gibraltar Forest is characterised by the following assemblage:

<i>Acacia melanoxylon</i>	<i>Adiantum aethiopicum</i>
<i>Blechnum cartilagineum</i>	<i>Cyathea australis</i>
<i>Cymbopogon refractus</i>	<i>Dianella caerulea</i>
<i>Dichondra repens</i>	<i>Doodia aspera</i>
<i>Eucalyptus fastigata</i>	<i>Eucalyptus piperita</i>
<i>Eucalyptus radiata</i>	<i>Eucalyptus smithii</i>
<i>Eucalyptus viminalis</i>	<i>Eustrephus latifolius</i>
<i>Exocarpos cupressiformis</i>	<i>Hedycarya angustifolia</i>
<i>Leptospermum brevipes</i>	<i>Leptospermum polygalifolium</i>
<i>Leucopogon lanceolatus</i>	<i>Lomandra longifolia</i>
<i>Melaleuca hypericifolia</i>	<i>Notelaea venosa</i>
<i>Oreomyrrhis eriopoda</i>	<i>Pittosporum undulatum</i>
<i>Polyscias sambucifolia</i>	<i>Pteridium esculentum</i>
<i>Senecio linearis</i>	<i>Stypandra glauca</i>
<i>Themeda australis</i>	<i>Tylophora barbata</i>

- 3 The total species list of the flora and fauna of the community is considerably larger than that given in 2 (above), with many species present in only one or two sites or in very small quantity. The community includes invertebrates, many of which are poorly known, as well as vertebrates. In any particular site not all of the assemblage listed above may be present. At any one time, seeds of some plant species may only be present in the soil seed bank with no above-ground individuals present. Invertebrate species may be restricted to soils or canopy trees and shrubs, for example. The species composition of the site will be influenced by the size of the site and by its recent disturbance history. The number of species and the above-ground composition of species will change with time since fire, and may also change in response to changes in fire frequency.
- 4 Mount Gibraltar Forest includes vegetation ranging from open-forest to woodland and scrub depending on aspect, soil conditions and previous clearing and disturbance. Typical

¹Legislation1

NSW SCIENTIFIC COMMITTEE

trees include *Eucalyptus radiata*, *Eucalyptus piperita* and *Eucalyptus smithii*, on the upper slopes, and *Eucalyptus radiata*, *Eucalyptus piperita*, *Eucalyptus fastigata* and *Eucalyptus viminalis* on the deeper soils on the southern side.

- 5 Understorey species in the open-forest are predominantly herbaceous and grassy and include *Stypandra glauca*, *Dianella caerulea*, *Dichondra repens*, *Themeda australis*, *Blechnum cartilagineum*, *Adiantum aethiopicum*, *Tylophora barbata*, *Oreomyrrhis eriopoda*, *Cymbopogon refractus*, *Senecio linearis*, *Polyscias sambucifolia*, *Exocarpos cupressiformis*, *Leucopogon lanceolatus* and *Lomandra longifolia*. The tall forest is dominated by ferns such as *Blechnum cartilagineum*, *Doodia aspera*, *Pteridium esculentum*, and twiners such as *Eustrephus latifolius* and *Tylophora barbata*. There may be small patches of rainforest species such as *Acacia melanoxylon*, *Hedycarya angustifolia*, *Notelaea venosa*, *Pittosporum undulatum* and *Cyathea australis*. Scrub with *Melaleuca hypericifolia*, *Leptospermum brevipes* and *Leptospermum polygalifolium* may occur on exfoliating rock on exposed sites.
- 6 Mount Gibraltar Forest is found on clay soils derived from a microsyenite volcanic intrusion associated with Mount Gibraltar near Bowral, but may also have occurred on nearby mountains such as Mount Jellore, Mount Flora, Mount Misery and Cockatoo Hill depending on the extent of microsyenite. It is referred to in Fisher, Ryan & Lembit (1995)
- 7 Mount Gibraltar Forest is or has been known to occur in the Wingecarribee Local Government Area, but may occur elsewhere in the Sydney Basin Bioregion.
- 8 Disturbed Mount Gibraltar Forest remnants are considered to form part of the community including where the vegetation would respond to assisted natural regeneration, such as where the natural soil and associated seedbank is still at least partially intact.
- 9 Mount Gibraltar Forest has been cleared for agriculture and rural development. Remnants are mostly small isolated pockets.
- 10 Mount Gibraltar Forest has not been reported from any NPWS reserves.
- 11 Much of the remaining area of Mount Gibraltar Forest is largely isolated from other areas of bushland. Ongoing threats to the remnants include exotic weed invasion such as *Hedera*, *Lonicera*, *Ilex*, *Berberis*, *Pyracantha* and *Genista*, pressure from adjacent urban development (including dogs, cats, rubbish dumping, noise, trampling and vehicles), inappropriate fire regimes and disturbances associated with communication tower infrastructure (including clearing, movement of machinery, weed introduction, dumping of rubbish).

¹Legislation

NSW SCIENTIFIC COMMITTEE

12 In view of the restricted distribution of this community, the ongoing threats to the remnants and its inadequate representation within conservation reserves, the Scientific Committee is of the opinion that Mount Gibraltar Forest in the Sydney Basin Bioregion is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival or evolutionary development cease to operate and that the community is eligible for listing as an endangered ecological community.

Dr Chris Dickman
Chairperson
Scientific Committee

References

Fisher, M., Ryan, K. & Lembit, R. (1995) The natural vegetation of the Burratorang 1:100 000 map sheet. *Cunninghamia* 4(2): 143-215.

[11legislation1](#)

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to insert the following species of animal in Part 1 of Schedule 1 to that Act (Endangered species) and, accordingly, that Schedule is amended as set out in Annexure "A" to this Notice:

Animals

Invertebrates

Annelida

Oligochaeta

Opisthopera

Megascolecidae

Pericryptodrilus nanus Jamieson 1977

The final determination to insert this species in Part 1 of Schedule 1 has been made because the Scientific Committee is of the opinion that the species is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Copies of the final determination may be inspected at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at all District Offices of the National Parks and Wildlife Service during business hours.

Threatened Species Conservation Act 1995 No 101—Final Determination

Signed at Sydney, this 28th day of February 2001.

Dr Chris Dickman
Chairperson
Scientific Committee

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended by inserting in Part 1 in alphabetical order under the heading “Animals” and the sub-heading “Invertebrates” the matter:

Annelida

Oligochaeta

Opisthopera

Megascolecidae

Pericryptodrilus nanus Jamieson 1977

OFFICIAL NOTICES

Appointments

AUSTRALIAN MUSEUM TRUST ACT 1975

Appointment of Trustee
Australian Museum Trust

Her Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to section 6 of the Australian Museum Trust Act 1975, of the following person being appointed as trustee of the Australian Museum from 16 March 2001 to 31 December 2001:

Brian SCHWARTZ (new appointment).

Bob Carr, M.P.,
Premier and Minister for the Arts

MINISTERIAL ARRANGEMENTS DURING THE ABSENCE FROM THE STATE OF THE DEPUTY PREMIER, MINISTER FOR URBAN AFFAIRS AND PLANNING, MINISTER FOR ABORIGINAL AFFAIRS AND MINISTER FOR HOUSING

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable K. M. Yeadon, M.P., Minister for Information Technology, Minister for Energy, Minister for Forestry and Minister for Western Sydney, to act for and on behalf of the Minister for Urban Affairs and Planning, Minister for Aboriginal Affairs and Minister for Housing, as on and from 13 April 2001, with a view to him performing the duties of the Honourable A. J. Refshauge, M.P., during his absence from the State.

BOB CARR,
Premier

The Cabinet Office, Sydney.
14 March 2001.

MINISTERIAL ARRANGEMENTS DURING THE ABSENCE FROM THE STATE OF THE MINISTER FOR TRANSPORT AND MINISTER FOR ROADS

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable E. M. Obeid, M.L.C., Minister for Mineral Resources and Minister for Fisheries, to act for and on behalf of the Minister for Transport and Minister for Roads, as on and from 17 April 2001, with a view to him performing the duties of the Honourable P. C. Scully, M.P., during his absence from the State.

BOB CARR,
Premier

The Cabinet Office, Sydney.
14 March 2001.

NSW Fisheries

FISHERIES MANAGEMENT ACT 1994

Erratum

THE notice published on page 1162 in *NSW Government Gazette* No. 49 of 9 March 2001, is hereby corrected by deleting the words “until 7 p.m. on Friday 30 March 2001” and inserting instead the words “until 7 p.m. on Friday 30 May 2001”.

The Hon EDWARD OBIED OAM M.L.C.,
Minister for Mineral Resources
and Minister for Fisheries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 1995

Section 177(c) – Notice of Aquaculture Lease Cancellation

THE Minister has cancelled the following aquaculture lease:

OL77/014 within the estuary of the Clyde River having an area of 1.3237 hectares formerly leased by Mr Stephen Pattman.

OL81/171 within the estuary of Wapengo Lake having an area of 0.4958 hectares formerly leased by Mr Robert Fuge.

OL81/191 within the estuary of Wapengo Lake having an area of 1.9080 hectares formerly leased by Mr Robert Fuge.

OL62/209 within the estuary of Moona Moona Creek having an area of 0.06145 hectares formerly leased by Mrs Fay Dunbar.

The Hon EDWARD OBEID, OAM, M.L.C.,
Minister for Mineral Resources
and Minister for Fisheries

FISHERIES MANAGEMENT ACT 1994

PURSUANT of Section 176 subsection 2 of the Fisheries Management Act 1994, the Minister has reserved the following area of Public Water Land.

An area of 0.3906 hectares, formally referred to as oyster lease OL77/169, located within the estuary of Port Stephens - Karuah is hereby excluded for a Public Purpose, namely a bridge road on the Pacific Highway for a period of 5 years. This decision may be reviewed annually thereafter.

The Hon EDWARD OBIED OAM M.L.C.,
Minister for Mineral Resources
and Minister for Fisheries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATIONS 1995

Clause 33(3) – Notice of Granting of Class One Aquaculture Lease

THE Minister has granted the following Class One aquaculture leases:

OL99/030 within the estuary of Port Stephens – Tea Gardens having an area of 0.59 hectares to Mr and Mrs Post of Karuah, NSW, for a term of 15 years expiring on 29 September 2015.

The Hon EDWARD OBEID, OAM, M.L.C.,
Minister for Mineral Resources
and Minister for Fisheries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATIONS 1995

Clause 35(4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following aquaculture leases:

OL85/060 within the estuary of Port Stephens – Nelson Bay having an area of 0.3797 hectares to G Moffat & Son Pty Ltd of Swan Bay NSW for a term of 15 years expiring on 29 July 2015.

OL86/067 within the estuary of the Clyde River having an area of 0.1561 hectares to Mr Cyril N Shephard of Batemans Bay, NSW, for a term of 15 years expiring on 24 July 2016.

OL71/263 within the estuary of the Nambucca River having an area of 1.9577 hectares to Mr Constantinos Yiannaros and Mrs Vlasia Yiannaros of Batemans Bay NSW for a term of 15 years expiring on 4 August 2016.

OL71/123 within the estuary of the Hastings River having an area of 0.9000 hectares to Port Oyster Co Pty Ltd of Port Macquarie NSW for a term of 15 years expiring on 27 July 2016.

OL70/315 within the estuary of Port Stephens – Nelson Bay having an area of 0.5008 hectares to Mr Leonard Allan Lilley of Swan Bay NSW for a term of 15 years expiring on 31 December 2015.

OL71/025 within the estuary of the Hastings River having an area of 0.5062 hectares to Alan William Dick of Port Macquarie NSW for a term of 15 years expiring on 20 January 2016.

OL70/494 & OL70/128 within the estuary of the Nambucca River having an area of 1.3975 hectares and 3.0600 hectares to Mr Charles Edward Ford, Mrs Jean Ford, Mr Nigel Richard Ashley and Mrs Biba Ashley of Nambucca Heads NSW for a term of 15 years expiring on 17 May 2016 and 18 May 2016 respectively.

The Hon EDWARD OBEID, OAM, M.L.C.,
Minister for Mineral Resources
and Minister for Fisheries

Department of Land and Water Conservation

Land Conservation

GRAFTON OFFICE

Department of Land and Water Conservation
76 Victoria Street (Locked Bag 10), Grafton, NSW 2460
Phone: (02) 6640 2000 Fax: (02) 6640 2035

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

RICHARD AMERY, MP.,
 Minister for Agriculture, and
 Minister for Land and Water Conservation

—
 Descriptions

Land District — Lismore;
Shire — Lismore City;

Road closed: Lot 1, DP 1013683, at Coraki, Parish West Coraki, County Richmond (not being land under the Real Property Act). File No.: GF99 H 273.

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

Land District — Lismore;
Shire — Ballina;

Road closed: Lot 1, DP 1023319, at Pearce's Creek, Parish Teven, County Rous (not being land under the Real Property Act). File No.: GF98 H 268.

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

GRIFFITH OFFICE

Department of Land and Water Conservation
2nd Floor, Griffith City Plaza,
120–130 Banna Avenue (PO Box 1030), Griffith, NSW 2680
Phone: (02) 6962 7522 Fax: (02) 6962 5670

NOTIFICATION OF CLOSING OF A ROAD

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

RICHARD AMERY, M.P.,
 Minister for Agriculture and
 Minister for Land and Water Conservation

—
 Description

Land District — Mirrool
Local Government Area — Griffith

Lot 1, DP 1023107, Parish Jondaryan, County Cooper, (not being land under the Real Property Act).

Note: On closing, the land remains vested in Griffith City Council as operational land for the purposes of the Local Government Act 1993. File: GH99 H 52

GOULBURN OFFICE
Department of Land and Water Conservation
159 Auburn Street (PO Box 748), Goulburn, NSW 2580
Phone: (02) 4828 6725 Fax: (02) 4828 6730

ERRATUM

THE notification appearing in the *Government Gazette* of 2nd March 2001 folios 1099 and 1100 under the heading "APPOINTMENT OF TRUST BOARD MEMBERS" should be amended by adding at the end of COLUMN 1 of SCHEDULE 1 (in respect of the Wee Jasper Reserves Trust) the following statement "For a term commencing 2nd March 2001 and expiring 28th February 2006". File Reference: GB90R31/4

RICHARD AMERY, M.P.,
 Minister for Agriculture and
 Minister for Land and Water Conservation

HAY OFFICE
Department of Land and Water Conservation
126 Lachlan Street (PO Box 182), Hay, NSW 2711
Phone: (02) 6993 1306 Fax: (02) 6993 1135

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.

RICHARD AMERY, M.P.,
 Minister for Agriculture, and
 Minister for Land and Water Conservation.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
William Robert ARMSTRONG (re-appointment) Catherine ARMSTRONG (new member) John Douglas HAND (re-appointment)	Finley Airport Trust	Reserve No.: 88889 Public Purpose: Aviation Purposes Notified: 6 April 1973 Locality: Finley File Reference: HY80R136
For a term commencing 01 July, 2000 and expiring 30 June, 2005		

MAITLAND OFFICE
Department of Land and Water Conservation
Cnr Newcastle Road & Banks Street (PO Box 6), East Maitland, NSW 2323
Phone: (02) 4934 2280 Fax: (02) 4934 2252

ROADS ACT 1993
ORDER

Transfer of a Crown Road to a Council

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

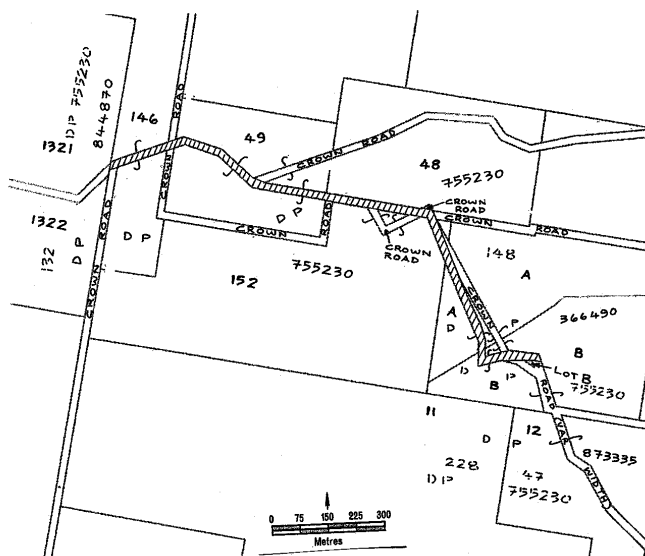
RICHARD AMERY, M.P.,
 Minister for Agriculture and
 Minister for Land and Water Conservation

SCHEDULE 1

Parish – Hay
County – Northumberland
Land District – Maitland
Local Government Area – Cessnock

That part of Dairy Arm Road Laguna, 20.115 wide and variable width, as shown by hatching on the diagram hereunder.

Note: Enclosure Permits 325027 and 325029 Maitland are partly affected by this notice.



That part of Dairy Arm Road Laguna, 20.115 wide, north of Lot 1322, DP 844870 (within Lot 132, DP 755230).

That part of Murrays Run Road, Laguna, 20.115 wide and variable, north of end of road, Lots 2 and 1, DP 878693 (Lot 184, DP 755230), Lots 181 and 182, DP 810329, north and east of Lot 170, DP 835805, east of Lot 171, DP 835805 (Lot 212, DP 755230) east of Lots 16 and 15, DP 248625 (Lot 214, DP 755230) and within Olney State Forest No.10 Extension Dedicated 23rd November 1951 from the northeastern corner of Lot 15, DP 248625 (Lot 214, DP 755230) in a southeasterly direction to Walkers Ridge Road.

SCHEDULE 2

Roads Authority: Cessnock City Council

File No.: MD00 H 191. Council's Reference: SU 99/12

MOREE OFFICE
Department of Land and Water Conservation
Frome Street (PO Box 388), Moree, NSW 2400
Phone: (02) 6752 5055 Fax: (02) 6752 1707

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.

RICHARD AMERY, M.P.,
 Minister for Agriculture, and
 Minister for Land and Water Conservation.

COLUMN 1	COLUMN 2	COLUMN 3
James Alexander Comer DONALDSON (new member)	Croppa Creek Public Recreation Reserve Trust	Reserve No. 83986 Public Purpose: Public Recreation Notified: 14 September 1962 Locality: Croppa Creek File Reference: ME83R13

For a term commencing the date of this notice and expiring 31 December 2002.

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
Colin James MORGAN (new member)	Gurley Public Recreation Reserve Trust	Reserve No. 75730 Public Purpose: Public Recreation Notified: 2 April 1953 Locality: Gurley File Reference: ME80 R 46

For a term commencing the date of this notice and expiring 18 July 2004.

NOWRA OFFICE
Department of Land and Water Conservation
64 North Street (PO Box 309), Nowra, NSW 2541
Phone: (02) 4423 0122 Fax: (02) 4423 3011

NOTIFICATION OF CLOSING OF ROADS

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder specified are 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.

RICHARD AMERY, M.P.,
 Minister for Agriculture and
 Minister for Land and Water Conservation

—————
 Descriptions

Land District – Kiama; L.G.A. – Kiama

Lot 34, DP 1024045 at Kiama, Parish Kiama, County Camden (not being land under the Real Property Act). File No. NA00 H 165.

Note: On closing, the land is vested in the Crown as Crown land.

Land District – Kiama; L.G.A. – Kiama

Lot 1, DP 1018913 at Kiama, Parish Kiama and County Camden (not being land under the Real Property Act). File No.: NA00 H 49.

Note: On closing, the land remains vested in the Crown as Crown land.

—————
Land District: Kiama; L.G.A.: Kiama

Lot 211, DP 1022955 at Carrington Falls, Parish Wallaya and County Camden (being land within Certificate of Title, Volume 735, Folio 20). File No.: NA00 H 45.

Note: On closing, the land remains vested in Kiama Council as "Operational land" (ST 1400).

ORANGE OFFICE
Department of Land and Water Conservation
92 Kite Street (PO Box 2146), Orange, NSW 2800
Phone: (02) 6360 8395 Fax: (02) 6362 3896

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 roads.

RICHARD AMERY, M.P.,
 Minister for Agriculture, and
 Minister for Land and Water Conservation

SCHEDULE 1

The Crown public road 20.115 metres wide separating Lot 4 in DP 854633, Lots 9, 13, 14 and 15 in DP 858869 from Lot 5 in DP 854633 and Lots 16, 17, 18, 19 and 20 in DP 858869, Parish of Cullen Bullen, County of Roxburgh.

SCHEDULE 2

Road Authority: Lithgow City Council. File Reference: OE01 H 34. Council Reference: 14928

NOTIFICATION OF CLOSING OF ROADS

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder specified are 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.

RICHARD AMERY, M.P.,
 Minister for Agriculture, and
 Minister for Land and Water Conservation

Descriptions

Land District – Bathurst
L.G.A. – City of Bathurst

Road Closed: Lot 1 in DP 1023390 of 160.1 square metres, Parish of Kelso, County of Roxburgh (being land comprised in Folio Identifier 19/817568). File reference: OE00 H 205.

Note: On closing, title for the land comprised in Lot 1 remains vested in the Bathurst City Council as operational land. Council reference: R20.00082.

Land District – Bathurst
L.G.A. – Evans Shire

Road Closed: Lot 1 in DP 1022810 of 610 square metres, Village and Parish of Yetholme, County of Roxburgh (not being land under the Real Property Act). File reference: OE00 H 246.

Note: On closing, title for the land comprised in Lot 1 remains vested in the Evans Shire Council as operational land. Council reference: 3134.

SYDNEY METROPOLITAN OFFICE
Department of Land and Water Conservation
2-10 Wentworth Street (PO Box 3935), Parramatta, NSW 2124
Phone: (02) 9895 7503 Fax: (02) 9895 6227

NOTIFICATION OF CLOSING OF ROADS

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

RICHARD AMERY, M.P.,
 Minister for Agriculture and
 Minister for Land and Water Conservation

—————
 Descriptions

Land District – Metropolitan
L.G.A – Waverley

Lots 3, 4, 5 and 6, DP 1021972 at Dover Heights, Parish Alexandria (Sheet 6), County Cumberland (not being land under the Real Property Act). File No. MN99 H 248

Note: On closing, title for the land in Lots 3, 4, 5 and 6 remain vested in Waverley Council as operational land.

—————
Land District – Metropolitan
L.G.A – Woollahra

Lot 11, DP 1022990 at Bondi Junction, Parish Alexandria (Sheet 9), County Cumberland, (not being land under the Real Property Act). File No. MN00 H 331

Note: On closing, title for the land in Lot 11 remains vested in Woollahra Municipal Council as operating land.

REVOCATION OF A 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.

RICHARD AMERY, M.P.,
 Minister for Agriculture and
 Minister for Land and Water Conservation

—————
 SCHEDULE

COLUMN 1	COLUMN 2
Land District: Metropolitan Local Govt Area: Pittwater Parish: Narrabeen County: Cumberland Locality: Church Point Reserve No.: 56146 Purpose: Sale or Lease Generally Date of Notification: 11 May 1923 File No.: MN01 H 31 Contact: Stephen Cook	That part of Reserve R56146 comprising Lot 331 in DP 1020134 having an area of 2497 square metres.

TAMWORTH OFFICE
Department of Land and Water Conservation
25–27 Fitzroy Street (PO Box 535), Tamworth, NSW 2340
Phone: (02) 6764 5100 Fax: (02) 6766 3805

PROPOSED ADDITION TO CROWN LAND
DEDICATED FOR A PUBLIC PURPOSE

IT is intended, following the laying before both Houses of Parliament in the State of New South Wales of an abstract of the proposed addition in accordance with section 82 of the Crown Lands Act 1989, to add the Crown land specified in Column 1 of the Schedule hereunder to the dedicated Crown land specified opposite thereto in Column 2 of the Schedule.

RICHARD AMERY, M.P.,
 Minister for Agriculture, and
 Minister for Land and Water Conservation.

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Tamworth	Dedication No.: 1001338
Local Government Area: Gunnedah Council	Public Purpose: Public Recreation
Parish: Keepit	Notified: 1 June 1997
County: Darling	<i>Lot D.P. No. Parish County</i>
Locality: Lake Keepit	257 44212 Keepit Darling
<i>Lot D.P. No.</i>	253 700854 Keepit Darling
61 508493	254 700854 Keepit Darling
Area: 626 square metres	128 752189 Keepit Darling
File Reference: TH00R5	155 752189 Keepit Darling
	158 752189 Keepit Darling
	161 752189 Keepit Darling
	187 752189 Keepit Darling
	188 752189 Keepit Darling
	227 752189 Keepit Darling
	245 752189 Keepit Darling
	7003 752189# Keepit Darling
	7004 752189# Keepit Darling
	97 752189 Keepit Darling
	New Area: 708.26 hectares.

Please note that the above Lot numbers marked # are for
 Departmental Use only.

WAGGA WAGGA REGIONAL OFFICE
Department of Land and Water Conservation
43-45 Johnston Street (PO Box 10), Wagga Wagga, NSW 2650
Phone: (02) 6923 0400 Fax: (02) 6931 0397

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 roads.

RICHARD AMERY, M.P.,
 Minister of Agriculture and
 Minister for Land and Water Conservation

Parish – Yambla;
County – Goulburn;
Land District – Albury;
Shire – Hume

SCHEDULE 1

The Crown Public Road of 1241 square metres being that part of the Hume Highway between the Great Southern Railway and Lot 9 in DP 1001318.

SCHEDULE 2

Roads Authority: Hume Shire Council

File No.: WA00H1

**DRAFT ASSESSMENT OF CROWN LAND UNDER
 PART 3 OF THE CROWN LANDS ACT 1989 AND
 THE CROWN LANDS REGULATION 1995**

THE Minister for Land and Water Conservation has prepared a draft assessment for the Crown land described hereunder.

Inspection of this draft assessment can be made at the Wagga Wagga Regional Office of the Department of Land and Water Conservation, at 43-45 Johnston Street Wagga Wagga, at the Wagga Wagga District Office of the Department of Land and Water Conservation, at the corner of Johnstone and Tarcutta Streets, Wagga Wagga and at the City of Albury Chambers, 553 Kiewa Street, Albury, during normal business hours.

Representations are invited from the public on the draft assessment. These may be made in writing for a period of twenty eight (28) days commencing from the 30th March 2001 until the 27th April 2001 and should be sent to the Land Assessment Officer, Department of Land and Water Conservation, PO Box 10 Wagga Wagga 2650. Please quote File Number A3489. The Wagga Wagga District File is WA99H142.

Reason for assessment: The purpose of this assessment is to address the issue of disposal or retention in public ownership of the Crown Land Parcels.

RICHARD AMERY, M.P.,
 Minister for Agriculture and
 Minister for Land Water Conservation

Description

Crown land at Albury, comprising a total area of 1.821 hectares being Lots 915 and 1052, DP 753326, being the Crown land bounded on the south east by Frere Street. Parish of Albury (Glenroy), County of Goulburn and Local Government Area of the City of Albury.

Contact: Wendy Menz 02 6923 0474.

**DRAFT ASSESSMENT OF CROWN LAND UNDER
 PART 3 OF THE CROWN LANDS ACT 1989 AND
 THE CROWN LANDS REGULATION 1995**

THE Minister for Land and Water Conservation has prepared a draft assessment for the Crown land described hereunder.

Inspection of this draft assessment can be made at the Wagga Wagga Regional Office of the Department of Land and Water Conservation, at 43-45 Johnston Street Wagga Wagga, at the Wagga Wagga District Office of the Department of Land and Water Conservation, at the corner of Johnstone and Tarcutta Streets, Wagga Wagga and at the City of Albury Chambers, 553 Kiewa Street, Albury, during normal business hours.

Representations are invited from the public on the draft assessment. These may be made in writing for a period of twenty eight (28) days commencing from the 30th March 2001 until the 27th April 2001 and should be sent to the Land Assessment Officer, Department of Land and Water Conservation, PO Box 10 Wagga Wagga 2650. Please quote File Number A3489. The Wagga Wagga District File is WA99H142.

Reason for assessment: The purpose of this assessment is to address the issue of disposal or retention in public ownership of the Crown Land Parcels.

RICHARD AMERY, M.P.,
 Minister for Agriculture and
 Minister for Land Water Conservation

Description

Crown land at Albury, comprising a total area of 1.39 hectares being Lots 321 and 1059, DP 753326, being the Crown land bounded on the south by Ryan Street. Parish of Albury (Glenroy), County of Goulburn and Local Government Area of the City of Albury.

Contact: Wendy Menz 02 6923 0474.

Water Conservation

WATER ACT 1912

Order Under Sections 22BB

THE Water Administration Ministerial Corporation hereby revokes the Orders published in the *Government Gazettes* set out in the Schedule.

Signed for the Water Administration Ministerial Corporation

BOB SMITH,
Director General

Department of Land and Water Conservation
Date: 19 February 2001

SCHEDULE

Government Gazettes:

No. 57 of 12th May 2000 on pages 3893 – 3894;
No. 57 of 12th May 2000 on pages 3895 – 3896.

WATER ACT 1912

Order Under Sections 22bb

Hunter River Catchment

THE Water Administration Corporation hereby declares that on and from the date of publication of this Order in the *Government Gazette*, and until this Order is revoked, no application under Part 2 of the Act for an entitlement for a dam on land shown in dotting in the Schedule may be made except for dams referred to in any Order made under section 5 (5) of the Act and dams:

- 1. for water supply (including supply for irrigation) for experimental, research or teaching purposes;
- 2. for water supply for stock purposes;

For the purpose of this Clause 'stock' means stock of a number not exceeding the number pastured ordinarily on the land having regard to seasonal fluctuations in the carrying capacity of the land and not held in close concentration for a purpose other than grazing. This excludes feedlots and piggeries, in particular.

- 3. for water supply for private domestic purposes;
- 4. for water supply for town or village water supply purposes;
- 5. for holding water taken from rivers using works licensed under Part 2 of the Water Act.
- 6. for holding water taken from groundwater using works licensed under Part 5 of the Water Act.

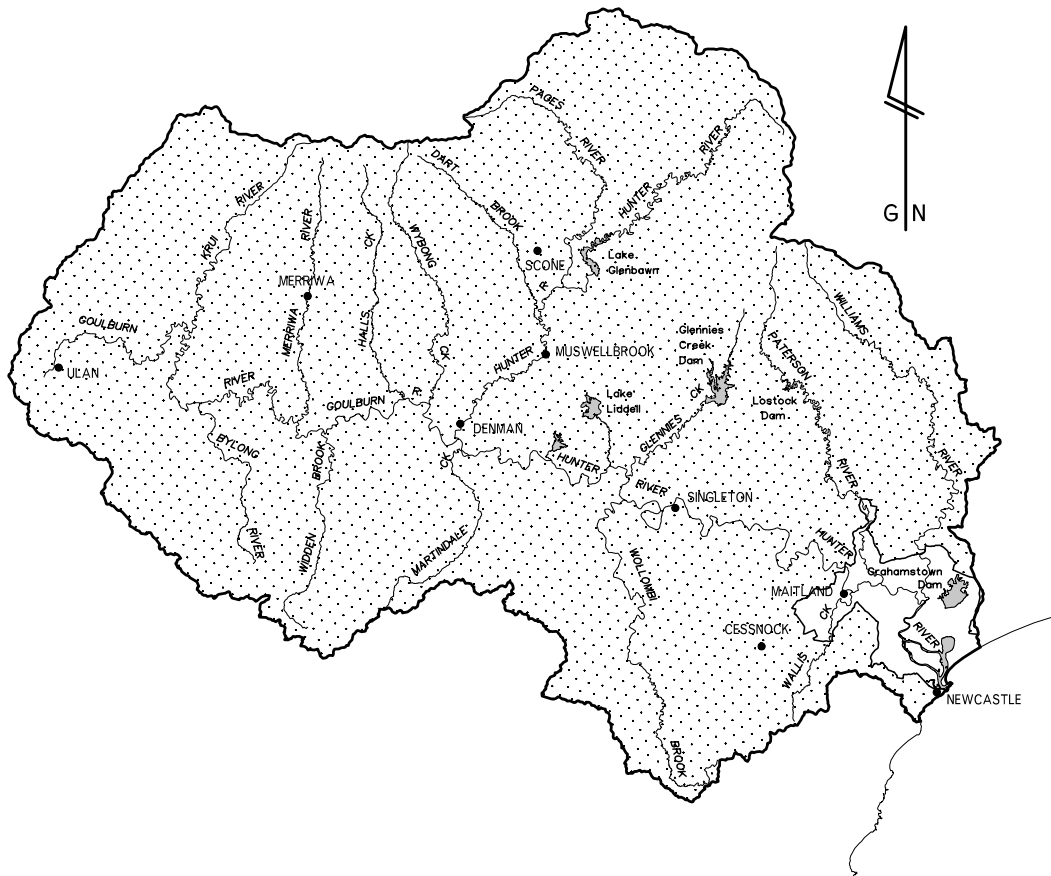
The Water Administration Corporation also hereby declares that (in addition to the exceptions referred to above) any dam is excepted from this Order where it is located on a river, lake or a section of a river (or any combination of 2 or more of them) on land in the Schedule, and the dam is used or is proposed to be used for hydro-power generation or other commercial undertakings provided any water abstracted is returned to the water source undiminished in quantity.

Signed for the Water Administration Ministerial Corporation

BOB SMITH,
Director General

Department of Land and Water Conservation
Date: 19 February 2001

SCHEDULE



WATER ACT 1912

Order Under Sections 22BB

Dingo, Ceder Party Creeks, Dawson, Lansdown, Part Of Gloucester, Wallamba, Wang Wauk, Wallingat, Coolongolook, Myall, Boolambayte, Karuah, The Branch Rivers Catchments

THE Water Administration Corporation hereby declares that on and from the date of publication of this Order in the *Government Gazette*, and until this Order is revoked, no application under Part 2 of the Act for an entitlement for a dam on land shown in dotting in the Schedule may be made except for dams referred to in any Order made under section 5 (5) of the Act and dams:

1. for water supply (including supply for irrigation) for experimental, research or teaching purposes;
2. for water supply for stock purposes;
For the purpose of this Clause 'stock' means stock of a number not exceeding the number pastured ordinarily on the land having regard to seasonal fluctuations in the carrying capacity of the land and not held in close concentration for a purpose other than grazing. This excludes feedlots and piggeries, in particular.
3. for water supply for private domestic purposes;
4. for water supply for town or village water supply purposes;
5. for holding water taken from rivers using works licensed under Part 2 of the Water Act.
6. for holding water taken from groundwater using works licensed under Part 5 of the Water Act.

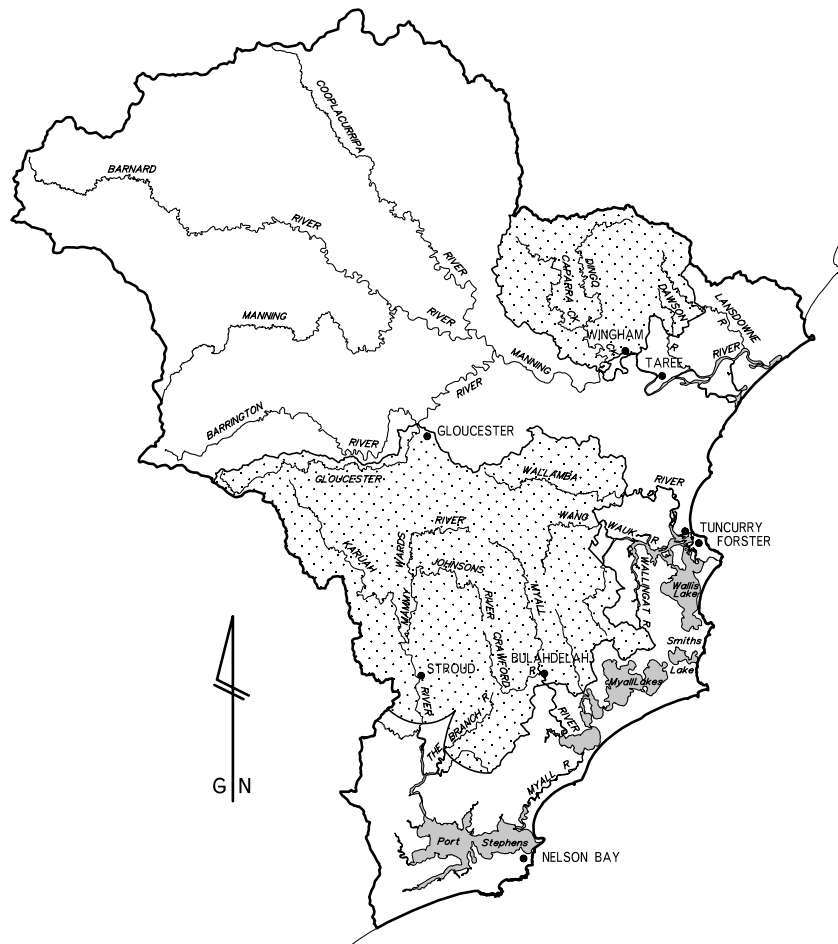
The Water Administration Corporation also hereby declares that (in addition to the exceptions referred to above) any dam is excepted from this Order where it is located on a river, lake or a section of a river (or any combination of 2 or more of them) on land in the Schedule, and the dam is used or is proposed to be used for hydro-power generation or other commercial undertakings provided any water abstracted is returned to the water source undiminished in quantity.

Signed for the Water Administration Ministerial Corporation

BOB SMITH,
Director General

Department of Land and Water Conservation
Date: 19 February 2001

SCHEDULE



WATER ACT 1912

Order Under Sections 22BB

Wyong River, Dora, Cockle And Ourimbah Creek Catchments

THE Water Administration Corporation hereby declares that on and from the date of publication of this Order in the *Government Gazette*, and until this Order is revoked, no application under Part 2 of the Act for an entitlement for a dam on land shown in dotting in the Schedule may be made except for dams referred to in any Order made under section 5 (5) of the Act and dams:

1. for water supply (including supply for irrigation) for experimental, research or teaching purposes;
2. for water supply for stock purposes;

For the purpose of this Clause 'stock' means stock of a number not exceeding the number pastured ordinarily on the land having regard to seasonal fluctuations in the carrying capacity of the land and not held in close concentration for a purpose other than grazing. This excludes feedlots and piggeries, in particular.

3. for water supply for private domestic purposes;
4. for water supply for town or village water supply purposes;
5. for holding water taken from rivers using works licensed under Part 2 of the Water Act.
6. for holding water taken from groundwater using works licensed under Part 5 of the Water Act.

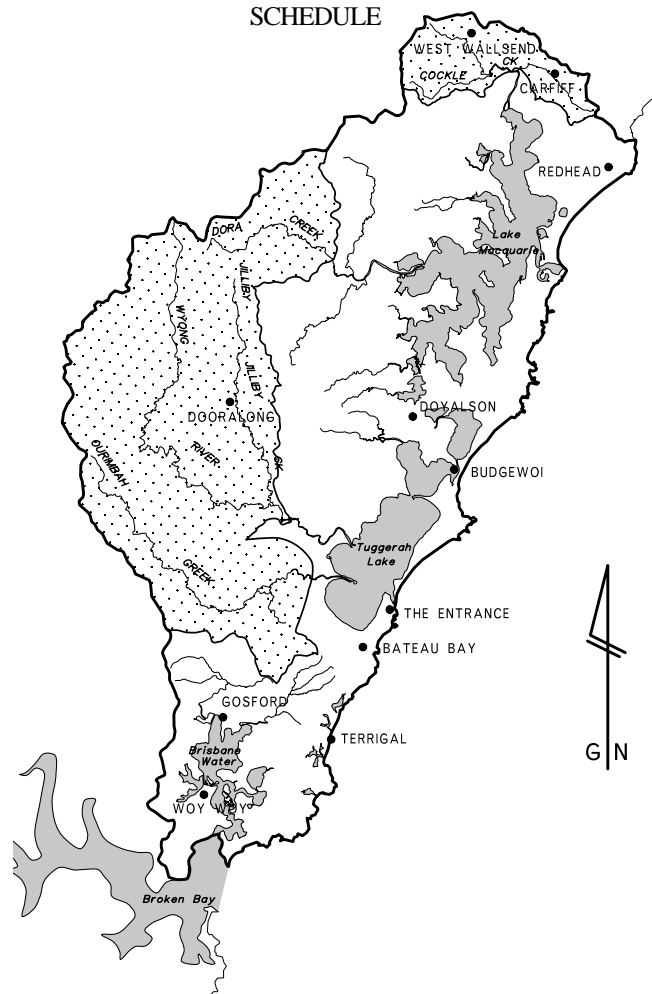
The Water Administration Corporation also hereby declares that (in addition to the exceptions referred to above) any dam is excepted from this Order where it is located on a river, lake or a section of a river (or any combination of 2 or more of them) on land in the Schedule, and the dam is used or is proposed to be used for hydro-power generation or other commercial undertakings provided any water abstracted is returned to the water source undiminished in quantity.

Signed for the Water Administration Ministerial Corporation

BOB SMITH,
Director General

Department of Land and Water Conservation
Date: 19 February 2001

SCHEDULE



WATER ACT 1912

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

Application for a Licence, under section 10 of Part 2 of the Water Act 1912 has been received from:

Murray River Valley

ROCHESTER PARK PTY LTD for a pump on the Murray River on Lot 1/531599, Parish of Yellymong, County of Wakool, for water supply for irrigation of 182 hectares (replacement licence due to permanent transfer) (GA2: 368350) (Reference: 50SL75431).

Any enquiries regarding the above should be directed to the undersigned (Phone: [03] 5881 2122).

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

K. J. FALAHEY,
Water Access Manager
Murray Region

Department of Land and Water Conservation
PO Box 205, DENILIQUIN NSW 2710

WATER ACT 1912

APPLICATIONS under Part 2, within proclaimed (declared) local areas under section 5 (4) of the Water Act 1912.

Applications for licences under section 10 for works within a proclaimed (declared) local area as generally described hereunder have been received as follows:

Macquarie River Valley

Mark James BEACH for a pump on the Marthaguy Creek, Part TSR 785, Parish of Tongamba, County of Gregory for water supply for domestic purposes (new license) (80SL95827).

Junior John FURNEY and Timothy John FURNEY for a pump on the Macquarie River, Part Lot 77, DP 754303, Parish of Coolbaggie, County of Lincoln for irrigation of 68.375 hectares (lucerne, cotton, winter cereals) (replacement license) (80SL95828).

AN APPLICATION for an amended authority for a joint water supply under section 20E (2) has been received from:

AIRCO HOLDINGS PTY LIMITED, John Parker JAMIESON, Joanne Lynette JAMIESON and Others for 4 pumps on the Cudgegong River, Road Reserve Adjacent to Lot 84, DP 755431, Parish of Galambine, County of Phillip for water supply for stock and domestic purposes and irrigation of 89.2 hectares (grapes) (replacement authority) (80SA10580).

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 Departments Regional Office at Dubbo, within twenty-eight (28) days as prescribed by the Act.

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

An application for an approval of controlled works under section 167, within the proclaimed (declared) local areas described hereunder, has been received from:

WOMBIANNA PTY LIMITED for a levee on the Macquarie River, Lot 2, DP 47480, Parish of Wambianna, County of Ewenmar for the prevention of inundation of lands by floodwaters (new approval) (80CW809638). (GA2: 311279)

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 Departments Regional Office at Dubbo, by 13th April 2001 as prescribed by the Act.

Any inquiries regarding the above should be directed to the undersigned (telephone [02] 6884 2560).

FRED HUNDY,
Water Access Manager, Macquarie

Department of Land and Water Conservation
PO Box 717, DUBBO NSW 2830

WATER ACT 1912

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

Applications for Licences under section 10 of Part 2 of the Water Act 1912, have been received as follows:

Lachlan River Valley

David Ross BUESNEL, for a bywash dam on an unnamed watercourse, on Lot 1, DP1006023, Parish of Waldegrave, County of Bathurst, conservation of water for stock and domestic purposes. (GA2:495874) (Reference:70SL090646).

Neil K HARGRAVE and Janice S STARR, for a Pump on Lake Cargelligo, adjacent to Lot 2, DP 1008830, Parish of Gurangully, County of Dowling, water supply for domestic purposes and to supply Lot 1, DP 1008830 Parish of Gurangully, County of Dowling water for domestic purposes. (GA2:495876) (Reference: 70SL090647).

James Charles WATSON, for a Pump on Billabong Creek, on Lot 194, DP 750167, Parish of Martin County of Ashburnham, water supply for stock purposes. (GA2:495875) (Reference: 70SL090645).

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

D. THOMAS,
Licensing Officer

Department of Land and Water Conservation
Central Western Region
PO Box 136, FORBES NSW 2871 (02) 6852 1222

WATER ACT 1912

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

Applications for licences under section 10 for works within a proclaimed (declared) local area as generally described hereunder have been received as follows:

Murrumbidgee Valley

NARRANDERA FISHERIES RESEARCH STATION for two pumps on the Murrumbidgee River, Travelling Stock and Camping Reserve No. 37598, Parish of Gobbagaula, County of Mitchell for a water supply for Pisciculture and experimental purposes. Application to replace existing entitlement. Reference: 40SL70608.

HAWTHORNE PASTORAL COMPANY for two bywash dams and a pump on Pine Creek, Lot 49, DP 754545, Parish of Coffin Rock, County of Mitchell for a water supply for stock and domestic purposes. Replacement License – Additional Works only. Reference: 40SL70611.

David Glen WILLIAMS for a dam on an unnamed watercourse, Lot 2, DP 746250, Parish of Montagu, County of Beresford for conservation of water for stock purposes. New License. Reference: 40SL70612.

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

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

S. F. WEBB,
Water Access Manager

Department of Land and Water Conservation
PO Box 156, LEETON NSW 2705

WATER ACT 1912

AN APPLICATION for a license under Part 5 of the Water Act 1912, as amended, has been received as follows:

Murrumbidgee Valley

GLENTER INVESTMENTS PTY LIMITED for a bore on Lot 11, DP 831779, Parish of Hume, County of Murray for a water supply for the irrigation of approximately 0.4 hectares (tomatoes). New License. (Reference: 40BL188210)

David Alexander Wright WEBSTER and Mary-Anne WEBSTER for a bore on Lot 32, DP 861478, Parish of Purrorumba, County of Murray, for a water supply for stock, domestic and farming purposes and the irrigation of approximately 5 hectares (olives). New License. (Reference: 40BL188211)

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 13th April 2001 as prescribed by the Act.

S. F. WEBB,
Water Access Manager
Murrumbidgee Region

Department of Land and Water Conservation
P.O. Box 156, LEETON NSW 2705

WATER ACT 1912

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

An application for a Licence for works within a proclaimed local area as generally described hereunder has been received as follows:

Barwon-Darling River Valley

Phillip Henry BUTLER for two (2) pumps on the Boomi River on Lot 19/750471, Parish of Hamilton, County of Benarba for irrigation of 150.5 hectares (cotton, lucerne, cereals). (To combine and replace existing entitlements due to the permanent transfer of 20.5 hectares from 90SL039536). L.O. Papers 90SL100543. GA2345882.

Any inquiries regarding the above should be directed to the undersigned (telephone [02] 6752 9726).

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

A. M. HALL,
Manager Water Administration

Department of Land and Water Conservation
PO Box 550, TAMWORTH NSW 2340

WATER ACT 1912

AN APPLICATION under Part 8, being within a Proclaimed (declared) Local Area under section 5 (4) of the Water Act.

An application for Approval of a Controlled Work under section 167 within the Proclaimed (declared) Local Area described hereunder has been received.

Namoi River Valley

AUSCOTT LIMITED for controlled works (levees) in association with a storage, the extension of the existing module yard on the Lower Namoi River Floodplain on Lot 1039/867061, Parish of Galathera, County of Jamison for the prevention of inundation of land. Reference: 90CW810864.

Written objections to the application specifying the grounds thereof may be made by any statutory authority or local occupier within the Proclaimed Area, whose interest may be affected must be lodged with the Department's Water Administration Manager at the Tamworth office by 12th April, 2001.

Plans showing the location of the works referred to in the above application may be viewed at the Tamworth or Narrabri offices of the Department of Land and Water Conservation.

A. M. HALL,
Manager Water Administration

Department of Land and Water Conservation
PO Box 550, TAMWORTH NSW 2340

Department of Mineral Resources

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(C00-1566)

No. 1739, Coal Operations Australia Limited (ACN 062 894 464), area of 4.27 square kilometres, for Group 9, dated 26 February, 2001. (Sydney Mining Division).

(T01-0099)

No. 1742, Canopus Corporation Australia Pty Ltd (ACN 093 744 560), area of 283 units, for Group 1 and Group 6, dated 1 March, 2001. (Cobar Mining Division).

(T01-0101)

No. 1743, Pasminco Australia Limited (ACN 004 074 962), area of 6 units, for Group 1, dated 6 March, 2001. (Cobar Mining Division).

(T01-0102)

No. 1744, Pasminco Australia Limited (ACN 004 074 962), area of 5 units, for Group 1, dated 6 March, 2001. (Broken Hill Mining Division).

(T01-0103)

No. 1745, Triako Resources Limited (ACN 008 498 119), area of 35 units, for Group 1, dated 8 March, 2001. (Cobar Mining Division).

(T01-0104)

No. 1746, Taurus Exploration Pty Ltd (ACN 095 864 065), area of 19 units, for Group 1, dated 9 March, 2001. (Orange Mining Division).

(T01-0105)

No. 1747, David Charles Lyons and Marilyn Leslie Follett, area of 12 units, for Group 1, dated 9 March, 2001. (Orange Mining Division).

MINING LEASE APPLICATION

(T01-0100)

No. 170, Peregrine Mineral Sands N.L. (ACN 009 307 591), Imperial Mining (Aust) N.L. (ACN 062 193 266) and Probo Mining Pty Ltd (ACN 079 938 819), area of about 34.4 square kilometres, to mine for ilmenite, monazite, rutile and zircon, dated 5 March, 2001. (Broken Hill Mining Division).

EDWARD OBEID M.L.C.,
Minister for Mineral Resources

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(T99-0191)

No. 1528, now Exploration Licence No. 5816, Newcrest Operations Limited (ACN 009 221 505), Counties of Menindee and Yancowinna, Map Sheet (7233), area of 31 units, for Group 1, dated 6 March, 2001, for a term until 5 March, 2003.

(T00-0079)

No. 1627, now Exploration Licence No. 5810, Great Northern NSW Pty Ltd (ACN 091 240 425) and Sapphire Mines N.L. (ACN 009 153 128), Counties of Arrawatta and Gough, Map Sheet (9138, 9238), area of 108 units, for Group 6, dated 14 February, 2001, for a term until 13 February, 2003. As a result of the grant of this title, Exploration Licence No. 4942, Exploration Licence No. 5621 and Exploration Licence No. 5673 have ceased to have effect.

(T00-0080)

No. 1628, now Exploration Licence No. 5811, Great Northern NSW Pty Ltd (ACN 091 240 425) and Sapphire Mines N.L. (ACN 009 153 128), Counties of Clarke, Gough and Gresham, Map Sheet (9237, 9238), area of 85 units, for Group 6, dated 14 February, 2001, for a term until 13 February, 2003. As a result of the grant of this title, Exploration Licence No. 5730 has ceased to have effect.

(T00-0169)

No. 1706, now Exploration Licence No. 5818, Broken Hill Operations Pty Ltd (ACN 054 920 893), County of Yancowinna, Map Sheet (7134, 7234), area of 10 units, for Group 1, dated 8 March, 2001, for a term until 7 March, 2003.

MINERAL CLAIM APPLICATION

(T00-0083)

Inverell No. 66, now Mineral Claim No. 265 (Act 1992) Pan Gem Resources (Aust) Pty Ltd (ACN 064 972 621), Parish of Buckley, County of Arrawatta, area of about 2 hectares, to mine for sapphire, dated 27 February, 2001, for a term until 26 February, 2006.

EDWARD OBEID M.L.C.,
Minister for Mineral Resources

NOTICE is given that the following applications have been refused:

EXPLORATION LICENCE APPLICATION

(T99-0018)

No. 1382, Monier PGH Holdings Limited (ACN 008 631 356), County of Northumberland, Map Sheet (9131). Refusal took effect on 2 March, 2001.

EDWARD OBEID M.L.C.,
Minister for Mineral Resources

NOTICE is given that the following applications have been withdrawn:

EXPLORATION LICENCE APPLICATIONS

(T00-0077)

No. 1625, Newcrest Operations Limited (ACN 009 221 505), Counties of Roxburgh and Wellington, Map Sheet (8831). Withdrawal took effect on 8 March, 2001.

(T00-0155)

No. 1694, Mincor Resources NL (ACN 072 745 692), Counties of Ashburnham and Forbes, Map Sheet (8430, 8431, 8531). Withdrawal took effect on 2 March, 2001.

(T00-0156)

No. 1695, Mincor Resources NL (ACN 072 745 692), Counties of Forbes and Monteaagle, Map Sheet (8530). Withdrawal took effect on 2 March, 2001.

EDWARD OBEID M.L.C.,
Minister for Mineral Resources

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

(M81-0581)

Authorisation No. 339, Idemitsu Boggabri Coal Pty. Limited, area of 3544 hectares. Application for renewal received 9 March, 2001.

(C92-0253)

Authorisation No. 459, Coal And Allied Operations Pty Limited (ACN 000 023 656), area of 3320 hectares. Application for renewal received 8 March, 2001.

(T94-0245)

Exploration Licence No. 4818, Telminex NL (ACN 003 309 911), area of 19 units. Application for renewal received 7 March, 2001.

(T98-1204)

Exploration Licence No. 5568, Carrington Holdings Pty Ltd (ACN 000 399 093), area of 28 units. Application for renewal received 6 March, 2001.

(T87-1008)

Exploration (Prospecting) Licence No. 1117, Boral Montoro Pty Limited (ACN 002 944 694), area of 2 units. Application for renewal received 8 March, 2001.

(T00-0458)

Gold Lease No. 5812 (Act 1906), Silver Orchid Pty Limited (ACN 001 429 769), area of 2.023 hectares. Application for renewal received 6 March, 2001.

(T00-0480)

Mining Lease No. 925 (Act 1973), Monier P G H Holdings Limited (ACN 008 631 356), area of 10.24 hectares. Application for renewal received 1 March, 2001.

EDWARD OBEID M.L.C.,
Minister for Mineral Resources

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(T86-0546)

Exploration Licence No. 2727, Triako Resources Limited (ACN 008 498 119), Mineral Exploration (NSW) No 1 Pty Limited (ACN 084 210 800), Mineral Exploration (NSW) No 2 Pty Limited (ACN 084 210 775) and Mount Conqueror Minerals N.L. (ACN 003 312 721), County of Cunningham, Map Sheet (8332), area of 1 unit, for a further term until 25 November, 2002. Renewal effective on and from 9 March, 2001.

(T96-0153)

Mining Lease No. 440 (Act 1973), George Noel Rawlinson, Parish of Lewis, County of Wellington, Map Sheet (8731-4-S), area of 3.61 hectares, for a further term until 21 June, 2019. Renewal effective on and from 2 March, 2001.

(T97-0187)

Mineral Lease No. 5090 (Act 1906), Monier PGH Holdings Limited (ACN 008 631 356), Parish of Maitland, County of Northumberland, Map Sheet (9232-3-N), area of 18.39 hectares, for a further term until 30 June, 2010. Renewal effective on and from 5 March, 2001.

EDWARD OBEID M.L.C.,
Minister for Mineral Resources

REFUSAL OF APPLICATION FOR RENEWAL

NOTICE is given that the application for renewal in respect of the following authority has been refused:

(T92-0088)

Exploration Licence No. 4298, Western Metals Copper Limited (ACN 004 664 108), County of Menindee, Map Sheet (7133), area of 20 units. The authority ceased to have effect on 12 March, 2001.

EDWARD OBEID M.L.C.,
Minister for Mineral Resources

WITHDRAWAL OF APPLICATIONS FOR RENEWAL

NOTICE is given that the applications for renewal in respect of the following authorities have been withdrawn:

(T98-1204)

Exploration Licence No. 5568, Carrington Holdings Pty Ltd (ACN 000 399 093), County of Cowper, Map Sheet (8137), area of 28 units. Application for renewal lodged on 26 February, 2001. The title continues to have effect by virtue of the application for renewal lodged on 6 March, 2001.

EDWARD OBEID M.L.C.,
Minister for Mineral Resources

CANCELLATION OF AUTHORITIES AT REQUEST OF HOLDERS

NOTICE is given that the following authorities have been cancelled:

(T86-0092)

Mining Lease No. 1199 (Act 1973), Mineral Deposits (Operations) Pty Ltd (ACN 083 091 963), Parish of Fens, County of Gloucester; Map Sheet (9332-4-S, 9332-4-S), area of 27.08 hectares. Cancellation took effect on 5 March, 2001.

(T99-0745)

Mining Lease No. 1231 (Act 1973), Denehurst Limited (ACN 006 738 576), Parish of Currawang, County of Argyle, Map Sheet (8728-2-S, 8828-3-S), area of 232 hectares. Cancellation took effect on 5 March, 2001.

EDWARD OBEID M.L.C.,
Minister for Mineral Resources

PART CANCELLATIONS

NOTICE is given that the following authorities have been cancelled in part:

(C95-0101)

Consolidated Coal Lease No. 752 (Act 1973), Coal And Allied Operations Pty Limited (ACN 000 023 656), Parishes of Congewai and Ellalong, County of Northumberland; Map Sheet (9132-2-S, 9132-3-S).

For further information contact Titles Branch.

Part cancellation took effect on 24 January, 2001.

The authority now embraces an area of 3802 hectares.

EDWARD OBEID M.L.C.,
Minister for Mineral Resources

TRANSFERS

(T00-0746)

Exploration Licence No. 5655, formerly held by Triako Resources Limited (ACN 008 498 119) has been transferred to Triako Resources Limited (ACN 008 498 119), Mineral Exploration (NSW) No 1 Pty Limited (ACN 084 210 800) and Mineral Exploration (NSW) No 2 Pty Limited (ACN 084 210 775). The transfer was registered on 6 March, 2001.

EDWARD OBEID M.L.C.,
Minister for Mineral Resources

EXPIRIES

Mineral Claim No. 185 (Act 1992), Mineral Deposits (Operations) Pty Ltd (ACN 083 091 963), Parish of Stowell, County of Gloucester. This title expired on 10 March, 2001.

EDWARD OBEID M.L.C.,
Minister for Mineral Resources

COAL MINES REGULATION ACT 1982

Approval No.: MDA Exd 10209

Issue: A2586-00

Date: 25 February 2001

NOTICE OF PRIMARY APPROVAL

It is hereby notified that the Approved Item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate standards or requirements, and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 71 of the Coal Mines Regulation (General) Regulation 1999.

This APPROVAL is issued to: Eickhoff Australia Pty Ltd
Address of Approval Holder: 41 Prince William Drive, Seven Hills NSW 2147
Description of Item/s: Flameproof Cable Glands
Manufacturer: Elektro Apparate Kom-Ges - Gothe & Co - Germany
Model/Type: d 54132
C.M.R.A. Regulation: Coal Mines (Underground) Regulation 1999 Clause: 140 (1)
Specific Approval Category: Explosion Protected - Flameproof

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 1983, with particular reference to Sections 15 to 17 of the said Act as it applies to USERS of Approved Items, and to Section 18 of the said Act as it applies to the MANUFACTURERS and /or SUPPLIERS of Approved Items.

The Authority issuing this Approval has, for the purpose of the Occupational Health and Safety Act, 1983, appended a list of conditions/recommendations (including drawings, documents, etc.) that are applicable to this approved item, as identified during test and/or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act, 1983. The onus is on the Supplier and/or User to ensure the Approved Item, and any deviation from the list of conditions/recommendations, in reference to that item is not inferior in any way to the item tested and/or assessed, this includes the supply, installation and continuing use of the approved item.

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

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

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

L.R. JEGO,
 Accredited Assessing Authority (MDA-A2586),
 for Chief Inspector of Coal Mines.

Dept. File No: C00/0930	Page 1 of 3
Approval Holder: Eickhoff Australia Pty Ltd	

COAL MINES REGULATION ACT 1982

Approval No.: MDA Ex d 17000 (issue 0)

File No.: C01/0070

Date: 7th February, 2001

NOTICE OF PRIMARY APPROVAL

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

This APPROVAL is issued to: Engart Australasia Pty Ltd
Address of Approval Holder: Unit 3B/88 Munibung Road, Cardiff NSW
Description of Item/s & Variations: 1000V/60kW Water Cooled Induction Motor
Manufacturer and model/type: Hertz Technologies Type HT60WC
C.M.R.A. Regulation: Electrical Underground Clause 140 (I)
Specific Approval Category: Explosion Protected – Flameproof Ex d

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 1983, with particular reference to Sections 15 to 17 of the said Act as it applies to USERS of Approved Items, and to Section 18 of the said Act as it applies to the MANUFACTURERS and/or SUPPLIERS of Approved Items.

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

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

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

G.L.M. WARING,
 Accredited Assessing Authority (MDA A2516),
 for Chief Inspector of Coal Mines.

Dept File No: C01/0070	Doc No :c\wes\appmaster\HT60WCengart.doc	Page 2 of 4
App Holder: Engart Australasia Pty Ltd		

COAL MINES REGULATION ACT 1982

Approval No : MDA Exd 10208

Issue: A2586-00

Date: 25 February 2001

NOTICE OF PRIMARY APPROVAL

It is hereby notified that the Approved Item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate standards or requirements, and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 71 of the Coal Mines Regulation (General) Regulation 1999.

This APPROVAL is issued to: Eickhoff Australia Pty Ltd
Address of Approval Holder: 41 Prince William Drive, Seven Hills NSW 2147
Description of Item/s: Flameproof Cable Glands
Manufacturer: Elektro Apparate Kom-Ges - Gothe & Co - Germany
Model/Type: d 54130
C.M.R.A. Regulation: Coal Mines (Underground) Regulation 1999 Clause: 140 (1)
Specific Approval Category: Explosion Protected - Flameproof

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 1983, with particular reference to Sections 15 to 17 of the said Act as it applies to USERS of Approved Items, and to Section 18 of the said Act as it applies to the MANUFACTURERS and /or SUPPLIERS of Approved Items.

The Authority issuing this Approval has, for the purpose of the Occupational Health and Safety Act, 1983, appended a list of conditions/recommendations (including drawings, documents, etc.) that are applicable to this approved item, as identified during test and/or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act, 1983. The onus is on the Supplier and/or User to ensure the Approved Item, and any deviation from the list of conditions/recommendations, in reference to that item is not inferior in any way to the item tested and/or assessed, this includes the supply, installation and continuing use of the approved item.

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

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

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

L.R. JEGO,
 Accredited Assessing Authority (MDA-A2586),
 for Chief Inspector of Coal Mines.

Dept. File No: C00/0930	Page 1 of 3
Approval Holder: Eickhoff Australia Pty Ltd	

Department of Urban Affairs and Planning

Ashfield Local Environmental Plan 1985 (Amendment No 89)— Exempt and Complying Development

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(S00/00036/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Sydney, 5th March 2001.

Clause 1 Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt and Complying Development

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt and Complying Development

1 Name of plan

This plan is *Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt and Complying Development*.

2 Aims of plan

The aim of this plan is to provide for exempt and complying development in the local government area of Ashfield.

3 Land to which plan applies

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

4 Amendment of Ashfield Local Environmental Plan 1985

Ashfield Local Environmental Plan 1985 is amended as set out in Schedule 1.

5 Amendment of State Environmental Planning Policy No 60

State Environmental Planning Policy No 60—Exempt and Complying Development is amended by omitting the word “Ashfield” from Part 1 (1) of Schedule 1.

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt and Complying Development

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Interpretation

Insert in alphabetical order in clause 6 (1):

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

bed and breakfast accommodation means the use of an existing lawful dwelling by its permanent residents to provide temporary accommodation of visitors for commercial purposes.

[2] Clause 6 (1A)

Insert after clause 6 (1):

(1A) The following terms have the same meaning in this plan as they have in the *Environmental Planning and Assessment Act 1979*:

building
Building Code of Australia
building work
certifying authority
complying development
complying development certificate
exempt development
local development
prohibited development

[3] Clauses 8A and 8B

Insert before clause 9:

8A Exempt development

(1) Development listed in Schedule 8 is exempt development, except as provided by subclauses (2) and (3).

Page 3

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

- (2) Development is exempt development only if:
- (a) it is of minimal environmental impact, and
 - (b) it meets the requirements specified for it in Schedule 8,
and
 - (c) it is ancillary to an existing lawful use, and
 - (d) it does not contravene any condition of a development
consent applying to the land, and
 - (e) it is contained wholly within the land on which it is
carried out, and
 - (f) it complies with any relevant deemed-to-satisfy
provisions of the *Building Code of Australia*, and
 - (g) it does not obstruct drainage on the site on which it is
carried out, and
 - (h) it does not restrict any vehicular or pedestrian access to
or from the site, and
 - (i) it is carried out at least one metre from any easement or
public sewer main and complies with the
building-over-sewer requirements of Sydney Water
Corporation applying to the land, and
 - (j) it does not require a tree to be removed, and
 - (k) the total hard surface area on the site after it is carried
out does not exceed any limit provided in an
environmental planning instrument or development
control plan applying to the land, and
 - (l) it is carried out with the agreement of the owner of the
land, and
 - (m) if it involves the installation of any article or equipment,
the article or equipment is installed to any relevant
manufacturer's specifications, and
 - (n) when it is carried out, no dimensional requirement of an
environmental planning instrument or development
control plan applying to the land is exceeded.
- (3) Development is not exempt development if it is carried out on
land that is the site of a heritage item or is in a heritage
conservation area.

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt and Complying Development

Amendments

Schedule 1

8B Complying development

(1) Development listed in Schedule 9 is complying development if:

- (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
- (b) it is not an *existing use*, as defined in section 106 of the Act,

except as provided by subclauses (2) and (3).

(2) Development is complying development only if:

- (a) it complies with any deemed-to-satisfy provisions of the *Building Code of Australia* relevant to the development, and
- (b) it complies with the development standards and other requirements specified in Schedule 9 for the development, and
- (c) it complies with the relevant development standards set for the development by this plan and by any other environmental planning instrument applying to the land, and
- (d) no environmental planning instrument states that the adequacy of an acid sulfate soils management plan for the proposed development must be considered before consent can be granted for it, and
- (e) it does not contravene any condition of a development consent applying to the land.

Note. Section 76A (6) of the *Environmental Planning and Assessment Act 1979* says that the following development cannot be complying development:

- (a) State significant development,
- (b) designated development,
- (c) any development, if consent for it requires the concurrence of a person other than the consent authority or the Director-General of National Parks and Wildlife as referred to in section 79B (3) of the Act.

(3) Development is not complying development if it is carried out on land that:

- (a) is within a heritage conservation area or is the site of a heritage item, or

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

- (b) is a site that has previously been used:
- (i) as a service station, or
 - (ii) for waste storage or waste treatment, or
 - (iii) for the manufacture of chemicals, asbestos or asbestos products,

and a notice of completion of remediation work for the proposed use has not been given to the council in accordance with *State Environmental Planning Policy No 55—Remediation of Land*.

- (4) Each complying development certificate is subject to the conditions specified in Schedule 10.
- (5) A complying development certificate is taken to satisfy any requirement of an environmental planning instrument or tree preservation order for a consent, permit or approval to remove an exotic tree under 4 metres high if the carrying out of the complying development necessitates the removal of the tree.

Note. Section 76A (6) of the *Environmental Planning and Assessment Act 1979* says that development cannot be complying development on land that:

- (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994*), or
- (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
- (c) comprises, or on which there is, an item of environmental heritage:
 - (i) that is subject to an interim heritage order under the *Heritage Act 1977*, or that is listed on the State Heritage Register under that Act, or
 - (ii) that is identified as such an item in an environmental planning instrument, or
- (d) identified as an environmentally sensitive area in this plan.

[4] Clause 10 Development control table

Omit “Nil” from item 1 (Without development consent) of the matter relating to Zones Nos 2 (a), 2 (b), 2 (c), 3 (a), 3 (b), 3 (c), 3 (d), 4 (b), 5 (a), 9 (d) and 9 (e) in the Table to clause 10.

Insert instead “Exempt development, flood mitigation, public utility undertakings, railway undertakings”.

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt and Complying Development

Amendments

Schedule 1

[5] Clause 10, Table

Omit “Nil” from item 1 (Without development consent) of the matter relating to Zone No 5 (b).

Insert instead “Exempt development, flood mitigation, public utility undertakings, railway undertakings, roads”.

[6] Clause 10, Table

Insert “, exempt development” in alphabetical order in item 1 (Without development consent) of the matter relating to Zones Nos 6 (a), 6 (b) and 9 (b).

[7] Clause 10, Table

Insert “exempt development,” in alphabetical order in item 1 (Without development consent) of the matter relating to Zone No 9 (a).

[8] Clause 10, Table

Omit “Widening” from item 1 (Without development consent) of the matter relating to Zone No 9 (c).

Insert instead “Exempt development, widening”.

[9] Clause 18

Omit the clause. Insert instead:

18 Development for purpose of advertisements

(1) Advertisements allowed only with consent

Development for the purpose of an advertisement that is:

- (a) not exempt development, and
- (b) not prohibited development,

may be carried out only with consent.

- (2)** Despite any other provision of this plan, development may be carried out with consent for the purpose of an advertisement that directs the travelling public to a specific tourist facility or place of scientific, historic or scenic interest, if the council is satisfied that:

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

- (a) the principal purpose of the advertisement is to direct the travelling public to that facility or place, and
 - (b) the dimensions (including the area) and overall size of the advertisement are not larger than would reasonably be required to so direct the travelling public.
- (3) **Prohibited advertisements**
Development for the purpose of an advertisement on land within a Special Uses or Open Space zone is prohibited unless:
- (a) it is exempt development, or
 - (b) it is allowed with consent under subclause (2).
- (4) Despite subclause (3), the council may consent to development for the purpose of an advertisement on the land within Zone No 6 (a) known as Pratten Park, provided the advertisement is in accordance with a plan of management adopted under the provisions of section 40 of the *Local Government Act 1993*.
- (5) **Definitions**
In this clause:
- area** of an advertisement, if in the form of a sign, means the area within the outline of that sign.
- tourist facility** means an establishment providing holiday accommodation or recreational facilities, or both, on a short-term basis, and may include:
- (a) hotels, motels, bed and breakfast accommodation, serviced apartments, holiday cabins, caravan parks, camping grounds and houseboats, and associated swimming pools, golf courses, tennis courts and marinas, or
 - (b) restaurants, or
 - (c) souvenir shops, arts and crafts galleries and exhibition centres.

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt and Complying Development

Amendments

Schedule 1

[10] Schedules 8, 9 and 10

Insert after Schedule 7:

Schedule 8 Exempt development

(Clause 8A)

DEVELOPMENT TYPE	REQUIREMENTS
<p>Erection or installation and use, or carrying out, of the following:</p> <p>ADVERTISEMENTS</p> <p>Advertisement within a site being an advertisement which is not visible from outside the site on which it is displayed.</p> <p>Advertisement on a motor vehicle used principally for conveying goods or passengers.</p> <p>Business identification sign being an advertisement that displays any or all of the following information relating to the place or premises to which it is fixed:</p> <p>(a) identity or a description of the place or premises,</p> <p>(b) identity or a description of any person residing at or carrying on an occupation at the place or premises,</p> <p>(c) particulars of any occupation carried on at a place or premises,</p>	<p>None.</p> <p>None.</p> <p>When displayed within Zone No 2 (a), 2 (b) or 2 (c), such a sign:</p> <p>(a) must not exceed 0.75 m² in area, and</p> <p>(b) must not stand more than 1.5 m above ground level, and</p> <p>(c) must not exceed one in number per property (but not including a medical practitioner's light box), and</p> <p>(d) must not be illuminated unless it is a standard sized medical practitioner's light box.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

DEVELOPMENT TYPE	REQUIREMENTS
<p>Erection or installation and use, or carrying out, of the following:</p> <p>(d) such directions or cautions as are usual or necessary relating to the place or premises or any occupation carried on there,</p> <p>(e) particulars or notifications required or permitted to be displayed by or under any State or Commonwealth Act,</p> <p>(f) particulars relating to the goods, commodities or services dealt with or provided at the place or premises,</p> <p>(g) particulars of any activities held or to be held at the place or premises,</p> <p>(h) a reference to an affiliation with a trade, professional or other association relevant to the business conducted at the place or premises.</p>	<p>When displayed within Zone No 3 (a), 3 (b), 3 (c), 3 (d) or 4 (b):</p> <p>(a) if there is no awning on the premises, there may be one or more such signs, but none is to extend more than 3.6 m above ground level or above the level of the bottom of the first-floor window (whichever is lower) and not more than 30% of the area of a shopfront (including window area) is to be covered by such signs, or</p> <p>(b) if there is an awning attached to the premises, there may be one or more signs below the level of the awning provided not more than 30% of the area of the shopfront (including window area) is to be covered by such signs.</p> <p>A business identification sign must not relate to premises used as a brothel.</p>
<p>Change of message</p>	<p>Such an advertisement may be displayed within any zone provided:</p> <p>(a) the previous advertisement was lawful and there is no change to the area of the sign on which it is displayed, and</p> <p>(b) the sign does not relate to premises used as a brothel.</p>
<p>Public notice being a notice for public information displayed by a public authority giving information or directions about services provided.</p>	<p>None.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Amendments

Schedule 1

DEVELOPMENT TYPE Erection or installation and use, or carrying out, of the following:	REQUIREMENTS
<p>Real estate sign being an advertisement that contains only a notice that the place or premises to which it is fixed is or are for sale or letting (together with particulars of the sale or letting) and that is not displayed more than 14 days after the letting or completion of the sale.</p> <p>Sign behind the glass line of a shop window visible from a public place</p> <p>Temporary sign being an advertisement of a temporary nature that:</p> <p>(a) announces any local event of a religious, educational, cultural, political, social or recreational character or relates to any temporary matter in connection with such an event, and</p> <p>(b) does not include advertising of a commercial nature or for a commercial event.</p>	<p>Such a sign must not be illuminated.</p> <p>If the sign relates to the letting or the sale of residential premises:</p> <p>(a) it must not exceed 0.75 m² in area, and</p> <p>(b) the aggregate area of signage must not exceed 2.5 m².</p> <p>Such a sign relating to commercial or industrial premises must not exceed 3.5 m² in area.</p> <p>Such a sign may be displayed within any zone provided it does not cover more than 30% of the area of the window.</p> <p>Such a sign:</p> <p>(a) must not be displayed earlier than 28 days before the event, and</p> <p>(b) must be removed within 14 days after the event.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

DEVELOPMENT TYPE Erection or installation and use, or carrying out, of the following:	REQUIREMENTS
AERIALS/MICROWAVE ANTENNAE	<p>Standard aerials for TV reception only.</p> <p>One per property.</p> <p>For domestic use only.</p> <p>Maximum height 3 m above ridge height.</p> <p>Must not be a separate pole in the yard space of the dwelling.</p>
AIR CONDITIONING UNITS FOR SINGLE DWELLINGS	<p>Attached to an external wall or ground mounted.</p> <p>Located a minimum of 3 m off any property boundary.</p> <p>Noise level must not be more than 5dB (A) above surrounding noise levels at the property boundary.</p> <p>The building work must not reduce the structural integrity of the building.</p> <p>Any opening created must be adequately weatherproofed.</p>
AWNINGS, CANOPIES AND STORM BLINDS OVER WINDOWS AND DOORS (all buildings) (see separate entry for Rollershutters)	<p>Located at least 450 mm within property boundaries.</p> <p>Requires no other supporting structure.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Amendments

Schedule 1

DEVELOPMENT TYPE Erection or installation and use, or carrying out, of the following:	REQUIREMENTS
<p>BARBECUES (permanently constructed, non-movable)</p>	<p>Must be for domestic use only.</p> <p>Not located adjacent to, or within 6 m of, a window or other ventilation opening on adjacent buildings.</p> <p>No roof or other cover.</p> <p>One per property.</p> <p>Maximum height 2,100 mm.</p>
<p>BUS SHELTERS</p>	<p>Must be designed and constructed by or for council.</p> <p>Structurally adequate construction.</p> <p>Must not obstruct the line of sight of vehicular traffic.</p> <p>A maximum height of 2.7 m above the footpath.</p> <p>Area of not less than 10 m².</p> <p>Must not involve the display of an advertisement unless otherwise allowed by some other provision of this plan.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

DEVELOPMENT TYPE	REQUIREMENTS
<p>Erection or installation and use, or carrying out, of the following:</p> <p>CHANGE OF USE A different use resulting from a change of use:</p> <ul style="list-style-type: none"> • from shop to another shop • from office to another office • between social and sporting clubs (other than clubs registered under the <i>Registered Clubs Act 1976</i>) • between community or cultural centres • from industry to another industry 	<p>Must be change from an existing lawful use to another lawful use.</p> <p>Different use is not a brothel.</p> <p>No display or sale of publications classified Category 1 restricted, Category 2 restricted or RC (Refused Classification) under the <i>Classification (Publications, Films and Computer Games) Act 1995</i> of the Commonwealth, or display of objects primarily concerned with sexual behaviour.</p> <p>No extension to hours outside hours of operation before the change.</p> <p>The curtilage of any shop or office must not be used for storage or display purposes.</p> <p>Different use complies with the conditions of any development consent relating to the use of the building or land. In relation to industry, only if both the former use and different use:</p> <ol style="list-style-type: none"> (a) do not involve the use of more than 500 m² of floor area, and (b) have rear access or off-street loading facilities, and (c) do not operate before 6 am or after 6 pm.

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Amendments

Schedule 1

DEVELOPMENT TYPE Erection or installation and use, or carrying out, of the following:	REQUIREMENTS
CLOTHES HOISTS/LINES	<p>Installed to manufacturer's specifications.</p> <p>Located behind the building line.</p> <p>If associated with a residential flat building, must be shielded from public view by use of louvres or other screening devices (which will still allow access to sun and breezes).</p>
DECKS	<p>Maximum area of deck 10 m².</p> <p>Located at rear of main building.</p> <p>Minimum 450 mm setback from boundary.</p> <p>Must not be roofed.</p> <p>Maximum height 500 mm above ground level to top of deck.</p>
DEMOLITION	<p>Development consent to erect the structure to be demolished would not be required.</p> <p>The demolition is carried out according to Australian Standard AS 2601–1991 (<i>The demolition of structures</i>).</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

DEVELOPMENT TYPE Erection or installation and use, or carrying out, of the following:	REQUIREMENTS
DRIVEWAYS, PATHWAYS (private land)	<p>Not over public land.</p> <p>Must not be elevated or suspended above natural ground level.</p> <p>Rainwater must not be directed onto adjoining property.</p> <p>One driveway or pathway per property.</p> <p>Must be of structurally sound and stable construction with adequate reinforcement.</p>
EXTERNAL LIGHTING (DOMESTIC) (except for tennis courts, sporting fields and the like)	<p>Must not cause glare onto adjoining properties or streets.</p>
FENCES (other than fences covered by the <i>Swimming Pools Act 1992</i>)	<p>Location must not alter overland flow of water.</p> <p>For front boundary fences (between the building line and street or other public place)—maximum height 1 m if constructed of timber, metal or lightweight materials.</p>
	<p>For side and rear boundary fences (between the building line and the rear boundary)—maximum height 1.8 m if constructed of timber, metal or lightweight materials.</p> <p>For masonry or brick fences regardless of location—maximum height 1 m.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt and Complying Development

Amendments

Schedule 1

DEVELOPMENT TYPE Erection or installation and use, or carrying out, of the following:	REQUIREMENTS
FLAGPOLES	<p>Maximum height 6 m above ground level.</p> <p>Not to be used to display advertising material, logos or similar matter.</p> <p>One per property.</p> <p>Must be structurally adequate.</p>
GOAL POSTS, SIGHT SCREENS AND SIMILAR ANCILLARY SPORTING STRUCTURES	<p>Construction by or for council and installed in accordance with relevant Australian standards or the <i>Building Code of Australia</i>.</p> <p>Located in public park or recreation areas.</p>
HOME OCCUPATIONS	None.
IDENTIFICATION, INTERPRETIVE, DIRECTIONAL AND ADVANCE WARNING SIGNS	Constructed and installed by or on behalf of council or the Roads and Traffic Authority.
LETTER BOXES	Maximum height of 1.2 m above ground level.

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

DEVELOPMENT TYPE Erection or installation and use, or carrying out, of the following:	REQUIREMENTS
<p>MINOR INTERNAL ALTERATIONS TO DOMESTIC DWELLINGS being previously completed buildings</p>	<p>Work must comply with the <i>Building Code of Australia</i>.</p> <p>Work must not affect the structural stability of the building.</p> <p>Non-structural work only such as:</p> <ul style="list-style-type: none"> (a) replacement of doors, linings of walls, ceiling or floors or deteriorated frame members, (b) renovations of bathrooms or kitchens, (c) inclusion of built-in fixtures such as vanities, cupboards and wardrobes. <p>Work must not change room configurations, reduce window arrangements for light or ventilation needs, reduce doorways for egress or enclose open areas.</p>
<p>OUTBUILDINGS USED EXCLUSIVELY FOR THE FOLLOWING AND SIMILAR ACTIVITIES:</p> <ul style="list-style-type: none"> • Garden shed • Cubby house • Greenhouse • Bird aviary • Gazebo • Cabana • Kennel 	<p>Not of masonry construction.</p> <p>Detached from main dwelling.</p> <p>Maximum gross floor area 10 m².</p> <p>Located behind building line to any street frontage.</p> <p>Maximum height 2.1 m.</p> <p>Located at least 450 mm from any property boundary.</p> <p>Safety glazing to any glass doors conforming to Australian Standard <i>AS/NZS 2208:1996 (Safety glazing materials in buildings)</i>.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Amendments

Schedule 1

DEVELOPMENT TYPE Erection or installation and use, or carrying out, of the following:	REQUIREMENTS
	<p>Roofing material to be non-reflective.</p> <p>Constructed in accordance with any manufacturer's instructions.</p> <p>Not connected to any plumbing or electricity supply.</p>
<p>PARK AND STREET FURNITURE AND PUBLIC PLAYGROUND EQUIPMENT such as seats, bins, picnic tables, community notice boards and minor shelters not including bus shelters</p>	<p>Constructed or installed by or for council and designed, fabricated and installed in accordance with relevant Australian standards.</p> <p>Located on land under control of council.</p>
<p>PATHS AND STAIRCASES INSTALLED IN PUBLIC PARKS AND RECREATION SPACES</p>	<p>Constructed or installed by or for council.</p> <p>Designed, fabricated and installed in accordance with the <i>Building Code of Australia</i> (Section B) and:</p> <p>(a) for steel structures—Australian Standard AS 4100–1998 (<i>Steel structures</i>),</p> <p>(b) for timber structures—Australian Standard AS 1720.1–1997 (<i>Timber structures—Design methods</i>), AS 1720.2–1990 (<i>Timber structures—Timber properties</i>) and AS 1720.4–1990 (<i>Timber structures—Fire-resistance of structural timber members</i>),</p> <p>(c) for concrete structures—Australian Standard AS 3600–1994 (<i>Concrete structures</i>).</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

DEVELOPMENT TYPE Erection or installation and use, or carrying out, of the following:	REQUIREMENTS
PAVED AREA AT GROUND LEVEL (such as patios)	<p>Must not exceed an area of 20 m².</p> <p>Entirely at ground level.</p> <p>Rainwater must not be redirected onto adjoining property.</p> <p>Sufficient stepdown must be provided between patio and building to prevent the entry of water into internal areas.</p> <p>Any minimum landscaped area requirement must be maintained.</p>
PERGOLA	<p>Not enclosed and with open roof structure.</p> <p>Maximum area 10 m².</p> <p>Maximum height 2.4 m.</p> <p>Attached to a dwelling or free-standing.</p> <p>Located behind building line to any street frontage.</p> <p>Located at least 450 mm from any property boundary.</p>
PLAYGROUND EQUIPMENT (on private property)	<p>Installed to manufacturer's specifications.</p> <p>Maximum height above ground 2.4 m.</p> <p>Maximum area 10 m².</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Amendments

Schedule 1

DEVELOPMENT TYPE Erection or installation and use, or carrying out, of the following:	REQUIREMENTS
	<p>Located at least 450 mm from any boundary line.</p> <p>Located at rear of premises.</p>
PORTABLE CLASSROOMS AND SCHOOL BUILDINGS	<p>Must be structurally adequate.</p> <p>Installation must accord with a suitably qualified engineer's design.</p> <p>Must comply with the <i>Building Code of Australia</i>.</p> <p>Location must only be in school grounds and not contravene any other consent.</p> <p>Rainwater to be connected to an adequate rainwater system.</p> <p>Must not exceed 1 storey in height.</p> <p>Must be removed within 5 years of erection.</p> <p>Written notice must be given to council advising date of erection.</p>
RAMPS FOR THE DISABLED	<p>Maximum height of 1 m (above existing finished or natural ground level).</p> <p>Maximum grade of 1:14 and must otherwise accord with Australian Standard <i>AS 1428.1-1998 (Design for access and mobility—General requirements for access—New building work)</i>.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

DEVELOPMENT TYPE Erection or installation and use, or carrying out, of the following:	REQUIREMENTS
RECLADDING OR REPAIR OF EXISTING ROOF OR WALLS (Domestic buildings only)	<p>No alteration to existing window or door openings or their location and size.</p> <p>The type of roofing material is the same as the original material.</p> <p>No structural alterations required.</p> <p>Any works involving asbestos cement must comply with the WorkCover Authority's <i>Short Guide to Working with Asbestos</i>.</p> <p>Any works involving lead paint removal must not cause lead contamination of air or ground.</p>
ROLLERSHUTTERS TO DOORS, WINDOWS ETC	<p>Not visible from the public street or a public place (other than a laneway), unless it is to a vehicular garage or entrance.</p> <p>Must not involve structural alteration.</p>
ROLLERSHUTTERS TO VEHICULAR GARAGE OR ENTRANCE	<p>Must not involve structural alteration.</p>
ROOF VENTILATORS FOR SINGLE DWELLINGS	<p>Maximum area of installation does not exceed 0.3 m².</p> <p>The building work must not reduce the structural integrity of the building or involve structural alterations.</p> <p>Installed to manufacturer's specifications.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Amendments

Schedule 1

DEVELOPMENT TYPE Erection or installation and use, or carrying out, of the following:	REQUIREMENTS
SATELLITE DISHES	<p>Directly attached to roof or wall or, if on ground, within rear yard and maximum height 1,800 mm.</p> <p>Maximum diameter 1.5 m when situated on the ground or 650 mm when attached to the roof or wall.</p> <p>One only for each allotment.</p>
SKYLIGHTS OR ROOF WINDOWS	<p>Maximum area of installation for all windows does not exceed 1 square metre.</p> <p>The building work must not reduce the structural integrity of the building or involve structural alterations.</p>
SOLAR WATER HEATERS includes solar systems and heat-pumps	<p>Solar systems must be flush with the roof plane, only at rear roof plane and with the water tanks located elsewhere.</p> <p>The work must not reduce the structural integrity of the building or involve structural alterations.</p> <p>Installation must be carried out by a licensed person.</p>
SOLAR REFLECTORS	<p>Must be flush with the roof plane and only at rear.</p> <p>The work must not reduce the structural integrity of the building or involve structural alterations.</p> <p>Installation must be carried out by a licensed person.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

DEVELOPMENT TYPE	REQUIREMENTS
<p>Erection or installation and use, or carrying out, of the following:</p>	
<p>SUBDIVISION (Torrens Title land only) for the purpose of:</p> <p>(a) rectifying an encroachment upon an allotment, if no additional allotments are created, or</p> <p>(b) excising an allotment of land which is, or is intended to be, used for public purposes (including a public reserve, drainage purposes, bushfire or rescue service purposes or public conveniences), not involving the public acquisition of the land.</p>	<p>Any site area or setback requirements must be maintained.</p>
<p>TEMPORARY BUILDERS' SHEDS, PORTALOOS, MARQUEES AND THE LIKE</p>	<p>Must be removed on completion of associated development or within 5 months, whichever is the lesser.</p> <p>Located within property boundaries.</p> <p>Portaloos must be located a minimum 6 m from any adjacent living area.</p> <p>Marquees must not be in place for longer than 72 hours.</p> <p>Written notification must be given to council advising date of erection.</p>
<p>USE OF PUBLIC OPEN SPACE FOR COMMUNITY, CULTURAL OR COMMERCIAL PURPOSES</p>	<p>Must be in accordance with a temporary licence or hire agreement or other decision by council as land owner.</p>
<p>USE OF A CLASS 9B BUILDING FOR A PUBLIC MEETING</p>	<p>Temporary use only.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt and Complying Development

Amendments

Schedule 1

DEVELOPMENT TYPE Erection or installation and use, or carrying out, of the following:	REQUIREMENTS
UTILITY INSTALLATION MAINTENANCE OR REPAIR	Maintenance or emergency work only.
WATER TANKS AT OR ABOVE GROUND LEVEL	<p>Maximum capacity 2,500 litres.</p> <p>Maximum overall height 1,800 mm.</p> <p>Located behind the existing building line.</p> <p>Constructed or installed in accordance with manufacturer's specifications.</p> <p>Must be mosquito proofed.</p>
WINDOWS, GLAZED AREAS AND EXTERNAL DOORS (residential premises only)	<p>Replacement with materials that comply with:</p> <p>(a) Australian Standard AS 1288-1994 (<i>Glass in buildings—Selection and installation</i>), and</p> <p>(b) Australian Standard AS/NZS 2208:1996 (<i>Safety glazing materials in buildings</i>).</p> <p>No reduction in the area provided for light and ventilation is permitted and structural support members cannot be removed.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

Schedule 9 Complying development

(Clause 8B)

DEVELOPMENT TYPE The erection and use, or carrying out of, the following:	DEVELOPMENT STANDARDS AND OTHER REQUIREMENTS
<p>BED AND BREAKFAST ACCOMMODATION (not including any building works)</p>	<p>A maximum of 2 guest bedrooms.</p> <p>A smoke detection system that complies with Australian Standards <i>AS 3786–1993 (Smoke alarms)</i> and <i>AS/NZS 3000:2000 (Electrical installations)</i> (known as the <i>Australian/New Zealand Wiring Rules</i>) is in the dwelling.</p> <p>A fire extinguisher and fire blanket are in the kitchen.</p> <p>Approval has been obtained from the owners corporation, or the community, precinct or neighbourhood association, where the dwelling is subject to the <i>Strata Schemes Management Act 1996</i> or the <i>Community Land Management Act 1989</i>.</p> <p>There are no key-release deadlocks on guest bedroom or exit doors and no bars or other restrictions placed on windows.</p>
<p>COMMERCIAL AND SHOP BUILDINGS</p> <p>A different building use resulting from a change of use from a shop to an office, or from an office to a shop</p>	<p>No increase to the total floor area of the building.</p> <p>No more than 300 m² of floor area is changed from an office to a shop.</p> <p>Different use is not a brothel.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt and Complying Development

Amendments

Schedule 1

DEVELOPMENT TYPE The erection and use, or carrying out of, the following:	DEVELOPMENT STANDARDS AND OTHER REQUIREMENTS
	<p>No increase to the total floor area of the building.</p> <p>No more than 300 m² of floor area is changed from an office to a shop.</p> <p>Different use is not a brothel.</p> <p>No display or sale of publications classified Category 1 restricted, Category 2 restricted or RC (Refused Classification) under the <i>Classification (Publications, Films and Computer Games) Act 1995</i> of the Commonwealth, or display of objects primarily concerned with sexual behaviour.</p> <p>The new use must replace a former use carried out in accordance with a development consent.</p>
Internal alterations to a shop or an office	<p>No increase to the total floor area of the building.</p> <p>Internal partitioning not to increase fire-egress travel distances or coverage requirements for smoke detector and sprinkler systems.</p>
Replacement of footpath awnings	<p>Footpath awnings are to:</p> <ol style="list-style-type: none"> (a) have approval from council under section 126 of the <i>Roads Act 1993</i>, and (b) replace like with like where in a heritage conservation area, and (c) be set back at least 600 mm from the kerb line with a minimum clearance of 3.6 m above footpath level.

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

DEVELOPMENT TYPE The erection and use, or carrying out of, the following:	DEVELOPMENT STANDARDS AND OTHER REQUIREMENTS
<p>HOUSES AND EXTENSIONS</p> <p>Additions to rear of free-standing dwelling houses (including associated demolition)</p>	<p><u>General requirements</u></p> <p>All work must comply with the deemed-to-satisfy provisions of section 3 (Acceptable Construction) of the <i>Building Code of Australia</i> (Housing Provisions).</p> <p>Additions to ground floor only.</p> <p>An addition must not provide for an additional dwelling.</p> <p>An addition must not result in the loss of off-street parking.</p> <p>No part of the structure may be located within the drip line of an existing tree (unless permission has been obtained to remove the tree).</p> <p>The addition must not increase the floor area of the dwelling by more than 40 m².</p> <p>Any demolition must be carried out to Australian Standard <i>AS 2601-1991 (The demolition of structures)</i>.</p> <p><u>Urban form and design requirements</u></p> <p>External walls of the addition must be located not less than 900 mm from a property boundary.</p> <p>The ground floor level of the addition must be no more than 500 mm above natural ground level at any point.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Amendments

Schedule 1

<p>DEVELOPMENT TYPE</p> <p>The erection and use, or carrying out of, the following:</p>	<p>DEVELOPMENT STANDARDS AND OTHER REQUIREMENTS</p>
	<p>The distance between the floor level and the underside of the eaves must be no more than 2.7 metres.</p> <p>The roof pitch must be no more than 30 degrees and openings must be flush with the roof.</p> <p>The height of the addition must not exceed the existing ridge height or 3.6 metres above natural ground level, whichever is the higher.</p> <p>Materials and window and door proportions must match existing building.</p> <p><u>Amenity requirements</u></p> <p>Windows and doors are permissible if they face a property boundary where there is a fence at least 1.8 m high.</p> <p>Solar access must be maintained to adjacent properties' habitable rooms for a minimum period of 2 hours between 9 am and 3 pm at the winter solstice or, where less than 2 hours solar access is currently available, no additional overshadowing is permitted.</p> <p>Solar access to the subject property and adjacent properties' primary landscaped area must be maintained over a minimum of 50% of that space for a period of at least 3 hours between 9 am and 3 pm at the winter solstice.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

DEVELOPMENT TYPE The erection and use, or carrying out of, the following:	DEVELOPMENT STANDARDS AND OTHER REQUIREMENTS
	The extension must not result in a private outdoor area of less than 40 m ² or a minimum dimension of less than 3.5 m.
Structural internal alterations	<p>All work must comply with the deemed-to-satisfy provisions of section 3 (Acceptable Construction) of the <i>Building Code of Australia</i> (Housing Provisions).</p> <p>No external works.</p> <p>No increase to the total floor area of the building.</p> <p>Alterations to ground floor only.</p>
<p>Alteration and addition of windows and doors other than:</p> <ul style="list-style-type: none"> • addition of openings in party or common walls, or • addition of openings with an area greater than 4 m² 	<p><u>General requirements</u></p> <p>All work must comply with the deemed-to-satisfy provisions of section 3 (Acceptable Construction) of the <i>Building Code of Australia</i> (Housing Provisions).</p> <p>Openings are to be located not less than 900 mm from a property boundary and not less than 900 mm from a wall separating attached dwellings</p> <p><u>Amenity requirements</u></p> <p>Windows and doors are permissible if they face a property boundary where there is a fence at least 1.8 m high and the floor level of the room is less than 0.5 m above ground level at the boundary.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt and Complying Development

Amendments

Schedule 1

DEVELOPMENT TYPE The erection and use, or carrying out of, the following:	DEVELOPMENT STANDARDS AND OTHER REQUIREMENTS
<p>Dormer windows and extensions within the existing roof space, including gablet windows being additions or extensions to bedrooms, bathrooms or the creation or extension of storage rooms</p>	<p>Alterations and additions to ground floor only.</p> <p>No alterations and additions to primary street frontage.</p> <p>New window and door openings to habitable rooms within 9 m of, and allowing a view of a window of a habitable room in, another dwelling must be offset by not less than 0.5 m.</p> <p><u>Urban form and design requirements</u></p> <p>Materials and window and door proportions must match existing building.</p> <p><u>General requirements</u></p> <p>All work must comply with the deemed-to-satisfy provisions of section 3 (Acceptable Construction) of the <i>Building Code of Australia</i> (Housing Provisions).</p> <p>Development only to rear of property.</p> <p>Not to be visible from a public place (excluding back lanes).</p> <p>Only one dormer window permissible per roof plane.</p> <p><u>Urban form and design requirements</u></p> <p>The dormer window is to be located not less than 900 mm from a property boundary and not less than 900 mm from a wall separating attached dwellings.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt and Complying Development

Schedule 1 Amendments

DEVELOPMENT TYPE The erection and use, or carrying out of, the following:	DEVELOPMENT STANDARDS AND OTHER REQUIREMENTS
	<p>Dormer windows are to be centrally located along the width of the roof.</p> <p>Dormers are to be traditionally vertically proportioned, with a height 1.5 width.</p> <p>Dormer windows are to be set below the ridgeline and up from the eaves.</p> <p>Materials and window and door proportions must match existing building.</p> <p><u>Amenity requirements</u></p> <p>Dormer windows are not to be located adjacent to bedroom windows of adjoining dwellings.</p> <p>The sides of the dormer windows are to be of a solid construction without glazing.</p>
<p>INDUSTRIAL AND WAREHOUSE BUILDINGS</p> <p>Internal alterations</p> <p>Replacement of roofing material</p>	<p>No increase to the total floor area of the building.</p> <p>Internal partitioning not to increase fire-egress travel distances or coverage requirements for smoke detector and sprinkler systems.</p> <p>Any setback requirements and building height requirements must be maintained.</p> <p>No structural alterations required.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Amendments

Schedule 1

<p>DEVELOPMENT TYPE</p> <p>The erection and use, or carrying out of, the following:</p>	<p>DEVELOPMENT STANDARDS AND OTHER REQUIREMENTS</p>
	<p>Any works involving asbestos cement must comply with the WorkCover Authority's <i>Short Guide to Working with Asbestos</i>.</p>
<p>SWIMMING POOLS</p> <p>Development for the purpose of swimming pools on lots over 450 m² in area if the pool is ancillary to a dwelling occupied for private use only.</p>	<p><u>Streetscape</u></p> <p>The pool will not be between the dwelling and the front boundary.</p> <p><u>Bulk and scale</u></p> <p>All coping or decking around the pool is not more than 150 mm above the natural ground level.</p> <p>The pool is at least 1.5 m from the nearest side and the rear boundaries.</p> <p><u>Privacy and security</u></p> <p>The noise level of any filtration equipment or pumps does not exceed 5 dB (A) above the ambient background level measured at the property boundary.</p> <p><u>Open space and landscaping</u></p> <p>Minimum private outdoor area of 40 m² excluding the area of the water and minimum dimension of 3.5 m is to be maintained.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

DEVELOPMENT TYPE The erection and use, or carrying out of, the following:	DEVELOPMENT STANDARDS AND OTHER REQUIREMENTS
	<p><u>Installation and construction</u></p> <p>The installation and construction of the pool complies, where relevant, with the <i>Swimming Pools Act 1992</i> and the <i>Swimming Pools Regulation 1998</i>, and</p> <p>(a) Australian Standards <i>AS/NZS 1838:1994 (Swimming pools—Premoulded fibre-reinforced plastics—Design and fabrication)</i> and <i>AS/NZS 1839:1994 (Swimming pools—Premoulded fibre-reinforced plastics—Installation)</i>, or</p> <p>(b) <i>AS 2783–1992 (Use of reinforced concrete for small swimming pools)</i>.</p> <p><u>Pool and surrounding structures</u></p> <p>The pool and surrounding structures comply with <i>AS 1926–1986 (Fence and Gates for Private Swimming Pools)</i> as published on 4 August 1986.</p>

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt and Complying Development

Amendments

Schedule 1

Schedule 10 Conditions of complying development certificates

(Clause 8B)

Before you begin work

- 1 Two days before any site works, building or demolition begins, the applicant must:
 - (a) inform adjoining owners in writing that work will commence, and
 - (b) forward to the council a notice of the appointment of the principal certifying authority and of intention to commence the erection of a building or subdivision work.

The notice forwarded to the council must contain the following information and be in the form (if any) approved by the council:

 - (a) the name and address of the person by whom the notice is being given, and
 - (b) a description of the work to be carried out, and
 - (c) the address of the land on which the work is to be carried out,
 - (d) the registered number and date of issue of the relevant complying development certificate, and
 - (e) the name and address of the principal certifying authority, and
 - (f) if the principal certifying authority is an accredited certifier:
 - (i) his or her accreditation number, and
 - (ii) the name of the accreditation body by which he or she is accredited, and
 - (iii) a statement signed by the accredited certifier to the effect that he or she consents to being appointed as principal certifying authority.
- 2 Before any site works, building or demolition begins, the applicant must:
 - (a) notify the council of the name, address, phone number and licence number of the builder, and

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

- (b) erect a sign at the front of the property with the builder's name, licence number, site address and the number given by the council to the application for the complying development certificate, and
- (c) provide for access to an on-site toilet, and
- (d) protect and support any neighbouring buildings, and
- (e) protect any public place from obstruction, inconvenience or damage due to the carrying out of the development, and
- (f) prevent any substance from falling onto any public place, and
- (g) have obtained a certificate of compliance if required from Sydney Water Corporation Ltd, and
- (h) comply with any other conditions prescribed by the *Environmental Planning and Assessment Regulation 2000*.

This item does not impose a requirement on an applicant if it is complied with by the builder.

Site management

- 3 Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
 - (a) divert uncontaminated run-off around cleared or disturbed areas,
 - (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
 - (c) prevent tracking of sediment by vehicles onto roads,
 - (d) stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.
- 4 Removal or disturbance of vegetation and topsoil must be confined to within 3 metres of the proposed building.

Drainage

- 5 The land surrounding any structure must be graded to divert surface water to the street, and must be clear of existing and proposed structures and adjoining premises.

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt and Complying Development

Amendments

Schedule 1

-
- 6 If the water falls to the rear of the property, it must be collected and drained via a gravity system to a council stormwater line or disposed of in a manner consistent with the council's *Soil and Water Management Policy*.

Inspections during construction

- 7 The applicant must notify either the council or an accredited certifier at least 48 hours in advance in writing, by fax or phone, to inspect the following:
- (a) erosion controls, site works and site set out, before building starts,
 - (b) placement of piers or foundation before placing footings,
 - (c) steel reinforcing before pouring concrete,
 - (d) framework of structure before lining or cladding is fixed,
 - (e) stormwater drainage and on-site detention before back-filling,
 - (f) wet areas treated before lining or tiling,
 - (g) final inspection prior to occupation or use.

Hours of work

- 8 Any building work must be carried out between 7 am and 6 pm Monday to Friday and 8 am to 5 pm Saturdays, but not on Sundays or public holidays.

Survey certificate

- 9 For all:
- (a) non-residential development, or
 - (b) Class 10a and 10b buildings less than 450 mm from the boundary, or
 - (c) Class 1a and 1b buildings less than 1500 mm from the boundary, (excluding internal works), a survey certificate must be given to the principal certifying authority at the following stages:
 - (a) on completion of floor slab framework before concrete is poured, detailing the location of the structure in relation to the boundaries, and

Ashfield Local Environmental Plan 1985 (Amendment No 89)—Exempt
and Complying Development

Schedule 1 Amendments

- (b) at completion of the lowest floor, confirming that levels are in accordance with the certificate. (Levels must relate to the datum shown on the certificate.)

Site access

- 10 Driveways are to be a minimum of 500 mm clear of all drainage structures on the kerb and gutter and are not to interfere with the existing public utility infrastructure, including council drainage structures, unless prior approval is obtained from the relevant authority.
- 11 Driveways are to be a minimum of 6 m from a road intersection.
- 12 Driveways are to be constructed in accordance with any relevant requirements of Australian Standard *AS 2890.1–1993 (Parking facilities—Off-street car parking)*, with appropriate transition zones.

Occupation certificate

- 13 Unless it is a Class 1a, 1b, 10a or 10b building, the building is not to be occupied before issue of an occupation certificate.

Notes.

Builders insurance

The builder or person who does residential building work must comply with the applicable requirements of Part 6 of the *Home Building Act 1989*, whereby a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy council that they have so complied.

Construction Industry Long Service Levy

It is the responsibility of the builder or person who does building work to satisfy the council or accredited certifier under section 85A (10A) of the *Environmental Planning and Assessment Act 1979* that any long service levy (or instalment of a levy) payable under the *Building and Construction Industry Long Service Payments Act 1986* has been paid.

Broken Hill Local Environmental Plan 1996 (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S99/00469/S69)

ANDREW REFSHAUGE MP

Minister for Urban Affairs and Planning

Sydney, 12 March 2001.

1 Name of plan

This plan is *Broken Hill Local Environmental Plan 1996 (Amendment No 2)*.

2 Aim of plan

This plan aims to zone land to Zone No. 1 (a) (the General Rural Zone) under *Broken Hill Local Environmental Plan 1996*, being land that was transferred from the Unincorporated Area to the local government area of the City of Broken Hill on 4 September 1998.

3 Land to which plan applies

This plan applies land situated in the local government area of the City of Broken Hill, as shown edged heavy black and lettered "1 (a)" on the map marked "Broken Hill Local Environmental Plan 1996 (Amendment No. 2)" deposited in the office of the Council of the City of Broken Hill.

4 Amendment of Broken Hill Local Environmental Plan 1996

Broken Hill Local Environmental Plan 1996 is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 4)

Clause 5 What do terms in this plan mean?

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

Broken Hill Local Environmental Plan 1996 (Amendment No 2)

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**BURWOOD LOCAL ENVIRONMENTAL PLAN No. 50**

I, the Minister for Urban Affairs and Planning, in pursuance of section 70 of the Environmental Planning and Assessment Act 1979, make the local environmental plan set out hereunder.
(S99/01444/S69)

ANDREW REFSHAUGE MP

Minister for Urban Affairs and Planning

Sydney, **8 March 2001**

Citation

1. This plan may be cited as Burwood Local Environmental Plan No. 50.

Aims, objectives, etc.

2. This plan aims to:
 - (a) rezone land to permit residential development that will enhance the character of the area;
 - (b) provide more flexible planning controls to encourage a variety of housing types for the area;
 - (c) facilitate rational and viable redevelopment of land for the purposes of residential buildings; and
 - (d) consolidate the Business Special zoning of Byer Street public car park.

Land to which this plan applies

3. This plan applies to land fronting Byer Street and Liverpool Road, Enfield, as shown edged heavy black on the map marked "Burwood Local Environmental Plan No. 50" deposited in the office of the Council of Burwood.

Relationship to other environmental planning instruments

4. This plan amends the Burwood Planning Scheme Ordinance in the manner set out in clause 5.

Amendment of Burwood Planning Scheme Ordinance

5. The Burwood Planning Scheme Ordinance is amended by inserting in appropriate order at the end of the definition of "scheme map" in clause 4(1) the following words:

Burwood Local Environmental Plan No. 50.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**BURWOOD LOCAL ENVIRONMENTAL PLAN No. 52**

I, the Minister for Urban Affairs and Planning, in pursuance of section 70 of the Environmental Planning and Assessment Act 1979, make the local environmental plan set out hereunder. (S00/00042/S69)

ANDREW REFSHAUGE MP
Minister for Urban Affairs and Planning

Sydney, **8 March 2001**

Citation

1. This plan may be cited as Burwood Local Environmental Plan No. 52.

Aims, objectives, etc.

2. This plan aims to:
 - (a) rezone land to permit residential development in the form of villas/townhouses; and
 - (b) facilitate the preparation of a development control plan that would contain further development guidelines for the Lucas and Cheltenham Roads Precinct.

Land to which this plan applies

3. This plan applies to land within the Burwood Council area known as the Lucas and Cheltenham Roads Precinct, Burwood/Croydon, as shown edged heavy black on the map marked "Burwood Local Environmental Plan No. 52" deposited in the office of Burwood Council.

Relationship to other environmental planning instruments

4. This plan amends the Burwood Planning Scheme Ordinance in the manner set out in clause 5.

Amendment of the Burwood Planning Scheme Ordinance

5. The Burwood Planning Scheme Ordinance is amended:
 - (a) by inserting at the end of the definition of "scheme map" in clause 4 (1) the following words:
Burwood Local Environmental Plan No. 52.
 - (b) by inserting in appropriate order the following clause:

Development of certain land – Lucas and Cheltenham Roads Precinct, Burwood/Croydon

- 78M (1) This clause applies to the land known as the Lucas and Cheltenham Roads Precinct, as shown edged heavy black on the map marked "Burwood Local Environmental Plan No. 52" deposited in the offices of the Council.
 - (2) A person shall not carry out development on land to which this clause applies if the development results in a building which exceeds 1 storey in height.
-

Carrathool Local Environmental Plan No 1—Exempt and Complying Development

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(S99/01195/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Sydney, 12th March 2001.

Clause 1 Carrathool Local Environmental Plan No 1—Exempt and Complying Development

Carrathool Local Environmental Plan No 1—Exempt and Complying Development

1 Name of plan

This plan is *Carrathool Local Environmental Plan No 1—Exempt and Complying Development*.

2 Aim of plan

The aim of this plan is to provide for exempt and complying development in the Carrathool local government area and to except that local government area from the application of *State Environmental Planning Policy No 60—Exempt and Complying Development* while continuing its exception from clauses 6–10 of *State Environmental Planning Policy No 4—Development Without Consent*.

3 Land to which plan applies

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

4 Amendment of other environmental planning instruments

- (1) This plan amends *Interim Development Order No 1—Shire of Carrathool* in the manner set out in Schedule 1.
- (2) This plan amends *State Environmental Planning Policy No 60—Exempt and Complying Development* by deleting from Part 2 of Schedule 1 the following:

Carrathool

Carrathool Local Environmental Plan No 1—Exempt and Complying
Development

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4 (1))

[1] Clause 3

Omit “; the erection or use of a dwelling-house or any other building for a purpose incidental to the use of land for agriculture” from Column II of the Table to clause 3.

[2] Clause 3B

Insert after clause 3A:

3B What is exempt and complying development?

- (1) Development of minimal environmental impact listed as exempt development in Schedule 1 to Development Control Plan No 1 as adopted by the Council on 21 November 2000 is exempt development despite any other provision of this plan.
- (2) Development listed as complying development in Schedule 2 to Development Control Plan No 1 as adopted by the Council on 21 November 2000 is complying development only if:
 - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) it is not an existing use, as defined in section 106 of the Act.
- (3) Development is exempt or complying development only if it complies with development standards and other requirements applied to the development by Development Control Plan No 1 as adopted by the Council on 21 November 2000.
- (4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in Development Control Plan No 1 adopted by the Council, as in force when the certificate is issued.

Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 9)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(W00/00054/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Sydney, 8th March 2001.

Clause 1 Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 9)

Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 9)

1 Name of plan

This plan is *Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 9)*.

2 Aims of plan

This plan aims to rezone certain land from 6a1 Public Open Space to 2g Residential—General under *Eurobodalla Urban Local Environmental Plan 1999* and to reclassify that land from community land to operational land to facilitate the implementation of a stormwater drainage strategy to mitigate the impact of major storm events on residential land in the locality of Tuross Head.

3 Land to which plan applies

This plan applies to Lot 333 DP 247202, Coogee Street, Lots 489 and 490 DP 252142 Bondi Street, Lot 318 DP 244559 Andrew Avenue, Part Lot 216 DP 241085 Coila Avenue, Part Lot 138 DP 255875 Swordfish Street and Part Lot 102 DP 253963 Green Place, Tuross Head, Parish of Congo, as shown edged heavy black on the map marked “Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 9)” deposited in the office of Eurobodalla Shire Council.

4 Amendment of Eurobodalla Urban Local Environmental Plan 1999

Eurobodalla Urban Local Environmental Plan 1999 is amended as set out in Schedule 1.

Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 9)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 78 What public land is classified or reclassified by this plan?

Insert at the end of Division 2 of Part 1 of the Table to clause 78, with appropriate consecutive numbering where (*) appears:

- | | | |
|---|--------------|---|
| * | Property No: | 6007.310 Lot 333 DP 247202
Coogee Street, Tuross Head |
| | Description: | Vacant land |
| | | <i>Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 9)</i> |
| * | Property No: | 6006.290 Lot 489 DP 252142
Bondi Street, Tuross Head |
| | Description: | Vacant land |
| | | <i>Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 9)</i> |
| * | Property No: | 6006.630 Lot 490 DP 252142
Bondi Street, Tuross Head |
| | Description: | Vacant land |
| | | <i>Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 9)</i> |
| * | Property No: | 6014.280 Lot 318 DP 244559
Andrew Avenue, Tuross Head |
| | Description: | Vacant land |
| | | <i>Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 9)</i> |
| * | Property No: | 6016.350 Part Lot 216 DP 241085
Coila Avenue, Tuross Head |
| | Description: | Vacant land |
| | | <i>Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 9)</i> |
| * | Property No: | 6036.480 Part Lot 138 DP 255875
Swordfish Street, Tuross Head |
| | Description: | Vacant land |
| | | <i>Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 9)</i> |

Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 9)

Schedule 1 Amendments

- * Property No: 6039.70 Part Lot 102 DP 253963
Green Place, Tuross Head
- Description: Vacant land
- Eurobodalla Urban Local Environmental Plan 1999 (Amendment No 9)*

[2] Dictionary

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

Eurobodalla Urban Local Environmental Plan 1999
(Amendment No 9)

Hastings Local Environmental Plan No 72

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(G00/00188/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Sydney, 8th March 2001.

Clause 1 Hastings Local Environmental Plan No 72

Hastings Local Environmental Plan No 72

1 What is this plan called?

This plan is *Hastings Local Environmental Plan No 72*.

2 What are the aims of this plan?

- (1) This plan aims to reclassify the land to which this plan applies from community to operational land within the meaning of the *Local Government Act 1993*.
- (2) This plan incidentally makes further provision for the classification or reclassification of public land as operational land as a consequence of major changes to the statutory scheme in section 30 (Reclassification of community land as operational) of the *Local Government Act 1993*.

3 Where does this plan apply?

This plan applies to part of Lot 45, DP 260243, as shown edged heavy black on the map marked "Hastings Local Environmental Plan No 72" deposited in the office of the Hastings Council.

4 How does this plan affect other environmental planning instruments?

Hastings Local Environmental Plan No 21 is amended as set out in Schedule 1.

Hastings Local Environmental Plan No 72

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 41

Omit the clause. Insert instead:

41 Classification and reclassification of public land as operational land

- (1) Land described in Part 1 of Schedule 7 is land that was classified, or reclassified, as operational land before the application of the amendments made by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993*.
- (2) Land described in Part 2 of Schedule 7:
 - (a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.
- (3) Land described in Columns 1 and 2 of Part 3 of Schedule 7, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land except those specified opposite the land in Column 3 of Part 3 of Schedule 7.
- (4) In this clause, *the relevant amending plan*, in relation to land described in Part 3 of Schedule 7, means the local environmental plan cited at the end of the description of the land.
- (5) Before the relevant amending plan inserted the description of land into Part 3 of Schedule 7, the Governor approved of subclause (3) applying to the land.

Hastings Local Environmental Plan No 72

Schedule 1 Amendments

[2] Schedule 7 Classification and reclassification of public land as operational

Insert “**land**” after “**operational**” in the heading to the Schedule.

[3] Schedule 7, Part 1

Insert in the Schedule before the entry for Ocean Drive, Lake Cathie, the following heading:

Part 1 Land classified, or reclassified, before the application of amendments made to s 30 of LGA 1993

[4] Schedule 7, Parts 2 and 3

Insert at the end of the Schedule the following Parts:

Part 2 Interests not changed**Part 3 Interests changed**

Column 1	Column 2	Column 3
Locality	Description	Trusts etc not discharged
Lake Cathie		
Banjora Place	Part of Lot 45, DP 260243, as shown edged heavy black on the map marked “Hastings Local Environmental Plan No 72”— <i>Hastings Local Environmental Plan No 72</i> .	Nil

Hastings Local Environmental Plan 1987 (Amendment No 113)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(G00/00160/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Sydney, 8th March 2001.

Clause 1 Hastings Local Environmental Plan 1987 (Amendment No 113)

Hastings Local Environmental Plan 1987 (Amendment No 113)

1 Name of plan

This plan is *Hastings Local Environmental Plan 1987 (Amendment No 113)*.

2 Aim of plan

This plan aims to permit community title subdivision of the land used for the purposes of the Cumquat Cottages rural tourist facility.

3 Land to which plan applies

This plan applies to Lot 5, DP 775534, Rawdon Island Road, Rawdon Island, in the local government area of Hastings.

4 Amendment of Hastings Local Environmental Plan 1987

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

Hastings Local Environmental Plan 1987 (Amendment No 113)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Schedule 7 Development for certain additional purposes

Insert at the end of the Schedule:

Lot 5, DP 775534, Rawdon Island Road, Rawdon Island—subdivision under the *Community Land Development Act 1989* so as to create allotments of less than the minimum lot size applicable to the zone in which the land is situated, subject to the Council being satisfied that:

- (a) the allotments to be created are intended to be used for the purpose of a rural tourist facility, and
- (b) occupancy of the facility by any one person will be limited to a maximum of 12 weeks (whether consecutive or not) in any calendar year.

Hornsby Shire Local Environmental Plan 1994 (Amendment No 58)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(S00/01117/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Sydney, 12th March 2001.

Clause 1 Hornsby Shire Local Environmental Plan 1994 (Amendment No 58)

Hornsby Shire Local Environmental Plan 1994 (Amendment No 58)

1 Name of plan

This plan is *Hornsby Shire Local Environmental Plan 1994 (Amendment No 58)*.

2 Aim of plan

This plan aims:

- (a) to reclassify part of Furber Park, Berowra Waters, from community land to operational land to facilitate the formalisation of an existing accessway to property No 132 Bay Road, Berowra Waters, and
- (b) in so doing, to make further provision as to the classification and reclassification generally of public land as operational land as a consequence of major changes to the statutory scheme in section 30 (Reclassification of community land as operational) of the *Local Government Act 1993*.

3 Land to which plan applies

This plan applies to land within the Hornsby local government area, known as part Lot 1, DP 318160 and part Lot 33, DP 14065 Bay Road, Berowra Waters, being the land shown edged heavy black on the diagram identified as "Diagram BA" appearing at the end of Schedule 1 [4].

4 Amendment of Hornsby Shire Local Environmental Plan 1994

Hornsby Shire Local Environmental Plan 1994 is amended as set out in Schedule 1.

Hornsby Shire Local Environmental Plan 1994 (Amendment No 58)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 16 Council land

Insert “(if any)” after “extent” in clause 16 (3).

[2] Clause 16 (7)

Insert after clause 16 (6):

- (7) A parcel of land shown edged heavy black on a Diagram set out in Part 3 of Schedule C:
 - (a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land

[3] Schedule C Land classified or reclassified as operational land

Omit the headings to Parts 1 and 2. Insert instead, respectively:

Part 1 Land classified or reclassified before application of amendments made to s 30 of Local Government Act 1993

Part 2 Public reserve status and other interests discharged

[4] Schedule C, Part 3

Insert at the end of the Schedule:

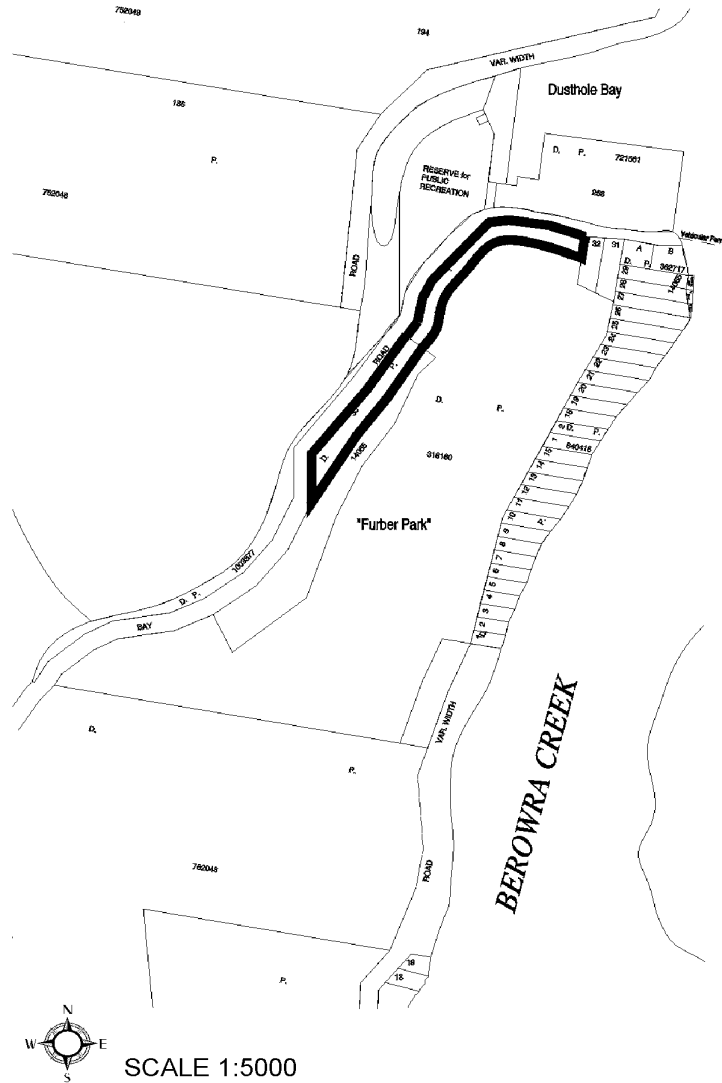
Part 3 Public reserve status and other interests retained

Page 3

Hornsby Shire Local Environmental Plan 1994 (Amendment No 58)

Schedule 1 Amendments

Diagram BA



Berowra Waters

The land shown edged heavy black in Diagram BA, being part Lot 1, DP 318160 and part Lot 33, DP 14065, Bay Road, Berowra Waters, has been reclassified as operational land

Ku-ring-gai Local Environmental Plan No 183

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(S00/01083/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Sydney, 13th March 2001.

Clause 1 Ku-ring-gai Local Environmental Plan No 183

Ku-ring-gai Local Environmental Plan No 183

1 Name of plan

This plan is *Ku-ring-gai Local Environmental Plan No 183*.

2 Aims of plan

This plan aims to introduce subdivision development standards into *Ku-ring-gai Planning Scheme Ordinance* which are consistent with those applying to the erection of dwelling-houses as contained in clause 43 of that instrument.

This plan also repeals from that instrument a definition of *home occupation* that was made redundant by a definition inserted by *Ku-ring-gai Local Environmental Plan No 171*.

3 Land to which plan applies

This plan applies to the land to which the *Ku-ring-gai Planning Scheme Ordinance* applies.

4 Amendment of Ku-ring-gai Planning Scheme Ordinance

The *Ku-ring-gai Planning Scheme Ordinance* is amended as set out in Schedule 1.

5 Savings

- (1) Clause 58B of the *Ku-ring-gai Planning Scheme Ordinance*, as amended by this plan, does not apply to any application for consent to a subdivision of land that was lodged before the commencement of this plan.
- (2) This plan does not affect the application of *State Environmental Planning Policy No 53—Metropolitan Residential Development* to land to which this plan applies.

Ku-ring-gai Local Environmental Plan No 183

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 4 Interpretation

Omit the definition of *home occupation* following the definition of that term inserted by *Ku-ring-gai Local Environmental Plan No 171*.

[2] Clause 4A

Insert after clause 4:

4A References to allotments

In this Ordinance, a reference to an allotment of land shall be construed as including a reference to any lot of land.

[3] Clause 58B

Insert after clause 58A:

58B Subdivision requirements for dwelling-house lots

- (1) This clause applies to land within Zone No 2 (a), 2 (b), 2 (c), 2 (d), 2 (e), 2 (g) or 2 (h).
- (2) In this clause, *lot* means a lot occupied or intended to be occupied by a single dwelling-house.
- (3) Land to which this clause applies is not to be subdivided unless each separate lot created:
 - (a) in the case of land within **Zone No 2 (a)**:
 - (i) as to a lot, other than a hatchet-shaped (battleaxe) lot not having frontage to a main road or county road—has an area of not less than 790 square metres and also a width of not less than 18 metres at a distance of 12.2 metres from the street alignment,
 - (ii) as to a lot, other than a hatchet-shaped (battleaxe) lot having frontage to a main road or county road—has an area of not less than 790 square metres and also a width of not less

Page 3

Ku-ring-gai Local Environmental Plan No 183

Schedule 1 Amendments

- than 27.4 metres at a distance of 12.2 metres from the street alignment,
- (iii) as to a hatchet-shaped (battleaxe) lot—has an area of not less than 1105 square metres exclusive of the access corridor, which access corridor is to have a width of not less than 4.6 metres,
- (b) in the case of land within **Zone No 2 (b)**:
- (i) as to a lot, other than a hatchet-shaped (battleaxe) lot not having frontage to a main road or county road—has an area of not less than 836 square metres and also a width of not less than 18 metres at a distance of 12.2 metres from the street alignment,
 - (ii) as to a lot, other than a hatchet-shaped (battleaxe) lot having frontage to a main road or county road—has an area of not less than 836 square metres and also a width of not less than 27.4 metres at a distance of 12.2 metres from the street alignment,
 - (iii) as to a hatchet-shaped (battleaxe) lot—has an area of not less than 1170 square metres exclusive of the access corridor, which access corridor is to have a width of not less than 4.6 metres,
- (c) in the case of land within **Zone No 2 (c)**:
- (i) as to a lot, other than a hatchet-shaped (battleaxe) lot not having frontage to a main road or county road—has an area of not less than 929 square metres and also a width of not less than 18 metres at a distance of 12.2 metres from the street alignment,
 - (ii) as to a lot, other than a hatchet-shaped (battleaxe) lot having frontage to a main road or county road—has an area of not less than 929 square metres and also a width of not less than 27.4 metres at a distance of 12.2 metres from the street alignment,

Ku-ring-gai Local Environmental Plan No 183

Amendments

Schedule 1

-
- (iii) as to a hatchet-shaped (battleaxe) lot—has an area of not less than 1300 square metres exclusive of the access corridor, which access corridor is to have a width of not less than 4.6 metres,
 - (d) in the case of land within **Zone No 2 (d)** or **2 (e)**:
 - (i) as to a lot, other than a hatchet-shaped (battleaxe) lot not having frontage to a main road or county road—has an area of not less than 929 square metres and also a width of not less than 27.4 metres at a distance of 12.2 metres from the street alignment,
 - (ii) as to a lot, other than a hatchet-shaped (battleaxe) lot having frontage to a main road or county road—has an area of not less than 929 square metres and also a width of not less than 27.4 metres at a distance of 12.2 metres from the street alignment,
 - (iii) as to a hatchet-shaped (battleaxe) lot—has an area of not less than 1300 square metres exclusive of the access corridor, which access corridor is to have a width of not less than 4.6 metres,
 - (e) in the case of land within **Zone No 2 (g)**—has an area of not less than 1.012 hectares (10,120 square metres) and a frontage of not less than 36.6 metres,
 - (f) in the case of land within **Zone No 2 (h)**:
 - (i) as to a lot, other than a hatchet-shaped (battleaxe) lot not having frontage to a main road or county road—has an area of not less than 650 square metres and also a width of not less than 18 metres at a distance of 12.2 metres from the street alignment,
 - (ii) as to a lot, other than a hatchet-shaped (battleaxe) lot having frontage to a main road or county road—has an area of not less than 650 square metres and also a width of not less than 27.4 metres at a distance of 12.2 metres from the street alignment,

Ku-ring-gai Local Environmental Plan No 183

Schedule 1 Amendments

-
- (iii) as to a hatchet-shaped (battleaxe) lot—has an area of not less than 1105 square metres exclusive of the access corridor, which access corridor is to have a width of not less than 4.6 metres.
- (4) Land to which this clause applies must not be subdivided for the purpose of dwelling-houses unless each separate lot created has a boundary to a public road.
- (5) This clause does not apply to a subdivision creating two adjoining lots if the dwelling-houses on those lots are lawful because of a consent granted pursuant to *Sydney Regional Environmental Plan No 12—Dual Occupancy* or *State Environmental Planning Policy No 53—Metropolitan Residential Development* before or after the commencement of this clause.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**LAKE MACQUARIE LOCAL ENVIRONMENTAL PLAN 1984
(AMENDMENT No. 137)**

I, the Minister for Urban Affairs and Planning, in pursuance of section 70 of the Environmental Planning and Assessment Act 1979, make the local environmental plan set out hereunder. (N97/00433/S69)

ANDREW REFSHAUGE MP
Minister for Urban Affairs and Planning

Sydney, 8 March 2001.

Citation

1. This plan may be cited as Lake Macquarie Local Environmental Plan 1984 (Amendment No. 137).

Aims, objectives etc.

2. This plan aims to partly rezone a number of residential allotments and rezone a number of dedicated public reserves in order to reflect their intended use and rationalise zone boundaries in the vicinity.

Land to which plan applies

3. This plan applies to land in the City of Lake Macquarie, at Woodrising, as shown edged heavy black on the map marked "Lake Macquarie Local Environmental Plan 1984 (Amendment No. 137)" deposited in the office of the Council of the City of Lake Macquarie.

Relationship to other environmental planning instruments

4. This plan amends Lake Macquarie Local Environmental Plan 1984 in the manner set out in Clause 5.

Amendment of Lake Macquarie Local Environmental Plan 1984

5. Lake Macquarie Local Environmental Plan 1984 is amended by inserting at the end of the definition of "the map" in Clause 7(1) the following words:

Lake Macquarie Local Environmental Plan (Amendment No. 137);

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**Nambucca Local Environmental Plan 1995 (Amendment No 36)**

I, the Minister for Urban Affairs and Planning, in pursuance of Section 70 of the Environmental Planning and Assessment Act 1979, make the local environmental plan set out hereunder.
(G00/00152/S69)

ANDREW REFSHAUGE MP

Minister for Urban Affairs and Planning

Sydney, 8 March 2001

Citation

- 1 This plan may be cited as Nambucca Local Environmental Plan 1995 (Amendment No 36).

Aims, Objectives, Etc

- 2 (1) This plan aims to allow for the reclassification of a site consisting of community land to operational land in accordance with the Local Government Act 1993 to enable Nambucca Council to sell the site.
- (2) This plan incidentally makes further provision for the classification or reclassification of public land as operational land as a consequence of major changes to the statutory scheme in section 30 (Reclassification of community land to operational) of the *Local Government Act 1993*.

Land to Which Plan Applies

- 3 This plan applies to Lot 21 in DP 853585, Max Graham Drive, Valla Beach, as shown edged heavy black on the map marked "Nambucca Local Environmental Plan 1995 (Amendment No 36)" deposited in the office of the Council of Nambucca.

Relationship to Other Environmental Planning Instruments

- 4 The plan amends Nambucca Local Environmental Plan 1995 in the manner set out in Clause 5.

Amendment of Nambucca Local Environmental Plan 1995

- 5 Nambucca Local Environmental Plan 1995 as amended:

- (a) by omitting clause 62 and by inserting instead the following clauses:

62 Classification and reclassification of public land as community land

The public land described in Schedule 6 is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.

62A Classification and reclassification of public land as operational land

- (1) The public land described in Schedule 7 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.
- (2) Land described in Part 1 of Schedule 7 is land that was classified, or reclassified, as operational land before the application of the amendments made by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993*.

- (3) Land described in Part 2 of Schedule 7:
- (a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and
- (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.
- (4) Land described in Columns 1 and 2 of Part 3 of Schedule 7, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land except those specified opposite the land in Column 3 of Part 3 of Schedule 7.
- (5) In this clause, ***the relevant amending plan***, in relation to land described in Part 3 of Schedule 7, means the local environmental plan cited at the end of the description of the land.
- (6) Before the relevant amending plan inserted the description of land into Part 3 of Schedule 7, the Governor approved of subclause (4) applying to the land.

(b) by inserting after Schedule 5 the following Schedule:

Schedule 6 Classification and reclassification of public land as community land

(Clause 62)

(c) by omitting Schedule 7 and by inserting instead the following Schedule:

Schedule 7 Classification and reclassification of public land as operational land

(Clause 62A)

Part 1 Land classified, or reclassified, before the application of amendments made to section 30 of LGA 1993

Nambucca Heads

Short Street Part Reserve 63695 for Public Recreation

Part 2 Interests not changed

Part 3 Interests changed

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
Locality	Description	Trusts etc not discharged
Valla Beach Max Graham Drive	Lot 21 in DP 853585, as shown edged heavy black on the map marked "Nambucca Local Environmental Plan 1985 (Amendment No 36)" — <i>Nambucca Local Environmental Plan 1995 (Amendment No 36)</i>	Easement to drain sewage. Easement to drain water.

Queanbeyan Local Environmental Plan 1998 (Amendment No 14)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(Q99/00034/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Sydney, 12th March 2001.

Clause 1 Queanbeyan Local Environmental Plan 1998 (Amendment No 14)

Queanbeyan Local Environmental Plan 1998 (Amendment No 14)

1 Name of plan

This plan is *Queanbeyan Local Environmental Plan 1998 (Amendment No 14)*.

2 Aim of plan

The aim of this plan is to rezone land being Lot 2 DP 805912 and Lot 77 DP 754907, from 1 (a) Rural and 1 (a) Rural Scenic Protection to 5 (a) Special Uses Cemetery, to facilitate the expansion of the Queanbeyan Lawn Cemetery.

3 Land to which plan applies

This plan applies to land with the City of Queanbeyan, being Lot 2 DP 805912 and Lot 77 DP 754907, known as 228A Lanyon Drive, Queanbeyan, as shown edged heavy black on the map marked “Queanbeyan Local Environmental Plan 1998 (Amendment No 14)” deposited in the office of Queanbeyan City Council.

4 Relationship to other environmental planning instruments

This plan amends *Queanbeyan Local Environmental Plan 1998* in the manner set out in clause 5.

5 Amendment of Queanbeyan Local Environmental Plan 1998

Queanbeyan Local Environmental Plan 1998 is amended by inserting, in appropriate order, at the end of the definition of *the map* in Schedule 1 the following words:

Queanbeyan Local Environmental Plan 1998 (Amendment No 14)

State Environmental Planning Policy No 64—Advertising and Signage

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 Urban Affairs and Planning.

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

State Environmental Planning Policy No 64—Advertising and Signage

Contents

Contents

		Page
Part 1	Preliminary	
	1 Name of Policy	4
	2 Commencement	4
	3 Aims, objectives etc	4
	4 Definitions	4
	5 Area of application of this Policy	7
	6 Signage to which this Policy applies	7
	7 Relationship with other environmental planning instruments	7
Part 2	Signage generally	
	8 Granting of consent to signage	8
Part 3	Advertisements	
	Division 1 General	
	9 Advertisements to which this Part applies	9
	10 Prohibited advertisements	9
	Division 2 Control of advertisements	
	11 Requirement for consent	9
	12 Consent authority	10
	13 Matters for consideration	10
	14 Duration of consents	10
	Division 3 Particular advertisements	
	15 Advertisements on rural or non-urban land	11
	16 Freeways and tollways	12
	17 Advertisements with display area greater than 20 square metres or higher than 8 metres above ground	12
	18 Advertisements greater than 20 square metres and within 250 metres of, and visible from, a classified road	13

Page 2

State Environmental Planning Policy No 64—Advertising and Signage

Contents

	Page
19 Advertising display area greater than 45 square metres	13
20 Location of certain names and logos	13
21 Roof or sky advertisements	14
22 Wall advertisements	15
23 Freestanding advertisements	16
24 Advertisements on bridges	16
25 Special promotional advertisements	17
26 Building wrap advertisements	17
27 Advertisements within navigable waters	18
28 Application of provisions of this Division	18
Part 4 Miscellaneous	
29 Advertising design analysis	19
30 Preparation of draft local environmental plans	19
31 Consultation with RTA	19
32 Applications made before the commencement of this Policy	20
Schedule 1 Assessment criteria	21

Clause 1 State Environmental Planning Policy No 64—Advertising and Signage

Part 1 Preliminary

State Environmental Planning Policy No 64—Advertising and Signage

Part 1 Preliminary

1 Name of Policy

This Policy is *State Environmental Planning Policy No 64—Advertising and Signage*.

2 Commencement

This Policy commences on 16 March 2001.

3 Aims, objectives etc

- (1) This Policy aims:
 - (a) to ensure that signage (including advertising):
 - (i) is compatible with the desired amenity and visual character of an area, and
 - (ii) provides effective communication in suitable locations, and
 - (iii) is of high quality design and finish, and
 - (b) to regulate signage (but not content) under Part 4 of the Act, and
 - (c) to provide time-limited consents for the display of certain advertisements.
- (2) This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.

4 Definitions

- (1) In this Policy:

advertisement means signage to which Part 3 applies and includes any advertising structure for the advertisement.

State Environmental Planning Policy No 64—Advertising and Signage

Clause 4

Preliminary

Part 1

advertising display area means, subject to subclause (2), the area of an advertisement or advertising structure used for signage, and includes any borders of, or surrounds to, the advertisement or advertising structure, but does not include safety devices, platforms or lighting devices associated with advertisements or advertising structures.

advertising industry means the Outdoor Advertising Association of Australia and includes, in relation to a locality, a body that represents businesses that manage advertising in the locality.

advertising structure means a structure or vessel that is principally designed for, or that is used for, the display of an advertisement.

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

building wrap advertisement means an advertisement used in association with the covering or wrapping of:

- (a) a building or land, or
- (b) a building that is under construction, renovation, restoration or demolition,

but does not include a wall advertisement.

business identification sign means a sign:

- (a) that indicates:
 - (i) the name of the person, and
 - (ii) the business carried on by the person,at the premises or place at which the sign is displayed, and
- (b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

but that does not include any advertising relating to a person who does not carry on business at the premises or place.

classified road means a road classified under Part 5 of the *Roads Act 1993*.

consent authority means the consent authority determined in accordance with clause 12.

display includes the erection of a structure for the purposes of display and the use of land, or a building on land, for the purposes of display.

Clause 4 State Environmental Planning Policy No 64—Advertising and Signage

Part 1 Preliminary

freestanding advertisement means an advertisement that is displayed on an advertising structure that is mounted on the ground on one or more supports.

navigable waters has the same meaning as in the *Marine Safety Act 1998*.

product image means any words, letters, symbols or images that identify a product or corporate body, but does not include any object to which the words, letters, symbols or images are attached or appended.

public art policy means a policy adopted by a consent authority, in a development control plan or otherwise, that establishes forms and locations for art works in the public domain.

roof or sky advertisement means an advertisement that is displayed on, or erected on or above, the parapet or eaves of a building.

signage means all signs, notices, devices, representations and advertisements that advertise or promote any goods services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage and includes:

- (a) building identification signs, and
- (b) business identification signs, and
- (c) advertisements to which Part 3 applies,

but does not include traffic signs or traffic control facilities.

special promotional advertisement means an advertisement for an activity or event of a civic or community nature, but does not include a wall advertisement.

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

wall advertisement means an advertisement that is painted on or fixed flat to the wall of a building, but does not include a special promotional advertisement or building wrap advertisement.

- (2) The advertising display area of an advertising structure that contains advertising on two or more sides is to be calculated separately for each side and is not the sum of the display areas on all sides.

State Environmental Planning Policy No 64—Advertising and Signage

Clause 4

Preliminary

Part 1

- (3) In this Policy, a reference to a zone, in relation to an environmental planning instrument, is a reference to an area, reserve or zone (within the meaning of the instrument) identified in the instrument by the words or expressions used in this Policy to describe the zone or by like descriptions or by descriptions that incorporate any of those words or expressions.
- (4) Notes in this Policy do not form part of it.

5 Area of application of this Policy

- (1) This Policy applies to the whole of the State.
- (2) Without limiting subclause (1), this Policy applies to all land and structures within the State and all vessels on navigable waters.

6 Signage to which this Policy applies

- (1) This Policy applies to all signage:
 - (a) that, under another environmental planning instrument that applies to the signage, can be displayed with or without development consent, and
 - (b) is visible from any public place or public reserve, except as provided by this Policy.

Note. *Public place* and *public reserve* are defined in section 4 (1) of the Act to have the same meanings as in the *Local Government Act 1993*.

- (2) This Policy does not apply to signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it.

7 Relationship with other environmental planning instruments

In the event of an inconsistency between this Policy and another environmental planning instrument, whether made before or after this Policy, this Policy prevails to the extent of the inconsistency.

Note. This Policy will have the effect of modifying, and having paramountcy over, the provisions of some other environmental planning instruments that permit the display of signage with or without development consent. This is particularly so in the case of large advertisements, being advertisements of the kind referred to in Part 3. This Policy will not overturn or otherwise effect a prohibition on the display of signage that is contained in another environmental planning instrument. Because of some provisions, such as clauses 10, 16 and 21, it may add prohibitions on advertising if the advertising is proposed to be displayed in certain circumstances, such as on environmentally sensitive or environmentally significant land, on freeways or tollways, or in the form of a roof or sky advertisement.

Clause 8 State Environmental Planning Policy No 64—Advertising and Signage

Part 2 Signage generally

Part 2 Signage generally

8 Granting of consent to signage

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.

State Environmental Planning Policy No 64—Advertising and Signage	Clause 9
Advertisements	Part 3
General	Division 1

Part 3 Advertisements

Division 1 General

9 Advertisements to which this Part applies

This Part applies to all signage to which this Policy applies, other than the following:

- (a) business identification signs,
- (b) building identification signs,
- (c) signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it,
- (d) signage on vehicles.

10 Prohibited advertisements

Despite the provisions of any other environmental planning instrument, the display of an advertisement is prohibited on land that, under an environmental planning instrument, is within any of the following zones or descriptions:

environmentally sensitive area
heritage area
natural or other conservation area
open space
waterway
residential (but not including a mixed residential and business zone, or similar zones)
scenic protection area
national park
nature reserve

Division 2 Control of advertisements

11 Requirement for consent

A person must not display an advertisement, except with the consent of the consent authority or except as otherwise provided by this Policy.

Clause 12 State Environmental Planning Policy No 64—Advertising and Signage

Part 3 Advertisements

Division 2 Control of advertisements

12 Consent authority

- (1) For the purposes of this Policy, the consent authority is:
 - (a) in the case of an advertisement displayed in a local government area, the council of the area, or
 - (b) in the case of an advertisement displayed on a vessel, the Waterways Authority.
- (2) Despite subclause (1), if, in relation to any land, an environmental planning instrument specifies that a person, not being the person referred to in subclause (1), is the consent authority for development carried out on the land, the consent authority for the purposes of this Policy is the person specified as such in the environmental planning instrument.

13 Matters for consideration

A consent authority must not grant consent to an application to display an advertisement to which this Policy applies unless the advertisement or the advertising structure, as the case requires:

- (a) is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and
- (b) has been assessed by the consent authority in accordance with the assessment criteria in Schedule 1 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and
- (c) satisfies any other relevant requirements of this Policy.

14 Duration of consents

- (1) A consent granted under this Part ceases to be in force:
 - (a) on the expiration of 15 years after the date on which the consent becomes effective and operates in accordance with section 83 of the Act, or
 - (b) if a lesser period is specified by the consent authority, on the expiration of the lesser period.

State Environmental Planning Policy No 64—Advertising and Signage	Clause 14
Advertisements	Part 3
Control of advertisements	Division 2

- (2) The consent authority may specify a period of less than 15 years only if:
- (a) before the commencement of this Part, the consent authority had adopted a policy of granting consents in relation to applications to display advertisements for a lesser period and the duration of the consent specified by the consent authority is consistent with that policy, or
 - (b) the area in which the advertisement is to be displayed is undergoing change in accordance with an environmental planning instrument that aims to change the nature and character of development and, in the opinion of the consent authority, the proposed advertisement would be inconsistent with that change, or
 - (c) the specification of a lesser period is required by another provision of this Policy.

Division 3 Particular advertisements

15 Advertisements on rural or non-urban land

- (1) This clause applies to land that, under an environmental planning instrument, is within a rural or non-urban zone and on which an advertisement may be displayed with the consent of the consent authority.
- (2) The consent authority must not grant consent to display an advertisement on land to which this clause applies:
- (a) unless a development control plan is in force that has been prepared on the basis of an advertising design analysis for the relevant area or precinct in consultation with:
 - (i) the advertising industry and any body that is representative of local businesses, such as a chamber of commerce, and
 - (ii) if the land to which the development control plan relates is within 250 metres of a classified road, the Roads and Traffic Authority,
 and the display of the advertisement is consistent with the development control plan, or

Clause 15 State Environmental Planning Policy No 64—Advertising and Signage

Part 3 Advertisements

Division 3 Particular advertisements

- (b) if no such development control plan is in force, except in accordance with clause 33 of the 1980 Model Provisions and the other provisions of this Policy.

16 Freeways and tollways

- (1) This clause applies to:
 - (a) a freeway within the meaning of the *Roads Act 1993*, and
 - (b) a tollway within the meaning of the *Roads Act 1993*,
subject to subclause (2).
- (2) This clause does not apply to the tollways comprising the Eastern Distributor, the M2, the M4, the M5 or the Sydney Harbour Tunnel.
- (3) A person must not display an advertisement on land to which this clause applies.

17 Advertisements with display area greater than 20 square metres or higher than 8 metres above ground

- (1) This clause applies to an advertisement:
 - (a) that has a display area greater than 20 square metres, or
 - (b) that is higher than 8 metres above the ground.
- (2) The display of an advertisement to which this clause applies is advertised development for the purposes of the Act.
- (3) The consent authority must not grant consent to an application to display an advertisement to which this clause applies unless:
 - (a) the applicant has provided the consent authority with an impact statement that addresses the assessment criteria in Schedule 1 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and
 - (b) the application has been advertised in accordance with section 79A of the Act, and
 - (c) at the same time as the application was advertised in accordance with section 79A of the Act, the consent authority gave a copy of the application to:
 - (i) the Director-General, and
 - (ii) if the application is an application for the display of an advertisement to which clause 18 applies, to the Roads and Traffic Authority.

State Environmental Planning Policy No 64—Advertising and Signage

Clause 18

Advertisements

Part 3

Particular advertisements

Division 3

18 Advertisements greater than 20 square metres and within 250 metres of, and visible from, a classified road

- (1) This clause applies to the display of an advertisement to which clause 17 applies, that is within 250 metres of a classified road any part of which is visible from the classified road.
- (2) The consent authority must not grant development consent to the display of an advertisement to which this clause applies without the concurrence of the Roads and Traffic Authority (*RTA*).
- (3) In deciding whether or not concurrence should be granted, the RTA must take into consideration:
 - (a) the impact of the display of the advertisement on traffic safety, and
 - (b) the environmental character and quality of the classified road and views from the classified road, and
 - (c) any guidelines prepared by the RTA in consultation with the Outdoor Advertising Association of Australia.
- (4) If the RTA has not informed the consent authority within 21 days after the copy of the application is given to it under clause 17 (3) (c) (ii) that it has granted, or has declined to grant, its concurrence, the RTA is taken to have granted its concurrence.
- (5) Nothing in this clause affects clause 16.

19 Advertising display area greater than 45 square metres

The consent authority must not grant consent to the display of an advertisement with an advertising display area greater than 45 square metres unless a development control plan is in force that has been prepared on the basis of an advertising design analysis for the relevant area or precinct.

20 Location of certain names and logos

- (1) The name or logo of the person who owns or leases an advertisement or advertising structure may appear only within the advertising display area.

Clause 20 State Environmental Planning Policy No 64—Advertising and Signage

Part 3 Advertisements

Division 3 Particular advertisements

- (2) If the advertising display area has no border or surrounds, any such name or logo is to be located:
 - (a) within the advertisement, or
 - (b) within a strip below the advertisement that extends for the full width of the advertisement.
- (3) The area of any such name or logo must not be greater than 0.25 square metres.
- (4) The area of any such strip is to be included in calculating the size of the advertising display area.

21 Roof or sky advertisements

- (1) The consent authority may grant consent to a roof or sky advertisement only if:
 - (a) the consent authority is satisfied:
 - (i) that the advertisement replaces one or more existing roof or sky advertisements and that the advertisement improves the visual amenity of the locality in which it is displayed, or
 - (ii) that the advertisement improves the finish and appearance of the building and the streetscape, and
 - (b) the advertisement:
 - (i) is no higher than the highest point of any part of the building that is above the building parapet (including that part of the building (if any) that houses any plant but excluding flag poles, aerials, masts and the like), and
 - (ii) is no wider than any such part, and
 - (c) a development control plan is in force that has been prepared on the basis of an advertising design analysis for the relevant area or precinct and the display of the advertisement is consistent with the development control plan.
- (2) A consent granted under this clause ceases to be in force:
 - (a) on the expiration of 10 years after the date on which the consent becomes effective and operates in accordance with section 83 of the Act, or
 - (b) if a lesser period is specified by the consent authority, on the expiration of the lesser period.

State Environmental Planning Policy No 64—Advertising and Signage	Clause 21
Advertisements	Part 3
Particular advertisements	Division 3

- (3) The consent authority may specify a period of less than 10 years only if:
- (a) before the commencement of this Part, the consent authority had adopted a policy of granting consents in relation to applications to display advertisements for a lesser period and the duration of the consent specified by the consent authority is consistent with that policy, or
 - (b) the area is undergoing change in accordance with an environmental planning instrument that aims to change the nature and character of development and, in the opinion of the consent authority, the proposed roof or sky advertisement would be inconsistent with that change.

22 Wall advertisements

- (1) Only one wall advertisement may be displayed per building elevation.
- (2) The consent authority may grant consent to a wall advertisement only if:
 - (a) the consent authority is satisfied that the advertisement is integrated with the design of the building on which it is to be displayed, and
 - (b) for a building having:
 - (i) an above ground elevation of 200 square metres or more—the advertisement does not exceed 10% of the above ground elevation, and
 - (ii) an above ground elevation of more than 100 square metres but less than 200 square metres—the advertisement does not exceed 20 square metres, and
 - (iii) an above ground elevation of 100 square metres or less—the advertisement does not exceed 20% of the above ground elevation, and
 - (c) the advertisement does not protrude more than 300 millimetres from the wall, unless occupational health and safety standards require a greater protrusion, and
 - (d) the advertisement does not protrude above the parapet or eaves, and
 - (e) the advertisement does not extend over a window or other opening, and
 - (f) the advertisement does not obscure significant architectural

Clause 22 State Environmental Planning Policy No 64—Advertising and Signage

Part 3 Advertisements

Division 3 Particular advertisements

elements of the building, and

- (g) a building identification sign or business identification sign is not displayed on the building elevation.
- (3) In this clause, **building elevation** means an elevation of a building as commonly shown on building plans.

23 Freestanding advertisements

- (1) The consent authority may grant consent to the display of a freestanding advertisement only if the advertising structure on which the advertisement is displayed does not protrude above the dominant skyline, including any buildings, structures or tree canopies, when viewed from ground level within a visual catchment of 1 kilometre.
- (2) This clause does not prevent the consent authority, in the case of a freestanding advertisement on land within a rural or non-urban zone, from granting consent to the display of the advertisement under clause 15.

24 Advertisements on bridges

- (1) A person may, with the consent of the consent authority, display an advertisement on a bridge.
- (2) The consent authority may grant consent only if:
 - (a) the advertisement is located on or is contained within the main horizontal span of the bridge or, in the case of a railway bridge, on an abutment to the bridge, and
 - (b) in the case of:
 - (i) a pedestrian or road bridge, the advertisement does not protrude more than 1,000 millimetres above the road level of the bridge and sightlines of people using the bridge will not be obstructed by the advertisement, and
 - (ii) a rail bridge, the advertisement does not protrude above the top of any solid part of the bridge, or does not cover any part of the bridge that is open, or the advertisement is displayed on an abutment of the bridge, and
 - (c) the advertisement does not protrude below the structure of the bridge, and
 - (d) in the case of a bridge built before the commencement of this clause, the original architecture of the bridge is not diminished.

State Environmental Planning Policy No 64—Advertising and Signage	Clause 24
Advertisements	Part 3
Particular advertisements	Division 3

- (3) In the case of a pedestrian bridge:
- (a) that is built after the commencement of this clause by or on behalf of a public authority, and
 - (b) the cost of which is to be met or offset from advertisements displayed on the bridge,
- a consent granted by the consent authority expires, if it has not done so earlier, at the time the cost of the bridge is met.

25 Special promotional advertisements

- (1) A person may, with the consent of the consent authority, display a special promotional advertisement on land zoned for business, commercial or industrial purposes.
- (2) The consent authority may grant consent only if:
 - (a) a development control plan applies to the land on which the special promotional advertisement is to be displayed that has been made having regard to a public art policy of the consent authority and the display of the advertisement is consistent with the development control plan, and
 - (b) the display of the advertisement is limited in time to a total of 3 months in any 12-month period, and
 - (c) any product image or corporate branding does not occupy more than 5% of the advertising display area and accords with the public art policy of the consent authority.
- (3) A special promotional advertisement may cover the entire facade or hoarding of a building or site, subject to this clause.

26 Building wrap advertisements

- (1) A person may, with the consent of the consent authority, display a building wrap advertisement on land zoned for business, commercial or industrial purposes.
- (2) The consent authority may grant consent only if:
 - (a) a development control plan applies to the land on which the building wrap advertisement is to be displayed that has been made having regard to a public art policy of the consent authority and the display of the advertisement is consistent with the development control plan, and

Clause 26 State Environmental Planning Policy No 64—Advertising and Signage

Part 3 Advertisements

Division 3 Particular advertisements

- (b) the display of the advertisement is limited in time to a maximum of 12 months, and
 - (c) any product image or corporate branding does not occupy more than 5% of the advertising display area and accords with the public art policy of the consent authority.
- (3) A building wrap advertisement may cover the entire facade or hoarding of a building or site, subject to this clause.

27 Advertisements within navigable waters

- (1) An advertisement within any navigable waters is prohibited, except an advertisement on a vessel that is ancillary to the dominant purpose of the vessel.
- (2) A person may, with the consent of the consent authority, display an advertisement on a vessel that is ancillary to the dominant purpose of the vessel.
- (3) In this clause, *vessel* means any ship, lighter, barge, boat, raft or craft, and any floating object or apparatus used wholly or in part for the conveyance of persons or things by water, of whatever description and however navigated, and includes amphibious vessels, seaplanes, hydroplanes, hydrofoils, hovercraft, sunken or stranded vessels, and the wreck or remains of any vessel.

28 Application of provisions of this Division

If more than one provision of this Division is capable of applying to the display of an advertisement, each such provision applies.

Note. It may be, for example, that clause 19 will apply to the display of an advertisement in addition to clauses 17 and 18, or that clause 23 will apply in addition to clause 17, 18 or 19.

State Environmental Planning Policy No 64—Advertising and Signage

Clause 29

Miscellaneous

Part 4

Part 4 Miscellaneous

29 Advertising design analysis

- (1) A council, in preparing an advertising design analysis for an area or locality for the purposes of clause 15, 19 or 21, is to include an analysis of the following:
 - (a) the existing character of the area or locality, including built forms and landscapes,
 - (b) the key positive features of the existing character of the area or locality,
 - (c) the desired future character of the area or locality,
 - (d) the role of outdoor advertising.
- (2) In undertaking an advertising design analysis (not being an advertising design analysis referred to in clause 15 (2) (a)), the council must consult with the advertising industry and local businesses.

30 Preparation of draft local environmental plans

In the preparation of a draft local environmental plan under Division 4 of Part 3 of the Act that contains provisions:

- (a) that signage, or any class or description of signage, may be displayed with or without development consent, or
- (b) that signage, or any class or description of signage, is prohibited,

a council should consult with the advertising industry.

31 Consultation with RTA

In the preparation of a draft local environmental plan under Division 4 of Part 3 of the Act that makes provision for or with respect to signage or advertising to which this Policy applies within 250 metres of a classified road, a council should consult with the Roads and Traffic Authority.

Clause 32 State Environmental Planning Policy No 64—Advertising and Signage

Part 4 Miscellaneous

32 Applications made before the commencement of this Policy

An application made to a consent authority before the commencement of this Policy for consent to display an advertisement that has not been determined before that commencement is to be determined in accordance with this Policy.

State Environmental Planning Policy No 64—Advertising and Signage

Assessment criteria

Schedule 1

Schedule 1 Assessment criteria

(Clauses 8, 13 and 17)

1 Character of the area

- Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?
- Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?

2 Special areas

- Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?

3 Views and vistas

- Does the proposal obscure or compromise important views?
- Does the proposal dominate the skyline and reduce the quality of vistas?
- Does the proposal respect the viewing rights of other advertisers?

4 Streetscape, setting or landscape

- Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?
- Does the proposal contribute to the visual interest of the streetscape, setting or landscape?
- Does the proposal reduce clutter by rationalising and simplifying existing advertising?
- Does the proposal screen unsightliness?
- Does the proposal protrude above buildings, structures or tree canopies in the area or locality?

5 Site and building

- Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?
- Does the proposal respect important features of the site or building, or both?
- Does the proposal show innovation and imagination in its relationship to the site or building, or both?

Page 21

State Environmental Planning Policy No 64—Advertising and Signage

Schedule 1 Assessment criteria

6 Associated devices and logos with advertisements and advertising structures

- Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?

7 Illumination

- Would illumination result in unacceptable glare?
- Would illumination affect safety for pedestrians, vehicles or aircraft?
- Would illumination detract from the amenity of any residence or other form of accommodation?
- Can the intensity of the illumination be adjusted, if necessary?
- Is the illumination subject to a curfew?

8 Safety

- Would the proposal reduce the safety for any public road?
- Would the proposal reduce the safety for pedestrians or bicyclists?
- Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

Sutherland Shire Local Environmental Plan 2000 (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(S00/00640/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Sydney, 12th March 2001.

Clause 1 Sutherland Shire Local Environmental Plan 2000 (Amendment No 2)

Sutherland Shire Local Environmental Plan 2000 (Amendment No 2)

1 Name of plan

This plan is the *Sutherland Shire Local Environmental Plan 2000 (Amendment No 2)*.

2 Aims of plan

This plan aims to allow a motor showroom use across Nos 220–234 The Boulevarde, Nos 1–3 Kiora Road and Nos 1–5 Kumbardang Avenue, Miranda by way of an exception to *Sutherland Shire Local Environmental Plan 2000*.

3 Land to which plan applies

This plan applies to land at Nos 220–234 The Boulevarde, Nos 1–3 Kiora Road and Nos 1–5 Kumbardang Avenue, Miranda as shown edged heavy black on the map marked “Sutherland Shire Local Environmental Plan 2000 (Amendment No 2)” deposited in the office of the Council of Sutherland Shire.

4 Amendment of Sutherland Shire Local Environmental Plan 2000

The *Sutherland Shire Local Environmental Plan 2000* is amended as set out in Schedule 1.

Sutherland Shire Local Environmental Plan 2000 (Amendment No 2)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 23 Exceptions to this Plan

Insert after clause 23 (1) (i):

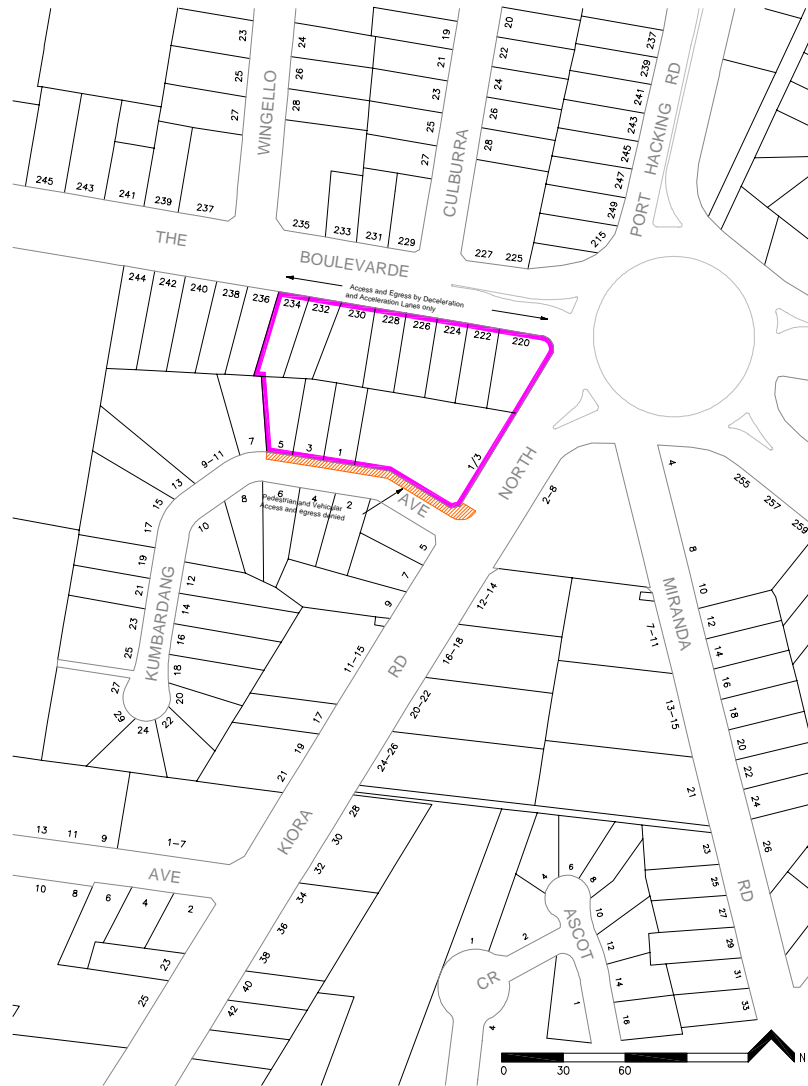
- (j) a motor showroom with an area set aside exclusively for customer parking, no pedestrian or vehicular access or egress to Kumbardang Avenue and incorporating acceleration and deceleration lanes to and from all egress and access to The Boulevard, on land shown on map “Map 9: 220–234 The Boulevard, Nos 1–3 Kiora Road and Nos 1–5 Kumbardang Avenue, Miranda” in Schedule 7 to this Plan.

[2] Schedule 7 Maps

Insert at the end of the Schedule:

Sutherland Shire Local Environmental Plan 2000 (Amendment No 2)

Schedule 1 Amendments



Map 9: 220-234 The Boulevard, Nos 1-3 Kiora Rd & Nos 1-5 Kumbardang Ave.

Location: Miranda

Roads and Traffic Authority

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road at
Narrandera in the Narrandera Shire Council Area

THE Roads and Traffic Authority of New South Wales dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

D J Lorsch
Manager, Statutory Processes,
Roads and Traffic Authority of New South Wales.

SCHEDULE

All that piece or parcel of land situated in the Narrandera Shire Council area, Parish of Narrandera and County of Cooper, shown as Lot 31 Deposited Plan 1004593.

(RTA Papers: 17/321.1103).

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road at
Illawong in the Sutherland Shire Council Area

THE Roads and Traffic Authority of New South Wales dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

D J Lorsch
Manager, Statutory Processes,
Roads and Traffic Authority of New South Wales.

SCHEDULE

All those pieces or parcels of land situated in the Sutherland Shire Council area, Parish of Holsworthy and County of Cumberland, shown as Lots 23 to 28 inclusive, Deposited Plan 831160.

(RTA Papers: 411.11040).

Roads Act 1993
Notice under Clause 17 of the Roads Transport (Mass, Loading and Access)
Regulation 1996

Holbrook Council in pursuance of Division 2 of Part 3 of the Roads Transport (Mass, Loading and Access) Regulation 1996, by this notice, specify the routes and areas on or in which B-doubles may be used subject to any requirements or conditions set out in the Schedule.

Peter Brasier
 Manager Engineering Services
 Holbrook Shire Council
 (by delegation from the Minister for Roads)

1. Citation

This notice may be cited as the Holbrook Shire council B-Doubles Notice No. 1 2001

2. Commencement

This notice takes effect from the date of gazettal.

3. Effect

This notice remains in effect until 1/1/2005 unless it is amended or repealed earlier

4. Application

This Notice applies to B-Doubles which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) Regulation 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

Part 2 – B-Double Routes within the Holbrook Shire

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	000	Murray St Holbrook Shire	SH 2	VP Elders Sale yards 1 km west of SH 2	No B-Double movements from 7.00 p.m. – 7.00 a.m.

ROADS ACT 1993

Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation 1996

Wakool Shire Council, in pursuance of Division 2 of Part 3 of the Road Transport (Mass, Loading and Access) Regulation 1996, by this Notice, specify the routes and areas on or in which B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

CRAIG MOFFITT
General Manager
Wakool Shire Council
(by delegation from the Minister for Roads)

1. Citation

This Notice may be cited as the Wakool Shire Council B-Doubles Notice No. 2, 2001.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 31 December 2005, unless it is amended or repealed earlier.

4. Application

This Notice applies to B-Doubles which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) Regulation 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

B-Double routes within the Wakool Shire Council

Part 1 – B-Double routes in New South Wales (excluding the Sydney Region)

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
25	000	East Barham Road Barham	Punt Road Barham	End East Barham Road Barham	No operation during School Bus hours 8.00 – 9.00 am 3.30 – 4.30 pm
25	000	Punt Road Barham	MR319 (Barham – Maude Road)	East Barham Road Barham	No operation during School Bus hours 8.00 – 9.00 am 3.30 – 4.30 pm
25	000	Gonn Street Barham	MR319 (Barham – Maude Road)	Punt Road Barham	No operation during School Bus hours 8.00 – 9.00 am 3.30 – 4.30 pm

ROADS ACT 1993

Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation 1996

Wakool Shire Council, in pursuance of Division 2 of Part 3 of the Road Transport (Mass, Loading and Access) Regulation 1996, by this Notice, specify the routes and areas on or in which Road Trains may be used subject to any requirements or conditions set out in the Schedule.

CRAIG MOFFITT
General Manager
Wakool Shire Council
(by delegation from the Minister for Roads)

1. Citation

This Notice may be cited as the Wakool Shire Council Road Trains Notice No. 2, 2000.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 31 December 2005, unless it is amended or repealed earlier.

4. Application

This Notice applies to B-Doubles which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) Regulation 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

Road Train Routes within the Wakool Shire Council

For single road listings

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
RT	MR341	Barham – Deniliquin Road	MR319 (Barham – Maude Road)	Thule Creek Bridge (Boundary Murray Shire)	

Sydney Water

SEWER MAINS**SYDNEY WATER**

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF BLACKTOWN, at PLUMPTON: Contract No. 969231S5. Project No. 3001593. Line 1 to 2 inclusive and their appurtenant junctions, sidelines and inlets serving HYATTS ROAD, BOTTLES ROAD and CANNERY ROAD.

CITY OF BLUE MOUNTAINS, at HAZELBROOK: Contract No. 969235S1. Project No. 3001677. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving FALCON STREET and CUNNINGHAM STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

ROBERT ROACH,
Developer Activity Officer,
Blacktown Commercial Centre.

Dated: 16 March 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF LIVERPOOL, at PRESTONS: Contract No. 971901S5. Project No. 3001772. Property connection Sewer No. 1 and its appurtenant junctions, sidelines and inlets serving properties in MONDOVI PLACE.

CITY OF LIVERPOOL, at WEST HOXTON: Contract Number 967345SA, Project Number 3001335. Lines 1 and 2 and their appurtenant junctions, sidelines and inlets serving properties in REDPA CLOSE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

PETER ALLEN,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 8 March 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF LIVERPOOL, at PRESTONS: Contract No. 967502S9. Project No. 3001472. Lines 1 - 4 inclusive and their appurtenant junctions, sidelines and inlets serving GERALTON STREET and NAROOMA DRIVE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

KEVIN HASTIE,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 9 March 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF LIVERPOOL, at WEST HOXTON: Contract No. 967305SA. Project No. 3001522. Lines 1 and 2 inclusive and their appurtenant junctions, sidelines and inlets serving OLD FIFTEENTH AVENUE and COWPASTURE ROAD.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

KEVIN HASTIE,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 14 March 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below, and at the Head Office of Sydney Water Corporation trading as Sydney Water, have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water for the identified properties on plans, it is reasonably practical for sewerage to be discharged.

CITY OF LIVERPOOL, at WEST HOXTON: Contract No. 971910S6. Project No. 3001760. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving MARTHINNA CIRCUIT and MANNOW AVENUE.

Subject to the provision of the Sydney Water Act 1994, the owners of all lands being identified properties, on the plans will be liable for payment of sewerage service charges, on and from the date of publication of this notice.

G. MAIMONE,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 16 March 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF LIVERPOOL, at CECIL HILLS: Contract No. 951858S9. Project No. 371527. Line 1 and 2 inclusive and their appurtenant junctions, sidelines and inlets serving SARAH PLACE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

CLAUDIO FILIPPI,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 16 March 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF LIVERPOOL, at CECIL HILLS: Contract No. 971786S4. Project No. 3001831. Line 1 inclusive and its appurtenant junctions serving STIRLING STREET and KENSINGTON CLOSE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VALDIS VIKSNE,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 16 March 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation trading as Sydney Water, have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

HORNSBY COUNCIL, at CHERRYBROOK: Project No. 3001637. Contract No. 969977S0. Line 1 and sideline 1 inclusive and their appurtenant junctions, sidelines and inlets serving SHEPHERDS DRIVE.

KOGARAH COUNCIL, at SANS SOUCI: Project No. 3001917. Contract No. 971715S5. Line 1 and sideline 1 inclusive and their appurtenant junctions, sideline and inlets serving NELSON STREET and HARRIS STREET.

KU-RING-GAI, at LINDFIELD: Project No. 3001453. Contract No. 970049SA. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving ARCHBOLD ROAD and OWEN STREET.

KU-RING-GAI, at ST. IVES: Project No. 352999. Contract No. 954411S6. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving AYRES ROAD.

KU-RING-GAI, at ST. IVES: Project No. 352882. Contract No. 951563S5. Sideline 1 inclusive and its appurtenant junctions, sidelines and inlets serving WARRIMOO AVENUE and CARBEEN AVENUE.

RANDWICK COUNCIL, at RANDWICK: Project No. 3001261. Contract No. 969294S8. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving MARKET STREET and ST. MARLS LANE.

WILLOUGHBY COUNCIL, at NAREMBURN: Project No. 353211. Contract No. 951573SB. Sideline 1 inclusive and its appurtenant junctions, sidelines and inlet serving GRANDVIEW STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

GERRY DACOCO,
Developer Activity Officer.

Dated: 16 March 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below, and at the Head Office of Sydney Water Corporation trading as Sydney Water, have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water for the identified properties on plans, it is reasonably practical for sewerage to be discharged.

CITY OF SHELLHARBOUR, at ALBION PARK. (ROSO ESTATE STAGE 2B): Contract Number 970220S3 (partial release), Project Number 3001162. Lines 4-5 inclusive and their appurtenant junctions, sidelines and inlets serving THE BILLABONG, WARREGO STREET. (Six lots numbered 2044 – 2049).

Subject to the provision of the Sydney Water Act 1994, the owners of all lands being identified properties, on the plans will be liable for payment of sewerage service charges, on and from the date of publication of this notice.

MARGARET McTAINSH,
Developer Activity Officer.

Dated: 16 March 2001.

WATER MAINS

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation trading as Sydney Water, have been laid and are available for connection.

Notice is also given, that in the opinion of Sydney Water, for the identified properties on plans, it is reasonably practical for water to be supplied.

CITY OF BLUE MOUNTAINS, at LINDEN: Contract No. 445826FA. Project No. 1000537. Water mains are now laid and capable of serving identified properties in Lots 2 and 3, LINDEN AVENUE.

CITY OF BLUE MOUNTAINS, at MT VICTORIA: Contract No. 445909F8. Project No. 1000691. Water mains are now laid and capable of serving identified properties in Lots 17 to 17, VICTORIA STREET.

CITY OF BLUE MOUNTAINS, at BLACKHEATH: Contract No. 445934F1. Project No. 1000732. Water mains are now laid and capable of serving identified properties in HAT HILL ROAD and ROW STREET.

Subject to the provisions of the Water Board Act 1994, the owners of all lands being identified properties on plans will become liable for payment of water charges on and from the date of publication of this notice.

ROBERT ROACH,
Developer Activity Officer,
Blacktown Commercial Centre.

Dated: 2 March 2001.

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation trading as Sydney Water, have been laid and are available for connection.

Notice is also given, that in the opinion of Sydney Water, for the identified properties on plans, it is reasonably practical for water to be supplied.

SOUTH SYDNEY COUNCIL, at ROSEBERY: Project No. 1000467. Contract No. 437093F0. Water mains are now laid and shown on said plan and capable of serving the properties in DUNNING AVENUE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on plans will become liable for payment of water charges on and from the date of publication of this notice.

GERRY DACOCO,
Developer Activity Officer.

Dated: 16 March 2001.

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation trading as Sydney Water, have been laid and are available for connection.

Notice is also given, that in the opinion of Sydney Water, for the identified properties on plans, it is reasonably practical for water to be supplied.

CITY OF LIVERPOOL, at WEST HOXTON: Contract Number 967345W2, Project Number 1000572. Water mains are now laid and capable of serving identified properties in REDPA CLOSE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on plans will become liable for payment of water charges on and from the date of publication of this notice.

PETER ALLEN,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 16 March 2001.

Other Notices

ABORIGINAL LAND RIGHTS ACT 1983

ERRATUM

THE notification of an application to constitute (alter the boundaries of) the Northern Tablelands Regional Aboriginal Land Council Area in the *Government Gazette* Notice No.41 of 23 February 2001 contained an error not material to the notice.

The reference to clause 36 and 37 of the "Aboriginal Land Rights Act 1996" should have read "Aboriginal Land Rights Regulation 1996."

STEPHEN WRIGHT,
Registrar,
Aboriginal Land Rights Act 1983.

ABORIGINAL LAND RIGHTS ACT 1983

Exemption of Aboriginal Land from the Payment of Rates

I, the Honourable ANDREW JOHN REFSHAUGE, MP, Minister for Aboriginal Affairs, being of the opinion that special circumstances exist which warrant my doing so, DECLARE in pursuance of the provisions of section 43 of the Aboriginal Land Rights Act 1983, that the lands described in the Schedule below and vested in the Nungaroo Local Aboriginal Land Council, be exempt from payment of rates under the Local Government Act 1993.

A. REFSHAUGE, M.P.,
Minister for Aboriginal Affairs

SCHEDULE

L.G.A. — Quirindi Shire Council.

Being: Lot 308, DP 751026 at Quirindi.

ABORIGINAL LAND RIGHTS ACT 1983

Notification of the Constitution (Application for Alteration of the Boundaries) of a Local Aboriginal Land Council Area

NOTICE is hereby given pursuant to clause 7 of the Aboriginal Land Rights Regulation 1996, of an application to constitute (alter the boundaries of) the Karuah Local Aboriginal Land Council Area. The proposed new boundaries are as described in the text below as the Karuah Aboriginal Land Council Area.

KARUAH ABORIGINAL LAND COUNCIL AREA

Commencing at the junction of the southern boundary of the Parish of Forster, County of Gloucester with the shore of the South Pacific Ocean: and bounded thence by that boundary westerly to the south-eastern shore of Myall Lake; by part of that shore generally north-easterly and the generally northern and part of the generally western shores of that lake generally westerly and generally southerly to the southern boundary of the Parish of Topi Topi; by that boundary westerly, the generally north-eastern and the generally

northern boundaries of the Parish of Booloombayt generally north-westerly and generally westerly, part of the generally eastern, the generally northern and part of the western boundaries of the Parish of Myall generally northerly, generally westerly and southerly, the generally northern boundaries of the Parishes of Gorton and Monkerai generally westerly, part of the eastern, the northern and part of the western boundaries of the Parish of Faulkland northerly, westerly and southerly, the southern boundary of the Parish of Hewong westerly, the generally north-eastern and part of the generally northern boundaries of the Parish of Irralong generally north-westerly and generally westerly, the generally eastern and the generally northern boundaries of the Parish of Beean Beean generally northerly and generally westerly, part of the generally western boundary of the County of Gloucester generally southerly, the generally north-western and part of the generally southwestern boundaries of the Parish of Boonabilla, County of Durham generally south-westerly and generally south-easterly, the generally western, the generally southern and part of the generally eastern boundaries of the Parish of Carrow generally southerly, generally easterly and northerly, the generally north-eastern and the generally eastern boundaries of the Parish of Glendon generally southeasterly and generally southerly, part of the generally northern and the generally eastern boundaries of the Parish of Tangorin and part of the generally western, the generally southern and part of the generally eastern boundaries of the Parish of Tyraman generally easterly, generally southerly, generally easterly and generally northerly to Paterson River; by that river downwards to the western boundary of the Parish of Barford; by that boundary northerly, the generally northern and part of the generally eastern boundaries of that parish generally easterly and generally southerly and part of the generally northern boundary of the Parish of Uffington generally easterly to Clarence Town Road; by that road generally southerly to the western prolongation of the generally northern boundary of the Parish of Wilmot, County of Gloucester; by that prolongation and part of that boundary easterly to the road from Clarence Town to Limeburners Creek; by that road south-easterly and generally easterly, Bucketts Way generally south-westerly and Pacific Highway generally easterly to the left bank of Karuah River; by that bank downwards to the northern shore of Port Stephens; by that shore generally south-easterly and the right bank of Myall River upwards to the bridge crossing Myall River from Tea Gardens to Hawks Nest; by that bridge north-easterly to the western boundary of Lot 1, DP 546852; by part of that boundary, the northern boundary of that lot and its prolongation northerly and easterly to Kingfisher Ave; by that avenue easterly, Mungo Brush Road southerly, Sanderling Avenue and its prolongation easterly to the shore of the South Pacific Ocean by that shore generally north-easterly to the point of commencement

Under clause 8 of the Aboriginal Land Rights Regulation 1996, objections may be made to this proposal or to any part of the proposal contained in the application. Objections must be in writing and signed by ten (10) or more adult Aborigines who either reside within the Area, or who have an association with the Area. The objections must be made within thirty (30) days of the notice. Objections must set out the grounds for the objections and specify an address

for service of notices on the objectors. Objections should be addressed to "The Registrar, Aboriginal Land Rights Act, Level 5, 83 Clarence Street N.S.W. 2000".

STEPHEN WRIGHT,
Registrar,
Aboriginal Land Rights Act 1983.

ABORIGINAL LAND RIGHTS ACT 1983

Notification of the Constitution (Application for Alteration of the Boundaries) of a Local Aboriginal Land Council Area

NOTICE is hereby given pursuant to clause 7 of the Aboriginal Land Rights Regulation 1996, of an application to constitute (alter the boundaries of) the Worimi Local Aboriginal Land Council Area. The proposed new boundaries are as described in the text below as the Worimi Aboriginal Land Council Area.

WORIMI LOCAL ABORIGINAL LAND COUNCIL AREA

Commencing at the confluence of the Paterson and Hunter Rivers: and bounded thence by the former river upwards to the generally eastern boundary of the Parish of Butterwick, County of Durham; by that boundary and part of the generally eastern boundary of the Parish of Barford generally northerly and part of the generally northern boundary of the Parish of Uffington generally easterly to Clarence Town Road; by that road generally southerly to the western prolongation of the generally northern boundary of the Parish of Wilmot, County of Gloucester; by that prolongation and part of that boundary easterly to the road from Clarence Town to Limeburners Creek; by that road south-easterly and generally easterly, Bucketts Way generally south-westerly and Pacific Highway generally easterly to the left bank of Karuah River; by that bank downwards to the northern shore of Port Stephens; by that shore generally south-easterly and the right bank of Myall River upwards to the bridge crossing Myall River from Tea Gardens to Hawks Nest; by that bridge north-easterly to the western boundary of Lot 1, DP 546852; by part of that boundary, the northern boundary of that lot and its prolongation northerly and easterly to Kingfisher Ave; by that avenue easterly, Mungo Brush Road southerly, Sanderling Avenue and its prolongation easterly to the shore of the South Pacific Ocean; by that shore generally southerly to Yacaaba Head; by a line south-westerly to Tomaree Head; by the shore of the South Pacific Ocean generally south-westerly to the generally south-western boundary of the County of Gloucester; by that boundary generally north-westerly to Hunter River, aforesaid, and by that river upwards to the point of commencement.

Under clause 8 of the Aboriginal Land Rights Regulation 1996, objections may be made to this proposal or to any part of the proposal contained in the application. Objections must be in writing and signed by ten (10) or more adult Aborigines who either reside within the Area, or who have an association with the Area. The objections must be made within thirty (30) days of the notice. Objections must set out the grounds for the objections and specify an address for service of notices on the objectors. Objections should be addressed to "The Registrar, Aboriginal Land Rights Act, Level 5, 83 Clarence Street NSW 2000".

STEPHEN WRIGHT,
Registrar,
Aboriginal Land Rights Act 1983.

ASSOCIATIONS INCORPORATION ACT 1984

CANCELLATION PURSUANT TO SECTION 55B(2)

TAKE NOTICE that the incorporation of the following associations is cancelled by this notice pursuant to Section 55B(2) of the Associations Incorporation Act 1984 and the cancellation is effective on 16 March 2001.

1. Y1565614 Potato Merchants Australia Inc
2. Y1822624 Barwon Division of General Practice Inc
3. Y1111911 Tamworth Art & Craft Inc
4. Y1996040 Portland District Meals on Wheels Association Inc

D B O'CONNOR
Director-General
Department of Fair Trading

CHARITABLE TRUSTS ACT 1993

Notice Under Section 15

Proposed Cy-pres Scheme Relating to the Estate of the Late Lenore Mary Ferguson

THE deceased, Lenore Mary Ferguson, died on 29 May 2000. By her will dated 5 February 1997, for which probate was granted on 5 September 2000, the testatrix made a bequest to be held on trust, as follows:

'...for the NEW SOUTH WALES CANCER FOUNDATION a one sixteenth (1/16th) share of my Residuary Estate PROVIDED THAT if the said New South Wales Cancer Foundation has ceased to exist or has amalgamated with another charity or has changed its name, this gift shall not fail but my Executrices shall pay it to the charitable organisation which they consider most nearly fulfils the objects that I intend to benefit...'

This gift is the basis of an application for a cy-pres scheme. No organisation presently exists or has previously existed by the name of the New South Wales Cancer Foundation, but the Australian Cancer Research Foundation and the New South Wales Cancer Council are involved in research and public education in relation to cancer.

The Solicitor General, under delegation from the Attorney General in and for the State of New South Wales, has formed the view that the gift to the New South Wales Cancer Foundation in the testatrix's will is a gift for charitable purposes and has approved a recommendation that the Attorney General establish a cy-pres scheme pursuant to section 12 (1) (a) of the Charitable Trusts Act 1993.

The scheme is to be applied to give effect to the gift as equal shares to the Australian Cancer Research Foundation and the New South Wales Cancer Council.

Take note that within one month after the publication of this notice any person may make representations or suggestions to the Attorney General in respect of the proposed scheme.

A copy of the proposed scheme may be inspected, by appointment, during business hours at Level 9, Goodsell Building, 8-12 Chifley Square, Sydney. Please telephone 9228 7883 for an appointment.

W. GRANT,
Deputy Director General,
Attorney General's Department.

CO-OPERATIVES ACT 1992

Removal of Name from the Register

Mower Specialists Association of Australia
Co-operative Ltd

IN accordance with Division 3 of Part 12 of the Co-operatives Act 1992, pursuant to the transfer of incorporation of the abovementioned Co-operative to a proprietary limited company registered under the Corporations Law, the Co-operative has ceased to be registered as a co-operative under this Act.

Dated this thirteenth day of February, 2001.

E. FLETCHER,
Delegate of the Registrar
of Co-operatives.

DISTRICT COURT ACT 1973

District Court of New South Wales

Direction

PURSUANT to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:

Grafton 10.00 a.m., 8 October 2001 (2 weeks) in lieu of
20 August 2001 (2 weeks).

Dated this 8th day of March 2001.

R. O. BLANCH,
Chief Judge.

DISTRICT COURT ACT 1973

District Court of New South Wales

Direction

PURSUANT to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:

Newcastle 10.00 a.m., 23 April 2001 (2 weeks).

Dated this 12th day of March 2001.

R. O. BLANCH,
Chief Judge.

DISPOSAL OF SITE

Mount St Thomas Premises

HER Excellency the Governor, with the advice of the Executive Council approve of the sale by the Minister for Emergency Services of the land described in the schedule hereto (such land having been purchased for Fire purposes, but now being superfluous) and in such manner and upon such terms and conditions and subject to such easements, covenants, provisions, exceptions and reservations as the Minister for Emergency Services may deem expedient, and that the purchase money arising from such sale be applied as the Minister for Emergency Services shall direct.

SCHEDULE

All that piece or parcel of land situate at Mount St Thomas in the Local Government Area of Wollongong Parish of Wollongong and County of Camden being Lot B in Deposited Plan 350667 and being the whole of the land in Folio Identifier B/350667.

DISPOSAL OF SITE

Part Museum of Fire Property

Her Excellency the Governor, with the advice of the Executive Council approve of the sale by the Minister for Emergency Services to the State Rail Authority for the sum of \$100,000.00 of the land described in the schedule hereto (such land having been purchased for Fire purposes, but now being superfluous) and in such manner and upon such terms and conditions and subject to such easements, covenants, provisions, exceptions and reservations as the Minister for Emergency Services may deem expedient, and that the purchase money arising from such sale be applied as the Minister for Emergency Services shall direct.

SCHEDULE

All that piece or parcel of land situate at Penrith in the Local Government Area of Penrith Parish of Castlereagh and County of Cumberland being Lot 2B in Deposited Plan 1006525 and being part of the land comprised in Folio Identifier 10/856672.

ERRATUM

A notice under the Roads Act 1993, was published in *Government Gazette* No. 127, Folio 10893, on 29 September 2000. The notice was deficient in that the heading "HOUSING ACT 1976" was omitted.

HOUSING ACT 1976**ROADS ACT 1993**

PROCLAMATION

HIS Excellency the Governor, with the advice of the Executive Council and in pursuance of section 13 of the Roads Act 1993, hereby proclaims the land in the Schedule hereto to be public road.

Dated this 8th day of August 2000.

A. CAPPIE-WOOD,
Director-General.

SCHEDULE

The land shown as Beech Place, Birch Place, Coolabah Place, Cottonwood Crescent, Hickory Place, Laurel Place, Melia Place, Olive Place and Wild -Orange Place on the plan of land at Macquarie Fields, in City of Campbelltown Local Government Area, Parish of Minto, County of Cumberland, registered in the Land Titles Office as Deposited Plan No. 261658.

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

TRANSPORT ADMINISTRATION ACT 1988

Notice of Compulsory Acquisition of Land for the Purposes of the State Rail Authority of New South Wales

THE State Rail Authority of New South Wales, with the approval of His Excellency the Governor, declares that the land described in the Schedule hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the State Rail Authority as authorised by the Transport Administration Act 1988.

Dated this 9th day of March, 2001

RON CHRISTIE,
Acting Chief Executive.

SCHEDULE

All that piece or parcel of land situate at Banyabba in the Local Government Area of Copmanhurst, Parishes of Banyabba and Stuart, County of Clarence and the State of New South Wales being that part of Lawrence Road shown as Lot 19 in Deposited Plan 839379 said to be in the possession of Copmanhurst Shire Council having an area of 2153 square metres.

Also, all those pieces or parcels of land situate as aforesaid being Lots 3, 5, 7, 9, 11, 13 and 15 in Deposited Plan 839379 said to be in the possession of State Forests having an area of 4.6164 hectares.

And also, all those pieces or parcels of land situate as aforesaid being Lots 1 and 14 in Deposited Plan 839379 said to be in possessions of the Crown having an area of 4.0579 hectares.

LOCAL GOVERNMENT ACT 1993

Pacific Palms Sewerage

Vesting of Land in MidCoast County Council

THE Minister for Land and Water Conservation of the State of New South Wales, declares that the land described in the Schedule hereto, which was acquired for the purpose of the Pacific Palms Sewerage Scheme is vested in MidCoast County Council.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE

Land: Lot 1, Deposited Plan 875579. (S.B. 52369).

DPWS Reference: 275.

NATIONAL PARKS AND WILDLIFE ACT 1974

Ballina Nature Reserve

Plan of Management

IN pursuance of section 76 of the National Parks and Wildlife Act 1974, it is hereby notified that a Plan of Management for Ballina Nature Reserve has been prepared.

The plan will be on public display from 16 March 2001 until 25 May 2001. Copies of the plan may be inspected during office hours at:

NPWS Head Office
Information Centre
1st Floor
43 Bridge Street
HURSTVILLE

National Parks Centre
102 George Street
THE ROCKS
SYDNEY

Ballina Shire Council
40 Cherry Street
BALLINA

Lennox Head Library
Mackney Street
LENNOX HEAD

NPWS Northern Rivers
Regional Office
Colonial Arcade
75 Main Street
ALSTONVILLE

Copies of the plan may be obtained, free of charge, from the Northern Rivers Regional Office, National Parks and Wildlife Service Information Centre, Hurstville and the National Parks Centre.

Written representations in connection with the plan should be forwarded to:

Ballina Nature Reserve Plan of Management
Northern Rivers Region
National Parks & Wildlife Service
PO Box 856
ALSTONVILLE NSW 2477

by close of business on 25 May 2001.

The plan of management together with any representations received will be submitted to the National Parks and Wildlife Advisory Council for its comments and advice to the Minister.

KEVIN SHANAHAN,
Manager,
Conservation Management Unit,
Landscape Conservation Division.

NATIONAL PARKS AND WILDLIFE ACT 1974

Maryland National Park

Plan of Management

IN pursuance of section 75 (1) of the National Parks and Wildlife Act 1974, it is hereby notified that a Plan of Management for Maryland National Park has been prepared.

The plan will be on public display from 16 March 2001 until 25 May 2001. Copies of the plan may be inspected during office hours at:

NPWS Head Office
Information Centre
1st Floor
43 Bridge Street
HURSTVILLE

National Parks Centre
102 George Street
THE ROCKS
SYDNEY

Tenterfield Shire Council
247 Rouse Street
TENTERFIELD

Stanthorpe Library
Lock Street
STANTHORPE QLD 4380

NPWS Kyogle Area Office
136 Summerland Way
KYOGLE

NPWS Northern Rivers
Regional Office
75 Main Street
ALSTONVILLE

Copies of the plan may be obtained, free of charge, from the Kyogle Area Office, Northern Rivers Regional Office, National Parks and Wildlife Service Information Centre, Hurstville and the National Parks Centre.

Written representations in connection with the plan should be forwarded to:

The Regional Manager
Northern Rivers Region
National Parks & Wildlife Service
PO Box 856
ALSTONVILLE NSW 2477

by close of business on 25 May 2001.

The plan of management together with any representations received will be submitted to the National Parks and Wildlife Advisory Council for its comments and advice to the Minister.

KEVIN SHANAHAN,
Manager,
Conservation Management Unit,
Landscape Conservation Division.

PUBLIC WORKS ACT 1912

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Compulsory Acquisition

Bulahdelah Sewerage Augmentation

THE Minister for Land and Water Conservation, with the approval of His Excellency the Governor, declares that the interest in land described in the Schedule hereto, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for an authorised work.

On publication of this notice in the *Government Gazette*, the interest in land, is vested in the Minister for Land and Water Conservation as Constructing Authority under section 4 of the Public Works Act 1912.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE

Interest in Land

Easement rights as described under the heading Water Pipeline in Memorandum E931212 filed in the Land Titles Office over the site shown in:

Deposited Plan 268075 (SB52098) as: 'PROPOSED EASEMENT FOR WATER MAIN 5 WIDE'.

DPWS Reference: 70.

PUBLIC WORKS ACT 1912

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Compulsory Acquisition

Buronga/Gol Gol/Dareton Water Supply Augmentation

THE Minister for Land and Water Conservation, with the approval of His Excellency the Governor, declares that the land described in the Schedule hereto, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for an authorised work.

On publication of this notice in the *Government Gazette*, the land, is vested in the Minister for Land and Water Conservation as Constructing Authority under section 4 of the Public Works Act 1912.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE

Land

Lot 17 in Deposited Plan 865438 (SB 52287), exclusive of EASEMENT FOR PIPELINE 5 WIDE AND VARIABLE shown in Deposited Plan 865438

Lot 18 in Deposited Plan 865438 (SB 52287), exclusive of EASEMENT FOR ACCESS 6 WIDE, EASEMENT FOR ELECTRICITY 6 WIDE and EASEMENT FOR PIPELINE 6 WIDE shown in Deposited Plan 865438

DPWS Reference: 112.

STATE ELECTORAL OFFICE

Resignation of Returning Officers

HIS Excellency the Governor with the advice of the Executive Council has, as a consequence of the resignation of the Returning Officers for the State Electoral Districts set out below, approved of the termination of their appointments.

<i>State Electoral District</i>	<i>Returning Officer</i>
Cronulla	Warwick Wills Hayward
Granville	Alexander Smith Stewart

BOB CARR, M.P.,
Premier

STATUTORY AND OTHER OFFICES REMUNERATION ACT 1975

Report and Determination Pursuant to Section 14 (2) of the Act

REPORT:

- On 4 October 2000 the Premier of New South Wales, the Hon Bob Carr MP, directed the Statutory and Other Offices Remuneration Tribunal (SOORT), pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975 (the Act), to make a determination concerning the salary to be paid to the Members of the Residential Tribunal (RT).

2. The RT is an independent decision making body which hears and determines applications made under the following legislation: Residential Tenancies Act 1987; Retirement Villages Act 1989; Residential Tribunal Act 1998, Residential Parks Act 1998, Strata Schemes Management Act 1996; and Community Land Management Act 1989. This includes disputes concerning illegal use of rented homes, rent arrears, repairs, bond and compensation claims, and strata and community schemes. A conciliation and adjudication service is provided for all matters before the RT.
3. The Minister's submission to the Premier requests that the Tribunal consider two issues in relation to the RT. Firstly, that the Tribunal consider the disparity in remuneration paid to Members of the RT and Members of the Fair Trading Tribunal (FTT). Secondly, that the Tribunal make a determination in respect of the remuneration for the Deputy Chairpersons and Senior Members of the RT, and if required, review the remuneration of all Members of the RT.
4. In regard to the first issue, the Tribunal does not determine remuneration on the basis of retaining former salary relativities, establishing salary parity on the basis on existing similarities in role, or establish links with judicial remuneration. In its 1999 annual determination the Tribunal made the following observations.

'The Tribunal will not link the remuneration of these office holders with any in the Judges Magistrates and Related Group. Since the creation of the 'Tribunals Court Officers and Related Group' in 1990 (now called the Public Office Holders Group), the Government has consistently expressed the view that while it recognises the relationship between the salaries of some public offices in this Group and judicial remuneration it is not in favour of a direct nexus with the remuneration of the Judges Magistrates and Related Group. This was reinforced in the Government's submission for the current review. The Tribunal has long agreed with this view and sees no reason why it should be amended.

Linking remuneration between different office holders, because of past relativities, is also not considered appropriate. Comparative wage justice was a feature of remuneration setting in Australia until the early 1980s when economic imperatives required new forms of wage fixing to be developed. Throughout the 1980s and 1990s changes in work value and productivity improvements have been used by remuneration fixing bodies to assess the movements in remuneration. Any specific increases awarded to industry groups or individuals have no flow on effect to other industry groups or individuals simply because of an historical salary relativity. This is consistent with the approach of the Tribunal.'
5. The Tribunal considers applications from Public Office Holders for salary reviews on a case by case basis. In doing so, the Tribunal retains the flexibility to determine the appropriate remuneration for this diverse group.
6. In 1999 the Tribunal determined that an additional increase in salary was warranted for Members of RT on the basis of their increased role and responsibilities.
7. In 2000 the Tribunal determined a small increase in salary for the Senior Members and Members of the FTT. This increase was based on their submission and approved on the grounds of greater responsibility and clarity of roles following the FTT's initial year of operation.
8. The Tribunal did not receive a submission from the RT for consideration during its 2000 annual review. For 2000 the Tribunal determined that the remuneration for the Chairperson of the RT be \$142,440 and for Members \$115,135 with effect from 1 October 2000. These salaries will increase to \$145,290 and \$117,440 respectively from 1 April 2001.
9. The Tribunal does not consider that any further change in the level of the Chairperson's and Members remuneration is warranted at this time. The Tribunal has been advised that a review of the structure and roles of the RT and the FTT was recently completed. While the outcome of the review is not yet known, the Minister for Fair Trading has advised that any structural changes arising from the recommendations of the review will not be implemented prior to 1 July 2001.
10. Having regard to this advise, the Tribunal considers it inappropriate to review the remuneration of the Chairperson and Members of the RT at this time. The Tribunal is however, prepared to examine this matter further at the time of the annual review when the recommendations of the Minister's review have been implemented.
11. In regard to the second issue, the Minister had advised that the positions of Deputy Chairperson and Senior Member, which are established for under section 7 of the Residential Tribunal Act 1998, have been created and it is necessary to determine their remuneration prior to advertising and filling these positions.
12. The Minister's submission has advised that the Deputy Chairperson will carry out any delegated functions of the Chairperson as executive head of the RT. They will also undertake the role of executive heads of the specialist divisions of the RT, in addition to their duties as Members sitting as the Tribunal. The role of the Senior Members of the RT will differ from that of ordinary Members in that they may be responsible for the coordination of a Division of the RT and may be required to undertake the more complex or lengthy matters before the Tribunal.
13. The Tribunal has given careful consideration to the submissions received and the roles and responsibilities of the new office holders and has determined that the Deputy Chairperson of the Residential Tribunal should receive a salary of \$128,195 from 26 February 2001, increasing to \$130,760 from 1 April 2001. The Senior Members of the Residential Tribunal will receive \$121,075 with

effect from 26 April 2001, increasing to \$123,495 from 1 April 2001. This second increase is in line with a general increase determined by the Tribunal in its 2000 annual determination for Public Office Holders.

DETERMINATION:

Pursuant to section 14 (2) of the Statutory and Other Offices Remuneration Act 1975, I determine that the salary payable to the Chairperson and Members of the Residential Tribunal shall remain at those levels determined by the Tribunal in its 2000 annual determination. The salary payable to the Deputy Chairperson of the Residential Tribunal shall be \$128,195 and the salary payable to the Senior Members of the Residential Tribunal shall be \$121,075 with effect from 1 March 2001. These salaries will increase to \$130,760 and \$123,495 respectively from 1 April 2001.

The Statutory and Other Offices
Remuneration Tribunal

GERRY GLEESON

Dated: 13 March 2001

TENDERS

Department of Public Works and Services

SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

TENDERS for the undermentioned Period Contracts, Supplies and Services, required for the use of the Public Service, will be received by the Department of Public Works and Services, Level 3, McKell Building, 2-24 Rawson Place, Sydney, NSW 2000, up til 9:30 am on the dates shown below:

15 MARCH 2001

S00/00251 (6026) CLEANING FOR SYDNEY BUSES - LEICHHARDT DEPOT 01-04. CATEGORY C. INSPECTION DATE & TIME: 2/03/2001 @ 10:30 AM SHARP. AREA: 566.3 SQ. METRES. DOCUMENTS: \$27.50 PER SET.

20 MARCH 2001

S00/00102 (695) CLEANING FOR BICENTENNIAL PARK TRUST - OFFICES & PARK AMENITIES. CATEGORY C. INSPECTION DATE & TIME: 9/03/2001 @ 10:00 AM SHARP. AREA: 2,593.4 SQ. METRES. DOCUMENTS: \$27.50 PER SET.

01/7161 SUPPLY OF EIGHT AND FOUR PAGE EXAMINATION WRITING BOOKLETS. DOCUMENTS: \$110.00 PER SET.

21 MARCH 2001

01/7159 MOBILE CRANE, 10 TONNE. DOCUMENTS: \$110.00 PER SET.

22 MARCH 2001

S00/00118 (980) CLEANING OF CRONULLA FISHERIES CENTRE. CATEGORY C. INSPECTION DATE & TIME: 13/03/2001 @ 10:45 AM SHARP. AREA: 3,285.9 SQ. METRES. DOCUMENTS: \$27.50 PER SET.

3 APRIL 2001

004/303 GENERAL OFFICE FURNITURE. DOCUMENTS: \$165.00 PER SET.

4 APRIL 2001

003/7102-1 PROVISION OF AN EMPLOYEE ASSISTANCE PROGRAM FOR THE SCHOOL DISTRICTS. DOCUMENTS: \$110.00 PER SET.

10 APRIL 2001

016/7158 BUSINESS ADVISORY SERVICE FOR DEPT OF STATE AND REGIONAL DEVELOPMENT. DOCUMENTS: \$0.00 PER SET.

18 APRIL 2001

S00/00244 (123) CLEANING OFFICES AT BIDURA REMAND CENTRE. CATEGORY C. INSPECTION DATE & TIME: 2/04/2001 @ 11:00 AM SHARP. AREA: 4159 SQ. METRES. DOCUMENTS: \$27.50 PER SET.

TENDER DOCUMENT FEE

Tender documents for inspection and purchase, and application forms for Expression of Interest are available at the address above. Where charges apply for tender documents, they are not refundable, cheques and credit cards (Bankcard, Mastercard and Visa) only are acceptable, payable to Department of Public Works and Services. NO CASH payments will be accepted. Documents can be Express Posted on request at an extra cost. Non attendance of mandatory site meetings will render tenders informal.

Further Information is available on the Internet.

(<http://www.dpws.nsw.gov.au/tenders>)

CHAIRMAN,
State Contracts Control Board

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

BLACKTOWN CITY COUNCIL

Roads Act 1993, Section 10 (1)

Dedication of Land as Public Road

NOTICE is hereby given by Blacktown City Council that pursuant to section 10 (1), Division 1, Part 2 of the Roads Act 1993, the land described in the Schedule below is hereby dedicated as public road. Dated at Blacktown, 6th March, 2001. I. REYNOLDS, General Manager, Blacktown City Council, PO Box 63, Blacktown, NSW 2148.

SCHEDULE

Lot 100, DP 814986; Lot 102, DP 814986. [0214]

CABONNE COUNCIL

Notification of Proposed Closing of Public Road

NOTICE is hereby given that the previous notification referring to Lot 91, DP 1018994, Parish of Waldegrave, County of Bathurst, which appeared in the *Government Gazette* of 23rd February, 2001 is withdrawn. CABONNE COUNCIL, PO Box 17, Molong, NSW 2866. [0215]

CESSNOCK CITY COUNCIL

Roads Act 1993, Section 162

Naming of Public Road – Racecourse Lane

NOTICE is hereby given that Cessnock City Council, in pursuance of section 162 of the Roads Act 1993, hereby names the road described below as shown. C. COWAN, General Manager, Cessnock City Council, Administration Centre, 62-78 Vincent Street, Cessnock, NSW 2325. (Reference: 134/904).

Description	Name
The road at Pokolbin from O'Connors Road west of Lots 5 and 6, DP 882427 and Lot 20, DP 755252 to the north-west corner of Lot 20, DP 755252 in the Parish of Pokolbin, County of Northumberland and Local Government Area of Cessnock.	Racecourse Lane.
	0225]

FAIRFIELD CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Fairfield City Council declares, with the approval of His Excellency the Governor, that the land described in the Schedule below is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the

purpose of a multi-storey public car park. Dated at Wakeley, 7th March, 2001. A. YOUNG, City Manager, Fairfield City Council, Administration Centre, Avoca Road, Wakeley, NSW 2176.

SCHEDULE

Lot 10, DP 883460. [0216]

MUDGEES SHIRE COUNCIL

Environmental Planning and Assessment Act 1979

Tree Preservation Order

NOTICE is hereby given that Mudgee Shire Council at its meeting of 11th December, 2000, resolved to make the following Tree Preservation Order. Such Order takes effect as of the date of notification in the *Government Gazette*.

1. This Order applies to all Trees or Groups of Trees included in the Significant Tree Register and to Trees or Groups of Trees on the Interim List associated with that Register and to all trees on public land.
2. This Order applies to all lands within the whole of Mudgee Shire Council's area.
3. Subject to the exclusions listed in Schedule 1 and concessions listed in Schedule 2 hereunder this Order prohibits:
 - (i) The ringbarking, cutting down, topping, lopping, removing, injuring or wilful destruction of any tree or groups of trees listed in the Significant Tree Register or the Interim List associated with that Register.
 - (ii) The substantial alteration, giving cause or permission to substantially alter the natural ground level, either by excavation or fill around the trunk or within the dripline of a tree to which the Tree Preservation Order applies without the consent of Council.

SCHEDULE 1 (Exclusions)

This Order does not apply to a tree or group of trees that:

- (a) Is not listed on the Significant Tree Register or the Interim List associated with that Register.
- (b) Is on land covered under the provisions of New South Wales Forestry Act 1916, as amended; or
- (c) Is declared a Noxious Plant under the provisions of the Noxious Weeds Act 1993, or
- (d) Comprises part of a horticultural or orchard established where the lopping and pruning of trees is a necessary practice of such undertaking; or
- (e) Is subject of an approval granted under the provisions of the New South Wales Soil Conservation Act; and
- (f) Is required to be topped, lopped or removed by a public authority pursuant to an obligation imposed under an Act of Parliament for the purpose of installing, maintaining or repairing a public utility installation.

SCHEDULE 2 (Special Concessions)

1. Trees within three (3) metres of a proposed structure or building which is the subject of a building application may be removed following receipt of a building approval.
2. Groups of trees or sections thereof which are required to be dealt with under the provisions of the Bush Fires Act 1949.
3. Trees or groups of trees required to be dealt with in the course of works for which consent has been issued under Part V of the Environmental Planning and Assessment Act 1979.

MUDGEES SHIRE COUNCIL, PO Box 156, Mudgee, NSW 2850. [0217]

RICHMOND VALLEY COUNCIL

Rural Fires Act 1997

Revocation of Bush Fire Danger Period

PURSUANT to section 82 (1a) of the Rural Fires Act 1997, please be advised that the statutory Bush Fire Danger Period within the Council area of Richmond Valley has been revoked effective immediately. R. V. SCHIPP, General Manager, Richmond Valley Council, Locked Bag 10, Casino, NSW 2470. [0226]

TAMWORTH CITY COUNCIL

Roads Act 1993, Section 16

Dedication of Land as Public Road

NOTICE is hereby given that Tamworth City Council dedicates the land described in the Schedule below as public road pursuant to section 16 of the Roads Act 1993.

SCHEDULE

That parcel of land having an area of 218.7 square metres off Jewry Street, between Peel Street and Brewery Lane adjacent to the south-western boundary of Lot 1, DP 597956. P. LYON, General Manager, Tamworth City Council, PO Box 555, Tamworth, NSW 2340. [0234]

WYONG SHIRE COUNCIL

Roads Act 1993

Renaming of Public Road – Turner Close

NOTICE is hereby given that in accordance with Part 162.1 of the Roads Act 1993, as amended, Council has renamed the road shown hereunder:

<i>Location</i>	<i>Name</i>
From Lot 151, DP 218077 (16 Turner Crescent) to Lot 160, DP 218077 (60 Turner Crescent), Blue Haven.	Turner Close.

No objections to the proposed name were received within the prescribed period of time. J. S. DAWSON, General Manager, Wyong Shire Council, PO Box 20, Wyong, NSW 2259. [0223]

WYONG SHIRE COUNCIL

Roads Act 1993, Section 39

PURSUANT to the provisions of Part 4, Division 2, section 39 of the Roads Act 1993 the temporary road within the land described in the following Schedule is hereby closed and the rights of passage and access that previously existed in relation to the road are extinguished. J. S. DAWSON, General Manager, Wyong Shire Council, PO Box 20, Wyong, NSW 2259.

SCHEDULE

Folio Identifier 37/1006288 being Lot 37, DP 1006288, Gavenlock Road, Mardi. [0235]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of CHARLES MARIE DIRKEN, late of 42 Dolphin Crescent, Whale Beach, in the State of New South Wales, restaurateur, who died on 21st November, 2000, must send particulars of his claim to the executrix, Olga Hester Dirken, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 2nd March, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0209]

IN the Supreme Court of New South Wales, Probate Division.—RUTH PATRICIA CORKERY.—After fourteen (14) days from publication of this notice an application for probate of the Will dated 5th July, 1991 of Ruth Patricia Corkery, late of 114 Kiora Street, Canley Heights, in the State of New South Wales, retired, will be made by Jennifer Ruth Pascoe. Creditors are required to send particulars of their claims upon her estate to: J. P. GOULD, Solicitors, Commonwealth Bank Chambers, 2/268 Canley Vale Road, Canley Heights, NSW 2166 (DX 25110, Fairfield), tel.: (02) 9727 2888. [0210]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of EDITH AGNES KELLO KEIRLE, late of Northaven Retirement Village, 1322 Pacific Highway, Turrumurra, in the State of New South Wales, widow, who died on 5th January, 2001, must send particulars of his claim to the executors, George Gillespie Keirle, Timothy George Gillespie Keirle, Rosalie Margaret Keirle and Mark Sinclair, c.o. Deacons, Lawyers, 1 Alfred Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 5th March, 2001. DEACONS, Lawyers, 1 Alfred Street, Circular Quay (GPO Box 3872, Sydney, NSW 2001), Sydney, NSW 2000 (DX 368, Sydney), tel.: (02) 9330 8184. [0211]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JACK AUBREY LAWRENCE, late of Elanora Heights, in the State of New South Wales, retired insurance manager, who died on 21st January, 2001, must send particulars of his claim to the administrators, Judith Ann French and David Alfred Lawrence, c.o. Bennett, Stewart & Shirvington, Solicitors, Level 1, 1 York Street, Sydney, within one (1) calendar month from publication of this notice. After that time the administrators may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Letters of Administration (with the Will annexed) were granted in New South Wales on 5th March, 2001. BENNETT, STEWART & SHIRVINGTON, Solicitors, Level 1, 1 York Street, Sydney, NSW 2000 (DX 10165, Sydney Stock Exchange), tel.: (02) 9247 5563. [0212]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ALLAN REID, late of Bondi Beach, in the State of New South Wales, retired police inspector, who died on 22nd November, 2000, must send particulars of his claim to the executors, Kathleen Joan Reid and Robert Allan Reid, c.o. Mervyn Finlay, Thorburn & Marshall, Solicitors, Level 2, 225 Macquarie Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 26th February, 2001. MERVYN FINLAY, THORBURN & MARSHALL, Solicitors, Level 2, 225 Macquarie Street, Sydney, NSW 2000 (DX 796, Sydney), tel.: (02) 9223 6544. [0213]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ROGER EVAN WILLIAM SEAWARD, late of Cooma, in the State of New South Wales, retired electrical contractor, who died on 4th November, 2000, must send particulars of his claim to the executor, c.o. John G. Burton & Associates, Solicitors, 16 Adelaide Street, East Gosford, 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 5th March, 2001. JOHN G. BURTON & ASSOCIATES, Solicitors, 16 Adelaide Street, East Gosford, NSW 2250 (DX 7263, Gosford), tel.: (02) 4323 4899. [0218]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of SOPHIA APOSTOLOS, late of Paddington, in the State of New South Wales, who died on 30th December, 2000, must send particulars of his claim to the executor, c.o. Truman Hoyle, Lawyers, Level 20, 68 Pitt Street, Sydney, 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 6th March, 2001. TRUMAN HOYLE, Lawyers, Level 20, 68 Pitt Street, Sydney, NSW 2000 (DX 263, Sydney), tel.: (02) 9232 5588. [0219]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of NGAIRE LOTHIAN, late of Turramurra, in the State of New South Wales, who died on 3rd July, 2000, must send particulars of his claim to the executors, c.o. Truman Hoyle, Lawyers, Level 20, 68 Pitt Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 1st February, 2001. TRUMAN HOYLE, Lawyers, Level 20, 68 Pitt Street, Sydney, NSW 2000 (DX 263, Sydney), tel.: (02) 9232 5588. [0220]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ARTHUR EMMETT O'CONNOR, late of Randwick, in the State of New South Wales, who died on 26th November, 2000, must send particulars of his claim to the executors, c.o. Truman Hoyle, Lawyers, Level 20, 68 Pitt Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 2nd March, 2001. TRUMAN HOYLE, Lawyers, Level 20, 68 Pitt Street, Sydney, NSW 2000 (DX 263, Sydney), tel.: (02) 9232 5588. [0221]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of FIDES ROMAN, late of 106 Ringrose Avenue, South Wentworthville, in the State of New South Wales, who died on 10th November, 2000, must send particulars of his claim to the executor, David Keith Louis Raphael, c.o. Peta Bollinger, Solicitor, 48 Macquarie Street, Parramatta, 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 30th January, 2001. PETA BOLLINGER, Solicitor, 48 Macquarie Street, Parramatta, NSW 2150, tel.: (02) 9687 0029. [0227]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JOYCE ELLEN SEYMOUR, late of Cardinal Gilroy Village, Barcom Street, Merrylands, in the State of New South Wales, widow, who died on 17th November, 2000, must send particulars of his claim to the executors, Diane May Hennessy and Gregory John Seymour, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 6th March, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0228]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of LILLIAN MAY HAWES, late of 6 Susan Street, Wentworthville, in the State of New South Wales, widow, who died on 6th January, 2001, must send particulars of his claim to the executrix, Annette Hawes, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 6th March, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0229]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of EDUARD SIMON PETRUS DE BRABANDER, late of 3 Squire Street, Ryde, in the State of New South Wales, who died on 19th October, 2000, must send particulars of his claim to the executrix, Louise Frances Hunt, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 7th March, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0230]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JOAN MARIE COLEMAN, late of West Merrylands, in the State of New South Wales, home duties, who died on 5th July, 2000, must send particulars of his claim to the administrator, The Trustees of the Roman Catholic Church for the Archdiocese of Sydney, c.o. Makinson & d'Apice, Solicitors, Level 18, 68 Pitt Street, Sydney, within one (1) calendar month from publication of this notice. After that time the administrator may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Letters of Administration with the Will annexed were granted in New South Wales on 22nd November, 2000. MAKINSON & d'APICE, Solicitors, Level 18, 68 Pitt Street, Sydney, NSW 2000 (DX 296, Sydney), tel.: (02) 9233 7788. [0231]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ERNEST JOHN COLEMAN, late of 55 Piper Street, Leichhardt, in the State of New South Wales, retired, who died on 21st December, 2000, must send particulars of his claim to the executrix, Doreen Harris, c.o. Makinson & d'Apice, Solicitors, Level 18, 68 Pitt Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 7th March, 2001. MAKINSON & d'APICE, Solicitors, Level 18, 68 Pitt Street, Sydney, NSW 2000 (DX 296, Sydney), tel.: (02) 9233 7788. [0232]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of LEENDERT KOL, late of Chester Hill, in the State of New South Wales, retired, who died on 1st January, 2001, must send particulars of his claim to the executor, Levinus Leendert Kol, c.o. Makinson & d'Apice, Solicitors, Level 18, 68 Pitt Street, Sydney, 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 7th March, 2001. MAKINSON & d'APICE, Solicitors, Level 18, 68 Pitt Street, Sydney, NSW 2000 (DX 296, Sydney), tel.: (02) 9233 7788. [0233]

COMPANY NOTICES

NOTICE of meeting.—WIRREANDA WHOLESALE NURSERY PTY LIMITED, ACN 001 924 830.—Notice is given that a meeting of the members of the company will be held at Level 4, 460 Church Street, North Parramatta, NSW 2150 on 18th April, 2001 at 10.00 a.m. The Agenda for this meeting will be the following: (1) Show how the winding up of the company had been conducted. (2) Show how the net assets of the company had been distributed. BEHRENS ROWLEY, PO Box 2352, North Parramatta, NSW 1750. [0222]

NOTICE of final meeting of members.—CASTLE HILL CONCRETE PTY LIMITED (In voluntary liquidation), ACN 000 530 316.—Notice is hereby given, in pursuance of section 509 of the Corporations Law, that the final meeting of members of the abovenamed company will be held at Level 1, 60 York Street, Sydney, NSW 2000 at 10.30 a.m., on 17th April, 2001 for the purpose of laying before the meeting the liquidator's final account and report and giving any explanation thereof. Dated 14th March, 2001. S. ZEIDERMAN, Liquidator, c.o. G. A. Elliott & Co., Chartered Accountants, 1st Floor, 60 York Street, Sydney, NSW 2000, tel.: (02) 9262 2844. [0224]

