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SPECIAL SUPPLEMENT

Blacktown Local Environmental Plan 1988 (Amendment No 164)

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*.
(P01/00176/S69)

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

Clause 1 Blacktown Local Environmental Plan 1988 (Amendment No 164)

Blacktown Local Environmental Plan 1988 (Amendment No 164)

1 Name of plan

This plan is *Blacktown Local Environmental Plan 1988 (Amendment No 164)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies to the Residential "A" Zone under *Blacktown Local Environmental Plan 1988* so as to allow development of the land for purposes permissible within that zone.

3 Land to which plan applies

This plan applies to Lots 125 and 126, DP 238568, Aurora Drive, Tregear, as shown edged heavy black on the map marked "Blacktown Local Environmental Plan 1988 (Amendment No 164)" deposited in the office of the Council of the City of Blacktown.

4 Amendment of Blacktown Local Environmental Plan 1988

Blacktown Local Environmental Plan 1988 is amended by inserting in appropriate order in the definition of *the map* in clause 6 (1) the following words:

Blacktown Local Environmental Plan 1988 (Amendment No 164)

Camden Local Environmental Plan No 118

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*.
(P98/00452/S69)

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

Clause 1

Camden Local Environmental Plan No 118

Camden Local Environmental Plan No 118

1 Name of plan

This plan is *Camden Local Environmental Plan No 118*.

2 Aims of plan

This plan aims:

- (a) to rezone certain land to Zone No 1 (c) (Rural "C" (0.4ha Zone) under *Camden Local Environmental Plan No 48*, and to permit subsurface mining with development consent on that land, and
- (b) to develop and maintain the adopted character of the locality of the land to which this plan applies by:
 - (i) providing for development that recognises and promotes the unique character and amenity of the locality, and
 - (ii) maintaining and enhancing the view corridor, and
 - (iii) encouraging the integration of development of that locality with adjoining development and remnant bushland tracts, and
 - (iv) highlighting the environmental sensitivity generally of the land to which this plan applies, and
 - (v) promoting the retention of native vegetation and natural hydrological processes along a watercourse, and
 - (vi) promoting the retention of habitat corridors that will contribute to the long-term survival of native fauna and flora in the locality, and
- (c) to promote site-responsive design, and
- (d) to promote sustainability principles generally.

3 Land to which plan applies

This plan applies to land within the local government area of Camden, being:

- (a) Lots 101 and 102, DP 841639, Lots 100 and 101, DP 803468 and Lot 14, DP 855147, as shown edged heavy black on the map marked "Camden Local Environmental Plan No 118" deposited in the office of Camden Council, and

Camden Local Environmental Plan No 118

Clause 3

(b) land shown with heavy diagonal cross hatching on that map.

4 Amendment of Camden Local Environmental Plan No 48

Camden Local Environmental Plan No 48 is amended as set out in Schedule 1.

Camden Local Environmental Plan No 118

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert at the end of the definition of *the map* in clause 5 (1):

Camden Local Environmental Plan No 118

[2] Clause 12 Subdivision of land—Zones Nos 1 (a), 1 (b), 1 (c), 1 (v) and 7 (d)

Insert after clause 12 (2):

- (3) Despite any other provision of this plan, the Council must not consent to the subdivision of land being Lots 101 and 102, DP 841639, Lots 100 and 101, DP 803468 and Lot 14, DP 855147, as shown edged heavy black on the map marked “Camden Local Environmental Plan No 118”, unless:
 - (a) the Council has taken into account the extent to which the development is in accordance with a masterplan that has been specifically prepared for the land and that provides a comprehensive proposal for its development, and
 - (b) the Council has taken into account the extent to which the development is consistent with the constraints on development of the site that have been identified in the local environmental study entitled *Grasmere Local Environmental Study* and dated May 2000 prepared by Planning Workshop for the site, and
 - (c) the development is consistent with the following description of the desired future character of the land:
 - (i) The Grasmere locality will remain a rural-residential area consisting of predominantly houses in a distinctly non-urban setting. The landscape character will continue to reflect the predominantly rural context and the natural environment.
 - (ii) The rural character will be maintained and enhanced where possible through a sensitive

Camden Local Environmental Plan No 118

Amendments

Schedule 1

-
- subdivision design. The planting of local native vegetation species will be encouraged along the main drainage corridor and along ridgelines to strengthen visual quality around the site boundaries and to link the existing remnant bushland tracts.
- (iii) The impact of new development on views from Werombi Road will be minimised by the use of articulated building forms, generous landscaped spaces around buildings and the use of building materials that blend in with colours and textures of the natural landscape, and
- (d) the land forms part of an existing holding within the meaning of clause 13 (2), and
- (e) the lot density does not exceed 2.5 lots per hectare, and
- (f) the area of each separate lot to be created is not less than 0.2 hectare, and
- (g) each lot is provided with a connection to a Sydney Water Corporation sewer.
- (4) The Council must not consent to the development of land that is shown with heavy diagonal cross hatching on the map marked "Camden Local Environmental Plan No 118" as being environmentally sensitive land unless:
- (a) the development minimises disturbance to existing natural vegetation, watercourses, wetlands and overland flow paths, and
- (b) locally indigenous native vegetation is or will be established in the areas adjacent to streams to form a riparian buffer, and
- (c) natural hydrological processes are or will be established as much as possible including natural vegetation and flow regimes to maintain creek line stability and the health of terrestrial and aquatic communities, and
- (d) measures will be taken to minimise and control nutrients and sediment entering watercourses, water-bodies or ground water, and
- (e) the development is compatible with the odour constraints of the site.

Camden Local Environmental Plan No 118

Schedule 1 Amendments

[3] Clause 33B

Insert before clause 34:

33B Camden Local Environmental Plan No 118—Subsurface mining

(1) In this clause:

subsurface mining means mining of an area carried out totally underground by means of access remote from the area.

(2) Despite any other provision of this plan, the amendment made by Schedule 1 [1] to the *Camden Local Environmental Plan No 118* allows subsurface mining of land rezoned by that amendment only with the consent of the Council.

Cessnock Local Environmental Plan 1989 (Amendment No 78)

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*.
(N91/00376/S69)

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

Clause 1 Cessnock Local Environmental Plan 1989 (Amendment No 78)

Cessnock Local Environmental Plan 1989 (Amendment No 78)

1 Name of plan

This plan is *Cessnock Local Environmental Plan 1989 (Amendment No 78)*.

2 Aims of plan

This plan aims to omit clause 15 (2) of *Cessnock Local Environmental Plan 1989* that relates to the subdivision of land within Zone No 1 (v) (the Rural (Vineyards) Zone) under that plan in accordance with the *Community Land Development Act 1989* or the *Strata Schemes (Freehold Development) Act 1973*.

3 Land to which plan applies

This plan applies to all land within the Rural (Vineyards) Zone under *Cessnock Local Environmental Plan 1989*, being land known as the *Vineyards District*.

4 Amendment of Cessnock Local Environmental Plan 1989

Cessnock Local Environmental Plan 1989 is amended by omitting clause 15 (2).

Gosford Local Environmental Plan No 410

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*.
(N01/00041/S69)

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

Clause 1 Gosford Local Environmental Plan No 410

Gosford Local Environmental Plan No 410

1 Name of plan

This plan is *Gosford Local Environmental Plan No 410*.

2 Aims of plan

- (1) This plan aims to rezone the land to which this plan applies to Zone No 7 (a) Conservation under *Interim Development Order No 122—Gosford* so as to better reflect the environmental characteristics of the land.
- (2) This plan also aims to provide for a more flexible approach to the erection of dwelling-houses on the land to which this plan applies.

3 Land to which plan applies

This plan applies:

- (a) to Lots 229, 251 and 478, DP 755251, Lots 4711 and 4712, DP 801108 and Lot 2502, DP 801107, Bambara Road, Kariong, as shown edged heavy black on Sheet 1 of the map marked “Gosford Local Environmental Plan No 410” deposited in the office of the Council of the City of Gosford, and
- (b) to Lot 472, DP 755251, Rees Street, Kariong, as shown edged heavy black on Sheet 2 of that map.

4 Amendment of Interim Development Order No 122—Gosford

Interim Development Order No 122—Gosford is amended:

- (a) by inserting in appropriate order in the definition of *I.D.C. Map* in clause 3 (1) the following words:
Gosford Local Environmental Plan No 410

Gosford Local Environmental Plan No 410

Clause 4

(b) by inserting after clause 22A the following clause:

22B Development of certain land— Bambara Road and Rees Street, Kariong

(1) This plan applies:

- (a) to Lots 229, 251 and 478, DP 755251, Lots 4711 and 4712, DP 801108 and Lot 2502, DP 801107, Bambara Road, Kariong, as shown edged heavy black on Sheet 1 of the map marked “Gosford Local Environmental Plan No 410” deposited in the office of the Council, and
- (b) to Lot 472, DP 755251, Rees Street, Kariong, as shown edged heavy black on Sheet 2 of that map.

(2) The provisions of clause 22 do not apply to land to which this clause applies.

Penrith Local Environmental Plan No 259

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*.
(P01/00047/S69)

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

Clause 1 Penrith Local Environmental Plan No 259

Penrith Local Environmental Plan No 259

1 Name of plan

This plan is *Penrith Local Environmental Plan No 259*.

2 Aims of plan

This plan aims to insert in *Penrith Local Environmental Plan No 255—Exempt and Complying Development* a reference to the most recent version of *Penrith Development Control Plan—Exempt and Complying Development*.

3 Land to which plan applies

This plan applies to all land within the City of Penrith to which *Penrith Local Environmental Plan No 255—Exempt and Complying Development* applies.

4 Amendment of Penrith Local Environmental Plan No 255 Exempt and Complying Development

Penrith Local Environmental Plan No 255 Exempt and Complying Development is amended by omitting from clause 7 (1), (2) and (3) the matter “as adopted by the Council on 6 September 1999” wherever occurring and by inserting instead the matter “as approved by the Council on 6 September 1999 and amended by the Development Control Plan approved by the Council on ”.

Penrith Local Environmental Plan No 297

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*.
(P00/00060/S69)

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

Sydney, 16th day of November 2001.

Clause 1 Penrith Local Environmental Plan No 297

Penrith Local Environmental Plan No 297

1 Name of plan

This plan is *Penrith Local Environmental Plan No 297*.

2 Aims of plan

This plan aims to:

- (a) define the type of development which may be carried out on land within Zones Nos 3 (d) Special Business (Service Area) and 3 (d) Special Business (Highway Service Area) throughout the City of Penrith, and
- (b) ensure that certain types of retail development which may generate large volumes of traffic are not permitted on land within those zones.

3 Land to which plan applies

This plan applies to land within the City of Penrith that is within Zones Nos 3 (d) Special Business (Service Area) and 3 (d) Special Business (Highway Service Area) shown edged by a heavy black line on the map marked “Penrith Local Environmental Plan No 297” deposited in the office of the Council of the City of Penrith.

4 Relationship to other environmental planning instruments

- (1) *Penrith Planning Scheme Ordinance* is amended as set out in Schedule 1.
- (2) *Interim Development Order No 26—City of Penrith* is amended as set out in Schedule 2.
- (3) *Interim Development Order No 27—City of Penrith* is amended as set out in Schedule 3.
- (4) *Interim Development Order No 28—City of Penrith* is amended as set out in Schedule 4.
- (5) *Penrith Local Environmental Plan No 150* is amended as set out in Schedule 5.
- (6) This plan does not affect the operation of *Penrith Local Environmental Plan 1991 (Environmental Heritage Conservation)*.

Penrith Local Environmental Plan No 297

Amendment to Penrith Planning Scheme Ordinance

Schedule 1

Schedule 1 Amendment to Penrith Planning Scheme Ordinance

(Clause 4 (1))

Clause 49B

Omit the clause. Insert instead:

49B Land within Zone No 3 (d)

(1) This clause applies to land within Zone No 3 (d) Special Business (Service Area) shown edged by a heavy black line on the map marked "Penrith Local Environmental Plan No 297" deposited in the office of the Council.

(2) Despite clause 4, in this Ordinance as it applies to land to which this clause applies:

convenience store means a building or place:

- (a) used for the purpose of selling, exposing or offering for sale by retail principally groceries, small goods and associated small items, and
- (b) used in conjunction with the sale by retail of petrol, oil and other petroleum products, and
- (c) which does not exceed 200 square metres in gross floor area.

general store means a shop:

- (a) used for the sale by retail of general merchandise and which may include the facilities of a post office, and
- (b) which does not exceed 200 square metres in gross floor area.

(3) The Council must not consent to any development on land to which this clause applies unless the Council is satisfied that:

- (a) the type, location and form of development is consistent with the objectives of any development control plan applying to the land, and
- (b) any development will not generate large volumes of traffic.

Page 3

Penrith Local Environmental Plan No 297

Schedule 2 Amendment to Interim Development Order No 26—City of Penrith

Schedule 2 Amendment to Interim Development Order No 26—City of Penrith

(Clause 4 (2))

[1] Clause 2

Insert “and as amended by the map marked “Penrith Local Environmental Plan No 297” in the definition of *I.D.C. map* after “deposited in the office of the Council”.

[2] Clause 3

Omit the clause. Insert instead:

3 Model provisions

- (1) The *Environmental Planning and Assessment Model Provisions 1970 (the Model Provisions)* are adopted for the purposes of this Order, except:
 - (a) any definition in clause 1 of the Model Provisions for which there is a definition in clause 2 of this Order, and
 - (b) as provided by subclause (2).
- (2) In this Order as it applies to land within Zone No 3 (d) Special Business (Highway Service Area) shown edged by a heavy black line on the map marked “Penrith Local Environmental Plan No 297” deposited in the office of the Council, the definitions of “general store” and “shop” are not adopted from the Model Provisions and the following definitions apply:

convenience store means a building or place:

 - (a) used for the purpose of selling, exposing or offering for sale by retail principally groceries, small goods and associated small items, and
 - (b) used in conjunction with the sale by retail of petrol, oil and other petroleum products, and
 - (c) which does not exceed 200 square metres in gross floor area.

Penrith Local Environmental Plan No 297

Amendment to Interim Development Order No 26—City of Penrith

Schedule 2

general store means a shop:

- (a) used for the sale by retail of general merchandise and which may include the facilities of a post office, and
- (b) which does not exceed 200 square metres in gross floor area.

shop means a building or place used for the purpose of selling, exposing or offering goods for sale by retail, goods, merchandise or materials, but does not include a building or place specifically defined elsewhere in clause 2, this clause or the Model Provisions, or a building or place used for a purpose specifically defined elsewhere in clause 2, this clause or the Model Provisions.

[3] Clause 19

Insert after clause 18:

19 Restrictions on development on land within Zone No 3 (d)

The Council must not consent to any development on land to which *Penrith Local Environmental Plan No 297* applies unless the Council is satisfied that:

- (a) the type, location and form of development is consistent with the objectives of any development control plan applying to the land, and
- (b) any development will not generate large volumes of traffic.

Penrith Local Environmental Plan No 297

Schedule 3 Amendments to Interim Development Order No 27—City of Penrith

Schedule 3 Amendments to Interim Development Order No 27—City of Penrith

(Clause 4 (3))

[1] Clause 3

Omit the clause. Insert instead:

3 Model provisions

(1) The *Environmental Planning and Assessment Model Provisions 1970 (the Model Provisions)* are adopted for the purposes of this Order, except:

- (a) any definition in clause 1 of the Model Provisions for which there is a definition in clause 2 of this Order, and
- (b) as provided by subclause (2).

(2) In this Order as it applies to land within Zone No 3 (d) Special Business (Highway Service Area) shown edged by a heavy black line on the map marked “Penrith Local Environmental Plan No 297” deposited in the office of the Council, the definitions of “general store” and “shop” are not adopted from the Model Provisions and the following definitions apply:

convenience store means a building or place:

- (a) used for the purpose of selling, exposing or offering for sale by retail principally groceries, small goods and associated small items, and
- (b) used in conjunction with the sale by retail of petrol, oil and other petroleum products, and
- (c) which does not exceed 200 square metres in gross floor area.

general store means a shop:

- (a) used for the sale by retail of general merchandise and which may include the facilities of a post office, and
- (b) which does not exceed 200 square metres in gross floor area.

Penrith Local Environmental Plan No 297

Amendments to Interim Development Order No 27—City of Penrith

Schedule 3

shop means a building or place used for the purpose of selling, exposing or offering goods for sale by retail, goods, merchandise or materials.

[2] Clause 4

Insert “convenience store” in alphabetical order in the item relating to Zone No 3 (d) Special Business (Highway Service Area) in Column IV of the Table to the clause.

[3] Clause 20

Insert after clause 19:

20 Restrictions on development on land within Zone No 3 (d)

The Council must not consent to any development on land to which *Penrith Local Environmental Plan No 297* applies unless the Council is satisfied that:

- (a) the type, location and form of development is consistent with the objectives of any development control plan applying to the land, and
- (b) any development will not generate large volumes of traffic.

Penrith Local Environmental Plan No 297

Schedule 4

Amendment to Interim Development Order No 28—City of Penrith

Schedule 4 Amendment to Interim Development Order No 28—City of Penrith

(Clause 4 (4))

[1] Clause 3

Omit the clause. Insert instead:

3 Model provisions

(1) The *Environmental Planning and Assessment Model Provisions 1970 (the Model Provisions)* are adopted for the purposes of this Order, except:

- (a) clauses 3–8, and
- (b) any definition in clause 1 of the Model Provisions for which there is a definition in clause 2 of this Order, and
- (c) as provided by subclause (2).

(2) In this Order as it applies to land within Zone No 3 (d) Special Business (Highway Service Area) shown edged by a heavy black line on the map marked “Penrith Local Environmental Plan No 297” deposited in the office of the Council, the definitions of “general store” and “shop” are not adopted from the Model Provisions and the following definitions apply:

convenience store means a building or place:

- (a) used for the purpose of selling, exposing or offering for sale by retail principally groceries, small goods and associated small items, and
- (b) used in conjunction with the sale by retail of petrol, oil and other petroleum products, and
- (c) which does not exceed 200 square metres in gross floor area.

general store means a shop:

- (a) used for the sale by retail of general merchandise and which may include the facilities of a post office, and
- (b) which does not exceed 200 square metres in gross floor area.

Penrith Local Environmental Plan No 297

Amendment to Interim Development Order No 28—City of Penrith

Schedule 4

shop means a building or place used for the purpose of selling, exposing or offering goods for sale by retail, goods, merchandise or materials, but does not include a building or place specifically defined elsewhere in clause 2, this clause or the Model Provisions, or a building or place used for a purpose specifically defined elsewhere in clause 2, this clause or the Model Provisions.

[2] Clause 15

Omit the clause. Insert instead:

15 Floor space of certain shops

A person must not use more than 200 square metres in area of the floor space of a shop referred to in Schedule 3 for the retailing of goods.

15A Restrictions on development on land within Zone No 3 (d)

The Council must not consent to any development on land to which *Penrith Local Environmental Plan No 297* applies unless the Council is satisfied that:

- (a) the type, location and form of development is consistent with the objectives of any development control plan applying to the land, and
- (b) any development will not generate large volumes of traffic.

Penrith Local Environmental Plan No 297

Schedule 5 Amendments to Penrith Local Environmental Plan No 150

Schedule 5 Amendments to Penrith Local Environmental Plan No 150

(Clause 4 (5))

[1] Clause 6 Interpretation

Insert at the end of the clause:

- (3) Despite subclause (1), in this Plan as it applies to land within Zone No 3 (d) Special Business—Service Area shown edged by a heavy black line on the map marked “Penrith Local Environmental Plan No 297” deposited in the office of the Council, the definitions of “general store” and “shop” are not adopted from the *Environmental Planning and Assessment Model Provisions 1970* and the following definitions apply:

convenience store means a building or place:

- (a) used for the purpose of selling, exposing or offering for sale by retail principally groceries, small goods and associated small items, and
- (b) used in conjunction with the sale by retail of petrol, oil and other petroleum products, and
- (c) which does not exceed 200 square metres in gross floor area.

general store means a shop:

- (a) used for the sale by retail of general merchandise and which may include the facilities of a post office, and
- (b) which does not exceed 200 square metres in gross floor area.

shop means a building or place used for the purpose of selling, exposing or offering goods for sale by retail, goods, merchandise or materials.

Penrith Local Environmental Plan No 297

Amendments to Penrith Local Environmental Plan No 150

Schedule 5

[2] Clause 11A

Insert after clause 11A:

11A Restrictions on development on land within Zone No 3 (d)

The Council must not consent to any development on land to which *Penrith Local Environmental Plan No 297* applies unless the Council is satisfied that:

- (a) the type, location and form of development is consistent with the objectives of any development control plan applying to the land, and
- (b) any development will not generate large volumes of traffic.

[3] Clause 12 Convenience stores, general stores etc

Insert at the end of clause 12:

- (2) This clause does not apply to land within Zone No 3 (d).

City of Wollongong Local Environmental Plan 1990 (Amendment No 208)

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*.
(W00/00109/S69)

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

Clause 1 City of Wollongong Local Environmental Plan 1990 (Amendment No 208)

City of Wollongong Local Environmental Plan 1990 (Amendment No 208)

1 Name of plan

This plan is *City of Wollongong Local Environmental Plan 1990 (Amendment No 208)*.

2 Aims of plan

The objects of this plan are:

- (a) to rezone the land to which this plan applies from 7 (b) Environmental Protection Conservation to 7 (c1) Environmental Protection (Rural Residential) and a portion along the Lake Illawarra foreshore to 6 (a) Public Recreation, and
- (b) to allow that land to be subdivided into five allotments—one to accommodate the existing dwelling, three to accommodate proposed dwellings and one to be dedicated to the Council of the City of Wollongong as public reserve.

3 Land to which plan applies

This plan applies to land situated in the City of Wollongong, being Lot A, DP 103638, No 2 Kanahooka Road, Kanahooka, as shown edged heavy black on the map marked “City of Wollongong Local Environmental Plan 1990 (Amendment No 208)” deposited in the office of the Council of the City of Wollongong.

4 Amendment of City of Wollongong Local Environmental Plan 1990

City of Wollongong Local Environmental Plan 1990 is amended:

- (a) by inserting at the end of the definition of “the map” in clause 6 (1):

City of Wollongong Local Environmental Plan 1990
(Amendment No 208)

City of Wollongong Local Environmental Plan 1990 (Amendment No 208)

Clause 4

-
- (b) by inserting at the end of Schedule 2 in Columns 1 and 2 respectively the following words:

Lot A, DP 103638,
Kanahooka Road,
Kanahooka, as shown
edged heavy black on the
map marked "City of
Wollongong Local
Environmental Plan 1990
(Amendment No 208)".

The subdivision of the land into 5 lots:

- (a) 4 lots to be comprised of the land zoned 7 (c1), one lot containing the existing dwelling-house, and the erection of a dwelling house on each of the 3 vacant lots, and
- (b) one lot to be comprised of the land zoned 6 (a), to be dedicated to the Council as public reserve.

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