



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

Number 86  
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## LEGISLATION

### Regulations

# Medical Practice Amendment (Records Exemption) Regulation 2001

under the

Medical Practice Act 1992

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Medical Practice Act 1992*.

CRAIG KNOWLES, M.P.,  
Minister for Health

### Explanatory note

The object of this Regulation is to amend the *Medical Practice Regulation 1998* to exempt public health organisations, private hospitals, day procedure centres and nursing homes from the requirements in that Regulation to keep records relating to patients.

This Regulation makes it clear that the exemption of those medical corporations from those requirements does not affect the application of those requirements to registered medical practitioners engaged by those medical corporations.

This Regulation also provides that section 126 (2) of the *Medical Practice Act 1992* is not affected. That provision requires that a record made under the *Medical Practice Regulation 1998* be disposed of in a manner that will preserve the confidentiality of any information it contains relating to patients.

This Regulation is made under the *Medical Practice Act 1992*, including sections 126 (Records to be kept) and 194 (the general regulation-making power).

Clause 1                      Medical Practice Amendment (Records Exemption) Regulation 2001

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## **Medical Practice Amendment (Records Exemption) Regulation 2001**

### **1 Name of Regulation**

This Regulation is the *Medical Practice Amendment (Records Exemption) Regulation 2001*.

### **2 Amendment of Medical Practice Regulation 1998**

The *Medical Practice Regulation 1998* is amended as set out in Schedule 1.

### **3 Notes**

The explanatory note does not form part of this Regulation.

Medical Practice Amendment (Records Exemption) Regulation 2001

Amendment

Schedule 1

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## Schedule 1 Amendment

(Clause 2)

### Clause 13 Records relating to patients

Insert after clause 13 (3):

- (4) Subclause (1) does not apply to the following:
  - (a) a public health organisation within the meaning of the *Health Services Act 1997*,
  - (b) a private hospital,
  - (c) a day procedure centre,
  - (d) a nursing home within the meaning of the *Nursing Homes Act 1988*.
- (5) Nothing in subclause (4):
  - (a) affects the application of subclause (1) to a registered medical practitioner appointed, employed, contracted or otherwise engaged by a medical corporation referred to in subclause (4), and
  - (b) affects the operation of section 126 (2) of the Act in relation to a record made under this clause before the commencement of subclause (4).

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## Rules

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### LEGAL PROFESSION ACT 1987

#### Amendments to the Solicitors Rules

The Council of the Law Society of New South Wales, on 27 April 2001, resolved, pursuant to its powers under section 57B of the Legal Profession Act 1987 that Rule 45 of the Solicitors' Revised Professional Conduct and Practice Rules entitled "Independent Solicitors' Explanation of Loan Documents" be amended to:

- include a new Schedule, Schedule 1A, in the form attached, entitled "DECLARATION BY BORROWER/TRUSTEE"
- include a new Schedule, Schedule 4A, Part 1, in the form attached, entitled "ACKNOWLEDGMENT OF LEGAL ADVICE BY PROPOSED BORROWER/TRUSTEE"
- substitute a new Schedule 5 in the form attached, entitled "CONSENT BY BORROWER/TRUSTEE/GUARANTOR TO LEGAL ADVICE"
- add, after the expression "Schedule 1" in para 45.7.1 of this Rule, the words "or where provided by a borrower/trustee in or to the effect of the form of Schedule 1A"
- add, after the expression "Schedule 4" in para 45.8.1 of this Rule, the words "(or in the case of a borrower/trustee Schedule 4A)"; and

that this amendment shall commence on the thirty-second day after its publication in the Gazette.

**SCHEDULE 1A**

**DECLARATION BY BORROWER/TRUSTEE**

I, .....(declarant)  
of .....,

**DO SOLEMNLY AND SINCERELY DECLARE AS FOLLOWS:**

1. I am the borrower named in certain loan and security documents in favour of .....(lender) relating to property located at .....being property vested in me as duly appointed Trustee \* of the .....Trust pursuant to a duly constituted and subsisting Deed of Trust dated.....**or** \* as duly appointed Trustee of the Estate of.....to whom a Grant of Probate/Letters of Administration\* was made on.....

\* Delete words that do not apply.

2. I have received independent legal advice regarding the loan and security documents referred to in paragraph 1 which I declare that I am legally entitled and authorised to execute as Trustee under such Trust/Grant of Probate/Letters of Administration and pursuant to the provisions of the Trustee Act 1925.

\*Delete words that do not apply.

3. After receiving that advice I have freely and voluntarily signed the following documents:

- (a) (Specify the documents produced for signature)
- (b)
- (c)

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing the contents to be true and by virtue of the Oaths Act 1900.

MADE AND SUBSCRIBED by )  
the said Declarant at ..... )  
the .....day of 2001 )

Before me:

.....  
A Justice of the Peace/Solicitor

## SCHEDULE 4 A

## PART 1

## ACKNOWLEDGMENT OF LEGAL ADVICE BY PROPOSED BORROWER/TRUSTEE

I, .....,  
 (signatory) acknowledge that, as duly appointed Trustee\* of the  
 .....Trust, pursuant to a duly constituted and subsisting Deed  
 of Trust dated .....or \* as duly appointed Trustee of the Estate of  
 .....to whom a grant of Probate/Letters of Administration  
 was made on .....

\* Delete words that do not apply

1. I have instructed.....(name of Solicitor)  
 (my solicitor) to give me legal advice concerning the following loan and security  
 documents:
  - (i) Loan agreement / Offer of loan between .....(the lender) and  
 the borrower
  - (ii) Mortgage over trust property situated  
 at.....
  - (iii) Memorandum registered number
  - (iv) Charge over
  - (v) Other (the loan documents)
  
2. I produced to my solicitor the following evidence as to my identity and legal  
 authority as Trustee:
  - (a) Passport
  - (b) Driving Licence
  - (c) Medicare Card
  - (d) Credit Card
  - (e) Rate Notice
  - (f) Deed of Trust or Grant of Probate/Letters of Administration\*  
 dated.....
  - (g) Other  
 \*Delete words that do not apply.
  
3. The advice given to me by my solicitor included that:
  - (a) As Trustee I have a duty to the beneficiaries of the.....trust/estate  
 of.....under the Trustee Act 1925 and under the  
 Trust/Will/Estate of.....  
 \*Delete words that do not apply.
  
  - (b) Provided that there are no unsatisfied claims by the said beneficiaries or  
 litigation concerning their interests affecting the said trust/estate, and subject  
 to the powers and authorities contained in the said trust instrument/Will  
 of the deceased, I am as Trustee legally empowered to enter into such loan/  
 security documents on behalf of and for the benefit of the beneficiaries of the  
 .....Trust/Will/Estate\* of.....

- (c) by signing the loan documents I will be liable for regular payments of interest and repayment of the amount of the loan at the due date;
- (d) if I fail to make any payment on time, the lender can charge a higher rate of interest, and the lender's costs of rectifying that failure;
- (e) if I fail to comply with any of the terms and conditions of the loan documents including the obligations to pay principal or interest,
  - the lender can sue me personally; and
  - the lender may take possession of the trust property; and
  - after notice, sell the trust property to recover the amount owing together with interest and other costs including solicitor's costs, the costs of selling the property and the costs of maintaining the property; and
  - if the proceeds of the sale of the trust property are insufficient to satisfy the debt to the lender, the lender can sue me for the deficit; and regarding
- (f) the additional obligations, rights and remedies set out in the loan documents if the Consumer Credit Code applies; and that
- (g) I owe a professional duty of care as a trustee towards the persons entitled as beneficiaries under such Deed of Trust/Grant of Probate/Letters of Administration\*; and that
- (h) by making a Statutory Declaration verifying the giving of the advice I am making a statement having the force of an Oath which can be relied upon by the lender.

\* Delete words that do not apply

4. Generally, in relation to the proposed transaction my solicitor advised me that:

- he/she does not profess any qualification to give financial (as distinct from legal) advice; and
- if I have any questions about any financial aspect of the transaction or the documents, I should consult an accountant or other financial counsellor of my choice before signing the documents.

5. After receiving the above advice I freely and voluntarily signed the loan documents.

DATED:.....

SIGNED:.....

**SCHEDULE 5****CONSENT BY \*BORROWER/TRUSTEE/GUARANTOR TO LEGAL ADVICE**

I, \_\_\_\_\_ (signatory) acknowledge that  
 Mr/Ms \_\_\_\_\_ (name of solicitor)(my solicitor)  
 has been requested to advise me regarding certain loan or security documents between  
 \_\_\_\_\_ (borrower/trustee)  
 and \_\_\_\_\_ (lender)

relating to property located at

\*in company with my co-borrower(s), sureties or co-guarantors, namely  
 and

\* Delete words that do not apply

1. My Solicitor has informed me, before giving such advice:

- that where the interests of the parties to the transaction may conflict the solicitor may only act for more than one such party provided he/she has obtained the informed consent in writing of those parties to the solicitor acting for them,
- such consent being given in the knowledge that there is or may be a conflict between the parties, and as a result
- that the solicitor may be disabled from disclosing to each party the full knowledge which he/she possesses as to the transaction, or
- that the solicitor may be disabled from giving advice to one party which is contrary to or conflicts with the interests of the other or others.

I hereby confirm my consent to the solicitor advising me together with the abovenamed other parties to the transaction notwithstanding the possible conflict between the interests of the parties to the transaction.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2001

Signed .....



# OFFICIAL NOTICES

## Appointments

**McGARVIE SMITH INSTITUTE  
INCORPORATION ACT 1928**

Notice of Appointment of New Trustee  
McGarvie Smith Insitute

NOTICE is hereby given, in accordance with section 7 (5) (b) of the McGarvie Smith Institute Incorporation Act 1928, at its meeting on 30 April 2001, trustees appointed Robert Allan FARRAR as a trustee of the McGarvie Smith Institute, vice William Patrick NICHOLAS, retired on 30 April 2001.

## NSW Agriculture

### STOCK DISEASES ACT 1923

Notification No. 1641 – OJD

Bonner Street Quarantine Area — Kelso

I, RICHARD AMERY MP, Minister for Agriculture, pursuant to section 10 of the Stock Diseases Act 1923 ('the Act'), declare the land described in the Schedule to be a quarantine area on account of the presence or suspected presence of Johne's disease.

The nature of the quarantine is that it is in respect of Johne's disease in sheep, goats, and deer (other than fallow deer) on or at any time on the land described in the Schedule ("the stock").

The quarantine does not restrict the movement of any stock onto that land, where stock may be brought onto the land without contravention of any provision of the Act or Regulations made under the Act.

**Note:** It is an offence under section 20C(1)(c) of the Act to move any of the stock or cause or permit any of the stock to be moved out of a quarantine area, unless they are moved in accordance with a permit under section 7(6) or an order under section 8(1)(b) or when all of the conditions set out in section 20C(3) are satisfied.

The course of action to be taken by the owner or occupier of the land in the quarantine area or the owner or person in charge of the stock in the quarantine area shall be as ordered by an inspector.

#### SCHEDULE

Owner: MIR Bros Industries Pty Ltd  
 County: Roxburgh  
 Parish: Kelso  
 Land: Lot 284 in DP 735655  
 Lot 1 in DP 197444

Dated this 4th day of May 2001.

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

### STOCK DISEASES ACT 1923

Notification No. 1643 – OJD

"Trentham" Quarantine Area — Goulburn

I, RICHARD AMERY MP, Minister for Agriculture, pursuant to section 10 of the Stock Diseases Act 1923 ('the Act'), declare the land described in the Schedule to be a quarantine area on account of the presence or suspected presence of Johne's disease.

The nature of the quarantine is that it is in respect of Johne's disease in sheep, goats, and deer (other than fallow deer) on or at any time on the land described in the Schedule ("the stock").

The quarantine does not restrict the movement of any stock onto that land, where stock may be brought onto the land without contravention of any provision of the Act or Regulations made under the Act.

**Note:** It is an offence under section 20C(1)(c) of the Act to move any of the stock or cause or permit any of the stock to be moved out of a quarantine area, unless they are moved in accordance with a permit under section 7(6) or an order under section 8(1)(b) or when all of the conditions set out in section 20C(3) are satisfied.

The course of action to be taken by the owner or occupier of the land in the quarantine area or the owner or person in charge of the stock in the quarantine area shall be as ordered by an inspector.

#### SCHEDULE

Owner: Michael HENDERSON and  
 Felicity HENDERSON  
 County: Argyle  
 Parish: Mangamore  
 Land: Lot A in DP 163609  
 Lot 1 in DP 913875  
 Lot 1 in DP 997917  
 Lots 1 and 2 in DP 199562  
 Lot 3 in DP 736508

Dated this 4th day of May 2001.

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

### STOCK DISEASES ACT 1923

Notification No. 1640

Revocation of Baradoky Quarantine Area — Tarago

I, RICHARD AMERY MP, Minister for Agriculture, pursuant to sections 3(2)(a) and 10 of the Stock Diseases Act 1923, revoke that part Notification No. 1489 on account of Johne's disease published in *Government Gazette* No. 130 of 4 September 1998 at pages 7257 and 7258, which declares the Baradoky Quarantine Area.

Dated this 4th day of May 2001.

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

**STOCK DISEASES ACT 1923**

Notification No. 1642

Revocation of Trentham Quarantine Area — Goulburn

I, RICHARD AMERY MP, Minister for Agriculture, pursuant to sections 3(2)(a) and 10 of the Stock Diseases Act 1923, revoke that part Notification No.1489 on account of Johne's disease published in *Government Gazette* No.130 of 4 September 1998 at pages 7257 and 7258, which declares the Trentham Quarantine Area.

Dated this 4th day of May 2001.

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

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# Department of Land and Water Conservation

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## Land Conservation

### 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

IN the *Government Gazette* of 11 May 2001, Folio 2334 under the heading of Department of Land and Water Conservation, Notified under the Roads Act 1993, first paragraph, delete the words "vested in the Crown as a Public Crown road" and replace with "vested in the Council as a Public Council road."

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### 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**

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

PURSUANT to section 48 (1) of the Commons Management Act 1989, the person specified in Column 1 of the Schedule hereunder is appointed as administrator for the term also specified in Column 1, of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

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

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#### SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Joseph Edward ENDEAN.	Brushgrove Common Trust.	Reserve No. 770 Public Purpose: Commonage Notified: 1 August 1881 File Reference: GF81 R 64.

For a term commencing this day and expiring 18 August 2001.

**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**

**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

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Dennis James KITTO (new member)	Naradhan Reserves Trust	Reserve No. 62045 Public Purpose: Public recreation Notified: 15 August 1930 Locality: Naradhan Reserve No. 62061 Public Purpose: Public Hall Notified: 22 August 1930 Locality: Naradhan Reserve No. 62527 Public Purpose: Public Hall Notified: 20 February 1931 Locality: Naradhan File Reference: GH89 R 134/3

For a term commencing this day and expiring 3 August 2005.

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

ral50  
**NOTIFICATION OF CLOSING OF ROAD**

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

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

Description

*Parish – Sutton; County – Gloucester;*  
*Land District – Newcastle;*  
*Local Government Area – Port Stephens*

Road Closed: Lots 1 and 2, DP1021884 at Tanilba Bay (being land not under the Real Property Act). File Reference: MD01 H 25.

Note: On closing the land within Lots 1 and 2, DP 1021884 will remain land vested in Port Stephens Council as operational land. (Council's Reference E5660-004).

**DECLARATION OF LAND TO BE CROWN LAND**

PURSUANT to section 138 of the Crown Lands Act 1989, the lands described in the schedule hereunder is hereby declared to be Crown land within the meaning of that Act.

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

Description

*Land District and Shire – Scone;*  
*Parish – Scone; County – Brisbane*

Firstly being Lots C and D in DP 339067 comprising land in Certificate of Title.

Vol 5421 fol 78 in the name of the Minister for Public Works.

Secondly being Lot 1 in DP 403771 comprising land in folio identifier 1/403771 in the name of the Soil Conservation Commission of New South Wales.

Thirdly being Lot 1 in DP 436000 being land resumed for extension of depot at Scone by Gazette of 5th October, 1951 and vested in His Majesty (no title reference held). File No: MD00 H 07.

**NOTIFICATION UNDER SECTION 12 OF  
 THE ROADS ACT 1993 OF THE DEDICATION  
 OF UNOCCUPIED CROWN LAND TO  
 BE PUBLIC ROAD**

IN pursuance of the provisions of the Roads Act 1993, the land hereunder described, is hereby opened and dedicated as a Crown public road.

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

Description

*Parish – Stanford; County – Northumberland;*  
*Land District – Maitland;*  
*Local Government Area – Cessnock*

Land opened and dedicated as a Crown public road at Kearsley: Lot 1, DP1022185.

Title and area affected: Vacant Crown land for which no Folio Identifier has issued (6260 square metres). File Reference: MD00 H 239.

**REVOCATION OF DEDICATION OF CROWN LAND  
 FOR A PUBLIC PURPOSE**

PURSUANT to section 84 of the Crown Lands Act 1989, the dedication of Crown land specified in Column 1 of the Schedule hereunder is revoked to 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*

Land District: Gosford  
 Local Government Area:  
 Wyong Shire Council  
 Parish: Tuggerah  
 County: Northumberland  
 Locality: Wamberal  
 Dedication No. 1001260  
 Purpose: Public School site  
 Notified: 2 August 1902  
 File Reference: MD95 H 437

*COLUMN 2*

The whole being  
 Lot 119, Sec. \*, D.P. No. 755263,  
 Parish Tuggerah, County  
 Northumberland  
 of an area of 8094 square metres.

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

A DRAFT assessment has been prepared for Crown land situated as described hereunder.

Inspection of this draft assessment during normal business hours may be made at the following listed locations:

Department of Land and Water Conservation  
(Maitland), cnr Bank and Melbourne Street, East  
Maitland

Department of Land and Water Conservation  
(Newcastle), 464 King Street, Newcastle

Gosford City Council, 49 Mann Street, Gosford

Submissions in writing will be accepted by the Manager Resource Assessment and Planning of the Newcastle Regional Office, 464 King Street, Newcastle until 4 p.m on 15 June 2001

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

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Description

Draft Assessment of Crown land, being Lot 531, DP 822153, about 727.4 square metres, at The Boulevarde, Woy Woy. Land Assessment Number 5. File number MD99 H 301

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**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**

**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

**ERRATUM**

IN the *Government Gazette* of the 4 May 2001, Folio 2243 under the heading "Notification of Closing of Road" the description is amended by the deletion of "Lot 1, DP 1027225" with the insertion in lieu thereof "Lot 101, DP 1027225". File No: NA00 H 1.

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

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**SCHEDULE**

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Anthony Edward BOLAND (re-appointment)	Ulladulla Wildflower Reserve Trust	Reserve No: 95755 Public Purpose: Preservation of native flora
William GILES (new member)		Notified: 24 December 1981
Thomas Sharland HENSHALL (re-appointment)		Locality: Ulladulla File Reference: NA82 R 5
Elvina Ruby JAMES (re-appointment)		
Penelope LUMB (new member)		
William Leigh MARTIN (re-appointment)		
Beryl WILLIAMS (new member)		

For a term commencing this day and expiring 17 May 2006.

**ORANGE OFFICE**  
**Department of Land and Water Conservation**  
**92 Kite Street (PO Box 2146), Orange, NSW 2800**  
**Phone: (02) 6393 4300 Fax: (02) 6362 3896**

**ADDITION TO RESERVED CROWN LAND**

PURSUANT to section 88 of the Crown Lands Act 1989, the Crown land specified in Column 1 of the Schedule hereunder is added to the reserved land specified opposite thereto in Column 2 of the Schedule.

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

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**SCHEDULE**

*COLUMN 1*

Land District: Molong  
 Local Government Area:  
 Cabonne Council  
 Parish: Trajere  
 County: Ashburnham  
 Locality: Eugowra  
 Lot Sec. DP No.  
 257 \* 1022122  
 Area: 3402 square metres.  
 File Reference: OE96 H 212.

*COLUMN 2*

Reserve No. 76807  
 Public Purpose: Public recreation  
 Notified: 4 June 1954.

Note: That part of R.76805 for Police Purposes notified 4 June 1954 is hereby revoked.

**REVOCATION OF RESERVATION OF  
 CROWN LAND**

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

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

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**SCHEDULE**

*COLUMN 1*

Land District: Rylstone  
 Local Government Area:  
 Rylstone Shire Council  
 Parish: Rylstone  
 County: Roxburgh  
 Locality: Rylstone  
 Reserve No: 84549  
 Purpose: Public pound purposes  
 Notified: 27 September 1963  
 File Reference: OE95 H 198

*COLUMN 2*

The whole being  
 Lot 300, Sec \*, D.P. No. 821839,  
 Parish Rylstone, County Roxburgh  
 of an area of 3.25 hectares.



**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**

**ROADS ACT 1993****ORDER**

Transfer of a Crown Road to 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**

*Land District – Windsor;  
 Local Government Area – Baulkham Hills;  
 Parish – Nelson; County – Cumberland*

The formed Crown public road 30.175 metres wide now known as Dole Place, Kenthurst extending from its intersection with Fuggles Road southerly for a distance of 151 metres.

**SCHEDULE 2**

Roads Authority: Baulkham Hills Shire Council. File No.: MN01 H 75

**ALTERATION OF CORPORATE NAME OF  
 RESERVE TRUST**

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

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

**SCHEDULE**

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Reserve (100094) Reserve Trust	Reserve No. 100094 Public Purpose: Community purposes and Public Recreation Notified: 3 April 1987 File Ref.: MN80 R 146	Woodward Park (R100094) Reserve Trust

**APPOINTMENT OF ADMINISTRATOR**

PURSUANT to section 117 of the Crown Lands Act 1989, the person named in Column 1 of the Schedule hereunder is appointed to be the administrator of the reserve trust named in Column 2 of the Schedule.

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

**SCHEDULE**

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Peter William MANN (for a period of three months commencing 19 May 2001 and expiring on 18 August 2001)	The Wentworth Park Sporting Complex Reserve Trust.	That part of the area at Glebe proclaimed on 10 November 1885 for the public purpose of "Public Park" and known as the "Wentworth Park Sporting Complex" (D500010) File No.: MN80 R 279

**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**

**CROWN LANDS ACT 1989**

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

Notice of Compulsory Acquisition of Land  
 (including any Native Title Rights and Interests)

WITH the approval of Her Excellency the Governor, and pursuant to section 135 of the Crown Lands Act 1989, I, Richard Amery, Minister for Land and Water Conservation, hereby acquire by compulsory process in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, the land and all interests therein (including any native title rights and interests) described in the Schedule herewith, for the purpose of residential sites.

Dated at Sydney, this 11th day of April, 2001.

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

SCHEDULE

The land situated at Tamworth in the State of New South Wales Parish of Tamworth County of Inglis Land District of Tamworth, Tamworth City Local Government Area which is surveyed as Lot 411 in Deposited Plan 728539 registered at the Land Titles Office Sydney.

**CROWN LANDS ACT 1989**

Declaration of Land to be Crown Land

PURSUANT to section 138 (1) of the Crown Lands Act 1989, the land described in the Schedule herewith, is declared to be Crown Land within the meaning of that Act. File No: TH80 H 121.

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

SCHEDULE

The land situated at Tamworth in the State of New South Wales Parish of Tamworth County of Inglis Land District of Tamworth, Tamworth Local Government Area which is surveyed as Lot 411 in Deposited Plan 728539 registered at the Land Titles Office Sydney.

**ERRATUM**

IN the notice which appeared in the *Government Gazette* No. 60 of 30 March 2001, Folio 1688, under the heading of "Notification of Closing of Roads" the notice is corrected by deleting "Council public road within", and inserting after "Inglis" "(not being land under the Real Property Act, being residue of O.S. Title)".

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

**ERRATUM**

THIS notice replaces the notice which appeared in the *Government Gazette* No. 67 of 12 April 2001, Folio 1892, under the heading of "Notification of Closing of Roads" the notice should now read "Road closed: Lot 13 in Deposited Plan 1022943, known as Industrial Drive, Parish Quirindi, County Buckland (being land under the Real Property Act, C.F. 1/746462). File No: TH00 H173. Council's Reference: MU:TH A.4/T.1.

Note: On closing, the land within Lot 13 in Deposited Plan 1022943 will remain vested in Quirindi Shire Council as operational Land".

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

**TAREE OFFICE**  
**Department of Land and Water Conservation**  
**102-112 Victoria Street (PO Box 440), Taree, NSW 2430**  
**Phone: (02) 6552 2788 Fax: (02) 6552 2816**

**DRAFT ASSESSMENT OF LAND UNDER PART  
 3 OF THE CROWN LANDS ACT 1989 AND  
 CROWN LANDS REGULATION 2000**

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

Inspection of this draft assessment can be made at the Department of Land and Water Conservation, 102-112 Victoria Street, Taree and at the Offices of Kempsey Shire Council during normal business hours.

Representations are invited from the public on the draft assessment. These may be made in writing for a period commencing from 18 May 2001 to 18 June 2001 and should be sent to the Regional Director, Department of Land and Water Conservation, PO Box 440, Taree 2430. Telephone enquiries should be directed to (02) 6552 2788.

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

Description

2.5 hectares being part of the bed of Macleay Arm within Reserve R56146 from Sale or Lease Generally (Notified 11 May 1923) at Fishermans Reach (approximately 4 km South of Stuarts Point), Parish Clybucca, County Dudley.

Reason: to rationalise future allocation of licences for waterfront structures over Crown land being part of the bed of the Macleay Arm Fishermans Reach. Contact Officer: Mr Bob Birse. File No. TE00 H 3

**APPOINTMENT OF LOCAL LAND BOARDS**

IN pursuance of the provisions of the Crown Lands Act 1989, the undermentioned persons have been appointed as members of the Local Land Board for the Land Districts particularised hereunder for a term commencing 1 January 2001 and expiring 30 June 2001.

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

Gloucester Land District

William Allan RADFORD

Taree Land District

John Henry MACHIN

**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**

**ADDITION OF LAND TO PERPETUAL LEASE**

PURSUANT to the provisions of the Crown Lands (Continued Tenures) Act 1989, the land specified in Schedule 1 hereunder is added to the Crown holding specified in Schedule 2.

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

SCHEDULE 1

Lot 3, DP 820843 comprising 3.335 hectares (being road closed 17th May 1991) Parish Yarara, County Goulburn.

SCHEDULE 2

Crown Lease 1923/1 Tumberumba held by Mira Anne Galvin and Winifred Joan Galvin.

Adjustment of Crown Holding: Crown Lease 1923/1 (Account No: 110338); area added 3.335 hectares; new area, 157.135 hectares (rounded to 157.1 hectares); capital value increased from \$435.00 as at 17th May 1991 (includes CPI adjustment) to \$919.47; annual rent increased from \$106.36 as at 17th May 1991 (includes rent base and CPI adjustment) to \$135.43 as at 17th May 1991; new description Lots 19 and 26 DP 753362 and Lot 3 DP 820843. WA88H31.

## Water Conservation

### 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 from:

#### *MACQUARIE RIVER VALLEY*

Tanya Marie CROWLEY for a dam and a pump on an unnamed watercourse, Lot 2, DP 1010358, Parish of Clinton, County of Bathurst for water conservation and water supply for stock and domestic purposes (new licence) (80SL95846).

BEBOP PTY LIMITED for two pumps on the Macquarie River, Lots 3 and 47, DP 752600, Parish of Werrigai, County of Ewenmar for irrigation of 121.5 hectares (lucerne and improved pasture) (replacement licence) (80SL95847).

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:

CLYDE AGRICULTURE LIMITED for an access road on Long Plain Cowal Floodplain and an unnamed watercourse, Lots 40, 42 and 43, DP 753431, Parish of Bulgeraga and Lots 49 and 50, DP 753421, Parish of Bibbejibbery, both County of Gregory to provide access to the property (new approval) (80CW809641).

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 15 June 2001 as prescribed by the Act.

Any inquiries regarding the above should be directed to the undersigned (telephone (02) 6884 2560). GA2: 311284

FRED HUNDY,  
Water Access Manager, Macquarie,  
Department of Land and Water Conservation

PO Box 717  
DUBBO NSW 2830

### WATER ACT 1912

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

Application for a licence for works within the proclaimed local areas as generally described hereunder has been received as follows:

### *NAMOI RIVER VALLEY*

Barry William VERNING for a pump on the Cockburn River on Lot 11, DP 584929, Parish of Moonbi, County of Inglis for stock and domestic purposes. (Reference: 90SL100556) (GA:2345891).

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, Resource Access, Tamworth within twenty-eight (28) days as specified in the Act

GEOFF CAMERON,  
Manager Resource Access,  
Department of Land and Water Conservation

PO Box 550  
TAMWORTH NSW 2340

### WATER ACT 1912

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

Applications for approval of controlled work under section 167 within the proclaimed (declared) local area described hereunder have been received as follows:

#### *GWYDIR RIVER VALLEY*

1. Campbell Wilson JAQUET for controlled works – consisting of an earthen levee forming a ground water storage on the Lower Gwydir Valley Floodplain on Lot 27, DP 704629, Parish of Bunna Bunna, County of Benarba on the property known as “Pimpampa” for the prevention of inundation of land and conservation of water. (Reference: 90CW810870).
2. Christopher Morris KING and Nicola Jane KING for controlled works – consisting of an earthen surge-type storage on the Lower Gwydir Valley Floodplain on Lot 17, DP 750517, Parish of Wolongimba, County of Benarba on the property known as “Minna Minane” for conservation of water for irrigation. (Reference: 90CW810878).

Written objections to the applications specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed (declared) area, whose interest may be affected and must be lodged with the Department's Manager, Resource Access, Tamworth by 12 June 2001.

Plans showing the location of the works referred to in the above applications may be viewed at the Moree office of the Department of Land and Water Conservation.

GEOFF CAMERON,  
Manager Resource Access,  
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 as follows:

*MACINTYRE RIVER VALLEY*

R M I PTY LIMITED for levees, supply channels, tail drains and earthen water storages on Lots 16, 17, 18, 44, 56, 6, 7, 15, 16, 18, 19 and Road, DP 755981, Parish of Boobera, Lots 20, 21, 23, 30, 31 and Road, DP 756021, Parish of Trinkey, Lots 8, 9, 13, 23, 24, DP 755990, Parish of Carroby, Lots 16, 17, 18, 52, 61, 62, 71, 72 and Road, DP 756006, Parish of Limebon, all County of Stapylton for conservation and recirculation of water and prevention of inundation of irrigation lands on "Carbucky", "Edendale", "Boonara" and "Willaroo", (all referred to in the flood study report as the Carbucky Development). (Reference: 90CW801879) (GA2345893).

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, Resource Access, Tamworth by 13 June 2001.

Plans showing the location of the works referred to in the above applications may be viewed at the Moree office of the Department of Land and Water Conservation.

GEOFF CAMERON,  
Manager Resource Access,  
Department of Land and Water Conservation

PO Box 550  
TAMWORTH NSW 2340

**WATER ACT 1912**

APPLICATIONS under Part 2, being within a proclaimed (declared) local area under sections 10 and 20E (2) of the Water Act 1912, as amended.

Applications for a licence and an amended authority for works within the proclaimed local areas as generally described hereunder have been received as follows:

*NAMOI RIVER VALLEY*

1. BURRENDA PARTNERSHIP for water supply for stock and domestic purposes and irrigation of 690 hectares (cotton, cereal, oil seeds). Permanent transfer of existing entitlement (internal Pian Creek transfer). (Reference: 90SA11642).

2. Henry James CARRINGTON for a licence for a pump on the Narrabri Creek on Lots 348, 84 and 85, DP 754999, Parish of Narrabri, County of Nandewar for irrigation of 33 hectares (fodder, improved pasture). Amalgamation of existing licences. (Reference: 90SL100558). GA2345894.

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

GEOFF CAMERON,  
Manager Resource Access,  
Department of Land and Water Conservation

PO Box 550  
TAMWORTH NSW 2340

**REVIEW OF WATER MANAGEMENT LICENCE FOR ERARING ENERGY**

THE Department of Land and Water Conservation recently issued a Water Management Licence to Eraring Energy under Part 9 of the Water Act 1912 (NSW). This licence is now undergoing an initial review. Submissions are invited from the public to assist with the review of this licence.

The licence regulates Eraring Energy's access to bulk water from Fitzroy Falls Reservoir, Bendeela Pondage and Lake Yarrunga and provides for the continuation of its environmental management of waterways impacted by the licensed works located in the Shoalhaven catchment.

The purpose of the review is to provide an opportunity for members of the community to comment on the licence and activities of the licence holder during the period under review (January–July 2001).

To obtain an information package, please contact Lyn Brady on (02) 4722 1188. The closing date for submissions is Friday 22 June 2001. Written submissions should be forwarded:

by post to: Corporate Licensing Unit  
Department of Land and Water Conservation  
PO Box 651  
PENRITH NSW 2751

by fax to: (02) 4721 0181

by e-mail: [clu@dlwc.nsw.gov.au](mailto:clu@dlwc.nsw.gov.au)

## WATER ACT 1912

Notice Under Section 40b of the Water Act 1912, to Amend the Boundaries of the Boobera Bore Water Trust District  
 IT is hereby notified, pursuant to section 40B of the Water Act 1912, that the following lands as described hereunder have been included in the Boobera Bore Water Trust District, following the provisions of the subject section 40 of the Water Act 1912. As from the date of publication of this notice the Trust District shall be deemed to be altered accordingly.

<i>Current Occupier</i>	<i>Area (HA)</i>	<i>Property</i>	<i>Lot/DP</i>	<i>Parish</i>	<i>County</i>
Peter James CORISH and Kerry Helen CORISH	1504	“Boobera”	Lots 1, 2, 3, 4, 19, 20, 29, 31, 48, 49, 50 DP 755981	Boobera	Stapylton
Peter James CORISH and Kerry Helen CORISH	242	“Kanandah”	Lot 5, DP 75591; Lot 1, DP 569926	Boobera	Stapylton
Stewart Joseph BENSON	667	“New Farm”	Lots 1 and 2, DP 585051	Morella	Stapylton
Clinton William ADAMS Jennifer Ann ADAMS	408	“Sunny Glen”	Lot 3, DP 585051	Morella	Stapylton
RMI Pty Ltd	354	“Trinkey”	Lots 12 and 13, DP 756021	Trinkey	Stapylton
Walter Desmond CARRIGAN	211	“Norlin”	Lots 4, 10 and part Lot 11, DP 755990	Carroby	Stapylton
David James HUNT	212	“Gooloolooghini”	Lot 2, DP 569926; Lots 7 and 8, DP 755981	Morella	Stapylton
Northern Slopes Rural Lands Protection Board	3000		TSR 29417 TSR 29418	Boobera Trinkey	Stapylton

A. M. HALL,  
 Chairman,  
 Bore Water Trusts, Barwon Region



## Department of Mineral Resources

NOTICE is given that the following applications have been received:

### EXPLORATION LICENCE APPLICATIONS

(T01-0124)

No. 1763, DIAMOND ROSE NL (ACN 075 860 472), area of 74 units, for Group 6, dated 7 May, 2001. (Coffs Harbour Mining Division).

(T01-0125)

No. 1764, RONALD NORMAN LEES, area of 23 units, for Group 1, dated 7 May, 2001. (Orange Mining Division).

(T01-0126)

No. 1765, RONALD NORMAN LEES, area of 23 units, for Group 1, dated 7 May, 2001. (Orange Mining Division).

(T01-0127)

No. 1766, ROBERT FRANCIS MURDOCH and IAN K B SHANNON, area of 4 units, for Group 2, dated 10 May, 2001. (Orange Mining Division).

### MINING LEASE APPLICATION

(T01-0122)

No. 174, SHADELAND PARTNERSHIP (ABN 32 596 125 193), area of about 85 hectares, to mine for bentonite, bloating clay, brick clay, clay shale, dolomite, fire clay, fuller's earth, kaolin, limestone, pipeclay and pottery clay, dated 27 April, 2001. (Orange Mining Division).

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

NOTICE is given that the following applications have been granted:

### EXPLORATION LICENCE APPLICATIONS

(T99-0201)

No. 1538, now Exploration Licence No. 5845, GOLDFIELDS EXPLORATION PTY LIMITED (ACN 067 813 932), County of Bland, Map Sheet (8329), area of 6 units, for Group 1, dated 2 May, 2001, for a term until 1 May, 2003.

(T00-0152)

No. 1691, now Exploration Licence No. 5848, GOLDEN CROSS OPERATIONS PTY LTD (ACN 050 212 827), County of Clarendon, Map Sheet (8428), area of 20 units, for Group 1, dated 3 May, 2001, for a term until 2 May, 2003.

(T00-0157)

No. 1696, now Exploration Licence No. 5849, MOUNT ISA MINES LIMITED (ACN 009 661 447), Counties of Buccleuch, Harden and Wynyard, Map Sheet (8527), area of 21 units, for Group 1, dated 3 May, 2001, for a term until 2 May, 2003.

(T00-0167)

No. 1704, now Exploration Licence No. 5846, SITEGOAL PTY LIMITED (ACN 052 317 503), County of Georgiana, Map Sheet (8830), area of 4 units, for Group 2, dated 2 May, 2001, for a term until 1 May, 2003.

(T00-0177)

No. 1713, now Exploration Licence No. 5847, JAMES TRAILL, County of Pottinger, Map Sheet (8934), area of 6 units, for Group 5, dated 3 May, 2001, for a term until 2 May, 2003.

(T01-0063)

No. 1731, now Exploration Licence No. 5850, SPAR RESOURCES PTY LTD (ACN 066 309 528), County of Murray, Map Sheet (8727), area of 4 units, for Group 5, dated 3 May, 2001, for a term until 2 May, 2003.

### MINING LEASE APPLICATIONS

(T00-0112)

Cobar No. 159, now Mining Lease No. 1483 (Act 1992), PEAK GOLD MINES PTY LIMITED (ACN 001 533 777), Parish of Cobar, County of Robinson, Map Sheet (8034-1-N), area of 47.06 hectares, to mine for antimony, arsenic, bismuth, cadmium, cobalt, copper, germanium, gold, indium, iron, lead, nickel, selenium, silver, sulphur and zinc, dated 30 April, 2001, for a term until 27 March, 2015. As a result of the grant of this title, Consolidated Mining Lease No. 6 (Act 1992), Consolidated Mining Lease No. 8 (Act 1992) and Exploration Licence No. 4523 have partly ceased to have effect.

(T00-0113)

Cobar No. 160, now Mining Lease No. 1483 (Act 1992), PEAK GOLD MINES PTY LIMITED (ACN 001 533 777), Parish of Cobar, County of Robinson, Map Sheet (8034-1-N), area of 47.06 hectares, to mine for antimony, arsenic, bismuth, cadmium, cobalt, copper, germanium, gold, indium, iron, lead, nickel, selenium, silver, sulphur and zinc, dated 30 April, 2001, for a term until 27 March, 2015. As a result of the grant of this title, Consolidated Mining Lease No. 6 (Act 1992), Consolidated Mining Lease No. 8 (Act 1992) and Exploration Licence No. 4523 have partly ceased to have effect.

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

NOTICE is given that the following application has been withdrawn:

### MINING LEASE APPLICATION

(T91-0426)

No. 67, FERNDAL RESOURCES PTY LIMITED (ACN 054 588 975), Parish of Bringelly, County of Cumberland, (9030-3-N, 9030-3-S). Withdrawal took effect on and from the date of this notice.

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

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

(T95-0345)

Exploration Licence No. 5032, NEW ENGLAND TIN NL (ACN 069 306 289), area of 5 units. Application for renewal received 7 May, 2001.

(T98-1057)

Exploration Licence No. 5577, CONSOLIDATED BROKEN HILL LTD (ACN 009 423 858), area of 2937 units. Application for renewal received 10 May, 2001.

(T00-0535)

Mining Purposes Lease No. 326 (Act 1973), DOUGLAS LEHMAN, area of 1.998 hectares. Application for renewal received 11 May, 2000.

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

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#### **REFUSAL OF APPLICATION FOR RENEWAL**

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

(T86-0844)

Exploration (Prospecting) Licence No. 1071, CENTRAL PACIFIC MINERALS N.L. (ACN 008 460 651) and SOUTHERN PACIFIC PETROLEUM N.L. (ACN 008 460 366), County of Finch, Map Sheet (8438), area of 4 units. The authority ceased to have effect on 7 May, 2001.

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

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## Department of Urban Affairs and Planning

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### **Bankstown Local Environmental Plan No 217**

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*.  
(P00/00504/S69)

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

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Clause 1 Bankstown Local Environmental Plan No 217

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## Bankstown Local Environmental Plan No 217

### 1 Name of plan

This plan is *Bankstown Local Environmental Plan No 217*.

### 2 Aims of plan

This plan aims to allow the Council of the City of Bankstown to permit development for the purpose of a hotel on the land to which this plan applies.

### 3 Land to which plan applies

This plan applies to land situated in the City of Bankstown, being Lot 10, DP 731859, and known as 56 Prescott Parade, Milperra, as shown edged heavy black on the map marked "Bankstown Local Environmental Plan No 217" deposited in the office of the Council of the City of Bankstown.

### 4 Amendment of Bankstown Planning Scheme Ordinance

*Bankstown Planning Scheme Ordinance* is amended by inserting at the end of the Table to clause 77A in Columns 1 and 2, respectively, the following matter:

Lot 10, DP 731859, and known as 56 Prescott Parade, Milperra, as shown edged heavy black on the map marked "Bankstown Local Environmental Plan No 217" deposited in the office of the Council.

Hotel, situated within the clubhouse building existing at the commencement of Bankstown Local Environmental Plan No 217.

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979****BYRON LOCAL ENVIRONMENTAL PLAN 1988 (AMENDMENT No. 91)**

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 below (G00/00158).

Sydney, 9 May 2001.

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

**Citation**

1. This plan may be cited as Byron Local Environmental Plan 1988 (Amendment No. 91).

**Aim, objectives, etc**

2. This plan aims to amend Byron Local Environmental Plan 1988 to rezone land to which this plan applies at Byron Bay to permit residential development and environmental protection.

**Land to which this plan applies**

3. This plan applies to land, being Lot 435, DP 729107, Ironbark Avenue, Byron Bay, within the local government area of Byron, as shown edged in heavy black on the map marked "Byron Local Environmental Plan 1988 (Amendment No. 91)" deposited in the office of Byron Council.

**Relationship to other environmental planning instruments**

4. This plan amends Byron Local Environmental Plan 1988 in the manner set out in clause 5.

**Amendment of Byron Local Environmental Plan 1988**

5. Byron Local Environmental Plan 1988 is amended by inserting, in appropriate order, at the end of the definition of "the map" in clause 5 (1) the following words:

Byron Local Environmental Plan 1988 (Amendment No. 91)

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979****CABONNE LOCAL ENVIRONMENTAL PLAN 1991 (AMENDMENT No. 14)**

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 (S00/01446/s69).

Sydney, 9 May 2001.

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

**Citation**

1. This plan may be cited as Cabonne Local Environmental Plan 1991 (Amendment No. 14).

**Aims, objectives, etc**

2. This plan aims to rezone certain land from Zone No. 1 (a) (the General Rural Zone) to Zone No 1 (c) (the Rural Small Holdings Zone) to permit rural residential development under Cabonne Local Environmental Plan 1991 and in accordance with Cabonne Shire Council's Cabonne Rural Settlement Strategy.

**Land to which this plan applies**

3. This plan applies to certain land situated in the area of Cabonne, being Lot 651, DP 788871 as shown edged heavy black on the map marked "Cabonne Local Environmental Plan 1991 (Amendment No. 14)" deposited in the office of the Council of Cabonne.

**Relationship to other environmental planning instruments**

4. This plan amends Cabonne Local Environmental Plan 1991 in the manner set out in clause 5.

**Amendment of Cabonne Local Environmental Plan 1991**

5. Cabonne Local Environmental Plan 1991 is amended by inserting, in appropriate order, at the end of the definition of "the map" in clause 5 (1) the following words:

Cabonne Local Environmental Plan 1991 (Amendment No. 14)

## Concord Local Environmental Plan No 117

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*.  
(S00/00044/S69)

Minister for Urban Affairs and Planning

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Clause 1 Concord Local Environmental Plan No 117

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## Concord Local Environmental Plan No 117

### 1 Name of plan

This plan is *Concord Local Environmental Plan No 117*.

### 2 Aims of plan

This plan aims:

- (a) to rezone certain land in North Strathfield from Zone No 4 (a) Industrial General to Zone No 10 (b) Enterprise Area under the *Concord Planning Scheme Ordinance*, and
- (b) to encourage the use of public transport and transport by rail in the local government area of Canada Bay, and
- (c) to ensure that land is remediated to standards appropriate for its use, and
- (d) to clarify the meaning of the word “site” as it relates to the permissibility of certain shops on land within Zone No 10 (b) Enterprise Area, and
- (e) to contribute to the continued economic and social growth of the local government area of Canada Bay.

### 3 Land to which plan applies

- (1) To the extent that this plan rezones land and sets controls, this plan applies to land in North Strathfield as shown distinctively coloured, edged and lettered on the map marked “Concord Local Environmental Plan No 117” deposited in the office of The City of Canada Bay Council.
- (2) To the extent that this plan clarifies the meaning of the word “site” in relation to the permissibility of certain shops, this plan applies to all land within Zone No 10 (b) Enterprise Area under the *Concord Planning Scheme Ordinance*.

### 4 Amendment of Concord Planning Scheme Ordinance

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

Concord Local Environmental Plan No 117

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 4 Interpretation

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

Concord Local Environmental Plan No 117

### [2] Clause 42K

Insert after clause 42J:

#### **42K Remediation of certain land at North Strathfield**

- (1) This clause applies to land in North Strathfield shown distinctively coloured, edged and lettered on the map marked “Concord Local Environmental Plan No 117” deposited in the office of the Council.
- (2) Nothing in this Ordinance affects the application of *State Environmental Planning Policy No 55—Remediation of Land* to land to which this clause applies.

### [3] Clause 61D Floor space ratios for certain land

Insert after clause 61D (5) the following subclause:

- (5A) The Council must not grant consent to development on land shown distinctively coloured, edged and lettered on the map marked “Concord Local Environmental Plan No 117” deposited in the office of the Council if, as a result of the development, the ratio of the total gross floor area of all buildings on the land that is the subject of the development to the area of that land would be greater than 0.75:1.

Concord Local Environmental Plan No 117

Schedule 1      Amendments

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**[4] Clauses 61J and 61K**

Insert after clause 61I:

**61J Development of certain land at Hamilton Street East, North Strathfield**

- (1) This clause applies to land shown distinctively coloured, edged and lettered on the map marked "Concord Local Environmental Plan No 117" deposited in the office of the Council.
- (2) The Council must not grant consent to development on land to which this clause applies unless it is satisfied that:
  - (a) the proposed development is consistent with and enables achievement of an overall integrated design for the land to which this clause applies in relation to the following:
    - (i) building height, siting, arrangements and finishes,
    - (ii) landscaping,
    - (iii) open space,
    - (iv) pedestrian movement,
    - (v) car parking,
    - (vi) road access,
    - (vii) public transport access,
    - (viii) local and subregional traffic management,
    - (ix) drainage,
    - (x) environmental sustainability,
    - (xi) arrangement of land uses, and
  - (b) the proposed development will not have any significant adverse effect on the amenity of the site during the construction of any buildings or works or during their operation.
- (3) The Council must not grant consent to development on land to which this clause applies that results in a building height exceeding 24 metres, as measured from the natural ground level to the underside of the ceiling of the uppermost floor.



Concord Local Environmental Plan No 117

Amendments

Schedule 1

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- (4) Subject to clause 61D (5A) and (6), and subclauses (2) and (3) of this clause, nothing in this Ordinance prevents a person, with the consent of the Council, from carrying out development on land to which this clause applies, for the purposes of shops that, in the opinion of the Council, provide only for the retail and personal service needs of employees or residents (or employees and residents) of the site.
  - (5) Subclause (4) does not affect the application, to or in respect of development to which that subclause applies, of any provisions of the Ordinance that are not inconsistent with that subclause.

**61K Interpretation of *site* in the matter relating to Zone No 10 (b) in the Table to clause 23, and in clauses 61I (4) and 61J (4)**

In the matter relating to Zone No 10 (b) in the Table to clause 23, and in clauses 61I (4) and 61J (4), *site* means:

- (a) in relation to a development that relates to land in the area bounded by Parramatta Road, Leicester Avenue and the Main Northern Railway Line, Strathfield—the whole of the area bounded by Parramatta Road, Leicester Avenue and the Main Northern Railway Line, or
- (b) in relation to a development that relates to land in the area bounded by Parramatta Road, Powells Creek, Allen Street, George Street, Hamilton Street East and the Main Northern Railway Line, North Strathfield—the whole of the area bounded by Parramatta Road, Powells Creek, Allen Street, George Street, Hamilton Street East and the Main Northern Railway Line, North Strathfield.

## **Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)**

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*.  
(S99/01791/PC)

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

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Clause 1 Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

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## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

### 1 Name of plan

This plan is called *Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)*.

### 2 Aims, objectives etc

- (1) The aim of this plan is to amend *Dubbo Local Environmental Plan 1997—Rural Areas* so as to do the following:
  - (a) make various zoning and mapping amendments as follows:
    - (i) rezone the Travelling Stock Route adjoining Wandarra Estate from 1 (S) Small Farm Estates to 1 (A) Dryland Agriculture,
    - (ii) rezone privately owned land in the vicinity of Goonoo Forest, known as Lot 1 DP 754314, from 1 (F) Forestry to 1 (A) Dryland Agriculture,
    - (iii) rezone a site in the Goonoo Forest, known as Lot 137 DP 754314 from 1 (A) Dryland Agriculture to 1 (F) Forestry,
    - (iv) rezone a site from 1 (I) Intensive Agriculture to 1 (S) Small Farm Estates to better reflect the capability of the land,
  - (b) amend the provisions on advertising signs so as to be consistent with those in *Dubbo Local Environmental Plan 1998—Urban Areas* (the Urban Areas LEP),
  - (c) amend the provisions for transport corridors so as to be consistent with those in the Urban Areas LEP,
  - (d) allow for the submission of an abridged form of Property Development Plan in support of applications for farmstay establishments in the 1 (A) and 1 (S) zones,
  - (e) prohibit “farmstay establishments” in the 2 (V) Village zone,
  - (f) introduce provisions in relation to “Principles of Ecologically Sustainable Development” so as to be consistent with those in the Urban Areas LEP,

- 
- (g) amend the boundary adjustment provisions to provide scope to excise a second dwelling where it absorbs an existing dwelling entitlement,
  - (h) introduce clauses ensuring the consideration of salinity in the 1 (I) Intensive Agriculture and the 2 (V) Village zones,
  - (i) delete the existing dictionary and insert a new dictionary containing two parts (Part A containing definitions for landuses and Part B containing other terms), provide additional definitions and amend some existing definitions so as to improve consistency with the Urban Areas LEP,
  - (j) restructure the zone tables to clarify which uses require consent and make various amendments to the range of permissible uses as a result of the changed dictionary,
  - (k) add an allowance clause to enable tourist facilities ancillary to an intensive agricultural use on a site on the Old Dubbo Road, and
  - (l) amend the allowance clause in relation to the Whylandra Waste Disposal depot.
- (2) This plan also amends the map showing zoning for the purposes of *Dubbo Local Environmental Plan 1997—Rural Areas* so as to:
- (a) change the scale on Sheet 5 of that map to 1:8,000, and
  - (b) maintain consistent terminology between that map and the plan.

### 3 Land to which this plan applies

This plan applies to all land situated in the City of Dubbo to which *Dubbo Local Environmental Plan 1997—Rural Areas* applies. In relation to rezoning, the plan specifically applies to the following lands:

- (a) Lot 137 DP 754314 shown edged heavy red and coloured yellow on Sheet 1 of 3,
- (b) Lot 1 DP 436036 shown edged heavy red and coloured light green on Sheet 1 of 3,
- (c) the TSR adjoining the Wandarra Estate 1 (S) zone and shown edged heavy red and coloured yellow on Sheet 2 of 3,

Clause 3                    Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

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- (d) Lot 2 DP 820709, Lots 112, 116, 124 and 125 DP 753233 and part lots 111, 113, 115, 117 and 156 DP 753233, Bunglegumbie Road, Dubbo shown edged heavy red, coloured orange and labelled 'Bunglegumbie' on Sheet 3 of 3.

In this clause, *sheet* means a sheet of the map supporting this plan.

**4 Amendment of Dubbo Local Environmental Plan 1997—Rural Areas**

*Dubbo Local Environmental Plan 1997—Rural Areas* is amended as set out in Schedule 1.

**5 Amendment of zoning map**

The zoning map, within the meaning of *Dubbo Local Environmental Plan 1997—Rural Areas*, is amended as set out in Schedule 2.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 5 Definitions

Omit clause 5 (2). Insert instead:

- (2) In this plan, a reference to zoning map, or a map amending that map, is to a map held in the office of the Council.

### [2] Clause 7

Omit the clause. Insert instead:

#### 7 Environmental management

All applications for consent for development must be assessed with regard to the Principles of Ecologically Sustainable Development in terms of land, air, water resources and biodiversity, and waste and noise matters.

In assessing proposals for any development of land, specific regard must be given to each of the environmental management objectives of this plan.

In ensuring each objective is met, the Council must consider the best information available to the Council at the time, which may include any relevant management plans or policies adopted by the Council, as well as the following specific considerations:

- (a) in relation to **soil erosion**—whether the proposal (either through its setting-up or operation) involves clearing land or other disturbances to the land, the likelihood of soil erosion or other disturbance to the land, and the likelihood of soil erosion or other instability, given any measures taken by the developer to ameliorate that potential for development to cause contamination,
- (b) in relation to **salinity**—whether there is potential for the development to cause or exacerbate any outbreaks of salinity,

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

## Schedule 1

Amendments

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- (c) in relation to **contamination**—whether there is potential for the land to be contaminated, given the known history of the land or its location in the vicinity of land which may be potentially contaminated and the potential for the proposed use to cause contamination,
- (d) in relation to **waterways**—whether there is potential for degradation of water quality or quantity or destabilisation of waterways,
- (e) in relation to **aquifers**—whether the land is vulnerable to groundwater contamination as identified on the map labelled “Rural Aquifers”, dated January 1997 and held in the offices of the Council and the potential of the development to affect water levels or quality in the aquifer and, in the case of potentially contaminating activities on land identified by the Council as being of high vulnerability, the comments from the Director-General of the Department of Land and Water Conservation and the Director-General of the Environment Protection Authority,
- (f) in relation to **stormwater quality**—whether there is potential for degradation of the quality of stormwater discharges, given any stormwater quality control measures proposed by the developer,
- (g) in relation to **wildlife habitats**—whether there is a conservation plan and, if so, its contents, and the effect of the development on threatened species, population or habitats or areas identified by the Council as potential habitat,
- (h) in relation to **wetlands**—whether there is potential for the development to alter the quality or quantity of water flowing into, within or out of a wetland or the level, frequency or duration of wetland inundation,
- (i) in relation to **bushfire**—whether there is potential bushfire hazard by reason of the vegetation on the land and the nature of the development,
- (j) in relation to **waste**—the content of the Council’s Liquid Waste Policy (as amended from time to time) and proposals to dispose of solid waste,

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

- (k) in relation to **noise pollution**—whether there is potential for the development to degrade the environment in terms of noise generation (either through its setting-up or operation),
- (l) in relation to **air pollution**—whether there is potential for the development to degrade the air quality of the environment (either through its setting-up or operation).

**[3] Clause 8 Subdivision generally**

Omit clause 8 (3) (b) and (c). Insert instead:

- (b) does not result in the creation of a vacant lot with the potential for a dwelling by virtue of the size of the lot, and
- (c) does not facilitate the transfer of a second dwelling on to a separate allotment except where the dwelling being transferred is in accordance with the requirements of the zone for the lot upon which it is proposed to be situated, and

**[4] Clause 10**

Omit the clause. Insert instead:

**10 Transport corridors**

- (1) This clause applies to land adjacent to and within 200 metres of land identified as “transport corridor” on the zoning map.
- (2) The Council must not grant consent to development on land to which this clause applies unless it is satisfied that:
  - (a) where the access to the development is from another road (that is not a transport corridor), that access is located at least 90 metres from the centre line of the road that is the transport corridor, and
  - (b) the development will not prejudice future improvements to, or realignment of, any transport corridor, as may be indicated to the Council from time to time by the relevant rail authority or the Roads and Traffic Authority, as applicable, and



## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

## Schedule 1 Amendments

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- (c) the development, by its nature or intensity or the volume and type of traffic likely to be generated by it, is not likely to constitute a traffic hazard or to materially reduce the capacity of the transport corridor, and
  - (d) the location, standard and design of access points, and on-site arrangements for vehicle movement and parking, ensure that through traffic movements on roads that are transport corridors will not be impeded, and
  - (e) the visual impact of the proposed development is minimal, given any measures proposed to ameliorate the impact, and
  - (f) the development will not involve the destruction of vegetation corridors, and
  - (g) the development is of a type that justifies a location in proximity to or access on to a transport corridor or, in the case of dwellings, it is evident that there is no alternative location within the site.
- (3) The following minimum setbacks apply for the buildings proposed to be located adjacent to a transport corridor on land in Zone 1 (A), 1 (I) or 1 (S):
- |                         |            |
|-------------------------|------------|
| Habitable building      | 200 metres |
| Non-habitable structure | 100 metres |
- (4) Buildings proposed to be located adjacent to a transport corridor on land zoned 2 (V) are to be set back no less than 20 metres from the boundary with that corridor.
- (5) Despite subclauses (3) and (4), the Council may consent to development that results in a lesser setback where it can be clearly demonstrated that this will not result in a detrimental impact on any of the following:
- (a) the efficiency of the transport corridor,
  - (b) the visual quality of the locality,
  - (c) any objectives of the zone,
  - (d) the use for which the building is intended.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

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**[5] Clause 13A**

Insert after clause 13:

**13A Property Development Plan—Abridged**

Where a provision of this plan refers to a Property Development Plan—Abridged, such a plan is sufficient for the purposes of that provision only if it has been prepared by an appropriately qualified consultant or has been certified to the satisfaction of the Council, and provides details of such of the following as are relevant to the application:

- (a) Infrastructure/Plant  
existing and proposed plant and infrastructure used for the operation of the farming enterprise and farmstay establishment,
- (b) Economic function  
the current and proposed agricultural use of the allotment,
- (c) budgets relating to the profit and loss of the agricultural enterprise and the farmstay establishment,
- (d) Environmental impact  
the potential impact of the development on any aspect of the environment including water, aquifer, soils and vegetation,
- (e) Adjoining land uses  
the potential impact of the development on adjoining land uses including the potential for conflict with agricultural uses within the site and on adjoining sites.

**[6] Clause 15, heading**

Omit “**Development for certain additional purposes**”.

Insert instead “**Additional uses of land**”.

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

## Schedule 1 Amendments

**[7] Clauses 15A and 15B**

Insert after clause 15:

**15A Covenants, agreements etc**

- (1) If any agreement, covenant or similar instrument prohibits a use of land allowed by this plan, then that agreement, covenant or instrument does not apply to that use to the extent necessary to allow that use.
- (2) Nothing in subclause (1) affects the rights or interests under any registered instrument of the Council or any other public authority.
- (3) In accordance with section 28 of the Act, the Governor approved of subclauses (1) and (2) before this plan was made.

**15B Advertisements**

- (1) Except as provided by subclause (2), a person must not erect an advertisement on land to which the plan applies.
- (2) A person may, but only with the consent of the Council, erect an advertisement, if the advertisement:
  - (a) relates to the purpose for which the land is used, or
  - (b) directs the travelling public to places of scientific, historical or scenic interest.
- (3) Despite the other provisions of this plan, the consent of the Council is not required for the erection of:
  - (a) a shop window display, or
  - (b) a commercial sign (except for commercial signs on or in the vicinity of a heritage item),on land to which the display or sign relates.

**[8] Clause 19 Primary development controls for Zone 1 (A)**

Omit clause 19 (2)–(4). Insert instead:

**(2) Development without development consent**

Development for the purpose of the following may be carried out on land within Zone 1 (A) without development consent:

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

---

agriculture; biosolid waste applications; environmental conservation; home based child care establishments; water treatment sludge applications.

(3) **Development only with development consent**

Development for the purpose of the following may be carried out on land within Zone 1 (A) only with development consent:

abattoirs; additional dwellings; aerodromes; animal cemeteries; animal establishments; aquaculture; artificial water bodies; bed and breakfast accommodation; boarding houses; bulk fuel stores; cabin or caravan sites; camp sites; car parks; cemeteries; child care centres; clubs; club houses; communications facilities; community centres; composting; correctional centres; cotton farming; crushing, grinding or separating works; dairies; depots; dwelling houses; educational establishments; extractive industries; farmstay establishments; forestry; group homes; guest houses or hostels; helipads; home businesses; home industries; home occupations; intensive agriculture; intensive livestock keeping establishments; kennels; mining; plant nurseries; recreation areas; refreshment areas; roadside stalls (where not fronting the Newell or Mitchell Highway); rural industries; sawmills; stock and sale yards; tourist accommodation; tourist facilities; transfer stations; treated waste applications; turf farming; vehicle body repair workshops; veterinary hospitals; any other building, works, places or land uses that are not included in subclause (2) or (4).

(4) **Prohibited development**

Development for the purpose of the following is prohibited on land within Zone 1 (A):

assisted accommodation; brothels; bulky goods sales rooms or showrooms; business premises; car wrecking yards; community service centres; convenience service stations; corner stores; cultural centres; dry cleaners; dual occupancies; entertainment facilities; exhibition homes; funeral establishments; hospitals; hotels; industries; landfill sites; laundromats; light industries; machinery dealerships; major retail attractors; materials recycling depots; medical consulting rooms; medium density housing; motor and recreational vehicle dealerships; offensive or hazardous industries; office premises; passenger transport terminals; places of assembly; places of worship; public

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

## Schedule 1 Amendments

---

buildings; recreation facilities; restaurants; restricted premises; roadside stalls (where fronting the Newell or Mitchell Highway); road transport terminals; semi-detached housing; service stations; shops; taverns; transport depots; vehicle repair stations; warehouses or distribution centres; waste management facilities.

**[9] Clause 23 Tourism**

Insert “—Abridged” in clause 23 (3) after “Property Development Plan”.

**[10] Clause 31 Primary development controls for Zone 1 (I)**

Omit clause 31 (2)–(4). Insert instead:

**(2) Development without development consent**

Development for the purpose of the following may be carried out on land within Zone 1 (I) without development consent:

agriculture; environmental conservation; home based child care establishments; intensive agriculture; water treatment sludge applications.

**(3) Development only with development consent**

Development for the purpose of the following may be carried out on land within Zone 1 (I) only with development consent:

additional dwellings (where for rural workers); animal establishments; aquaculture; artificial water bodies; camp sites; car parks; child care centres; communications facilities; community centres; cotton farming; dairies; depots; dwelling houses; educational establishments; extractive industries; forestry; group homes; home businesses; home industries; home occupations; intensive livestock keeping establishments; kennels; mining; plant nurseries; roadside stalls (where not fronting the Newell or Mitchell Highway); rural industries; tourist facilities; turf farming; vehicle body repair workshops; veterinary hospitals; any other buildings, works, places or land uses that are not included in subclause (2) or (4).

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

(4) **Prohibited development**

Development for the purpose of the following is prohibited on land within Zone 1 (I):

abattoirs; additional dwellings (where for members of the landowners' families); aerodromes; animal cemeteries; assisted accommodation; bed and breakfast accommodation; biosolid waste applications; boarding houses; brothels; bulk fuel stores; bulky goods sales rooms or showrooms; business premises; cabin or caravan sites; car wrecking yards; cemeteries; clubs; club houses; community service centres; composting; convenience service stations; corner stores; correctional centres; crushing, grinding or separating works; cultural centres; dry cleaners; dual occupancies; entertainment facilities; exhibition homes; farmstay establishments; funeral establishments; guest houses or hostels; helipads; hospitals; hotels; industries; landfill sites; laundromats; light industries; machinery dealerships; major retail attractors; materials recycling depots; medical consulting rooms; medium density housing; motor and recreational vehicle dealerships; offensive or hazardous industries; office premises; passenger transport terminals; places of assembly; places of worship; public buildings; recreation areas; recreation facilities; refreshment areas; restaurants; restricted premises; roadside stalls (where fronting the Newell or Mitchell Highway); road transport terminals; sawmills; semi-detached housing; service stations; shops; stock and sale yards; taverns; tourist accommodation; transfer stations; transport depots; treated waste applications; vehicle repair stations; warehouses or distribution centres; waste management facilities.

[11] **Clause 33, heading**

Insert “**and additional dwellings**” after “**Dwellings**”.

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

## Schedule 1 Amendments

**[12] Clause 33 (1)**

Insert at the end of the subclause:

For the purposes of this clause, *dwelling house* also refers to an additional dwelling for a rural worker allowed with consent by clause 31 (3).

**[13] Clause 38A**

Insert after clause 38:

**38A Dryland salinity**

- (1) The environmental management objectives of this plan for dryland salinity (and the objectives of this clause) are to prevent spread of dryland salinity and remedy existing areas of salinity.
- (2) This clause applies to land within Zone 1 (I) that is identified as “salt outbreak” on the maps entitled “Soil Conservation Service of NSW: Soil Erosion Survey—1:100,000 Dubbo” and “Soil Conservation Service of NSW: Soil Erosion Survey—1:100,000 Narromine”.
- (3) A person must not, except with the consent of the Council, carry out development on land to which this clause applies which involves the removal or destruction of native vegetation.
- (4) This clause does not require consent for any such development if there is a requirement made by or under an Act other than the *Environmental Planning and Assessment Act 1979* for the development to be licensed or approved by a public authority other than the Council.
- (5) Consent must not be granted for any such development unless the Council has considered a dryland salinity impact assessment that demonstrates how the proposed development is consistent with the objectives of this clause. The dryland salinity impact assessment must address the following matters:
  - (a) whether the loss of the vegetation will potentially result in increasing soil salinity,

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

- 
- (b) any comment furnished by the Department of Land and Water Conservation,
  - (c) any mitigation measures proposed to be undertaken.

**[14] Clause 40 Primary development controls for Zone 1 (S)**

Omit clause 40 (2)–(4). Insert instead:

**(2) Development without development consent**

Development for the purpose of the following may be carried out on land within Zone 1 (S) without development consent:  
agriculture; environmental conservation; home based child care establishments.

**(3) Development only with development consent**

Development for the purpose of the following may be carried out on land within Zone 1 (S) only with development consent:  
additional dwellings (where for members of the landowners' families); animal cemeteries; animal establishments; aquaculture; artificial water bodies; bed and breakfast accommodation; bulk fuel stores; camp sites; car parks; child care centres; communications facilities; community centres; dairies; dwelling houses; educational establishments; exhibition homes; extractive industries; farmstay establishments; forestry; group homes; guest houses or hostels; home businesses; home industries; home occupations; intensive agriculture; mining; plant nurseries; recreation areas; roadside stalls (where not fronting the Newell or Mitchell Highway); rural industries; tourist accommodation; tourist facilities; transfer stations; turf farming; veterinary hospitals; water treatment sludge applications; any other buildings, works, places or land uses that are not included in subclause (2) or (4).

**(4) Prohibited development**

Development for the purpose of the following is prohibited on land within Zone 1 (S):

abattoirs; additional dwellings (where not for members of the landowners' families); aerodromes; assisted accommodation; biosolid waste applications; boarding houses; brothels; bulky goods sales rooms or showrooms; business premises; cabin or caravan sites; car wrecking yards; cemeteries; clubs; club



## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

## Schedule 1 Amendments

---

houses; community service centres; composting; convenience service stations; corner stores; correctional centres; cotton farming; crushing, grinding or separating works; cultural centres; depots; dry cleaners; dual occupancies; entertainment facilities; funeral establishments; helipads; hospitals; hotels; industries; intensive livestock keeping establishments; kennels; landfill sites; laundromats; light industries; machinery dealerships; major retail attractors; materials recycling depots; medical consulting rooms; medium density housing; motor and recreational vehicle dealerships; offensive or hazardous industries; office premises; passenger transport terminals; places of assembly; places of worship; public buildings; recreation facilities; refreshment areas; restaurants; restricted premises; roadside stalls (where fronting the Newell or Mitchell Highway); road transport terminals; sawmills; semi-detached housing; service stations; shops; stock and sale yards; taverns; transport depots; treated waste applications; vehicle body repair workshops; vehicle repair stations; warehouses or distribution centres; waste management facilities.

**[15] Clause 42 Dwellings**

Omit “Wandarra, or” from clause 42 (2) (d).

Insert instead:

Wandarra,  
Bunglegumbie, or

**[16] Clause 44 Tourism**

Insert “—Abridged” in clause 44 (3) after “Property Development Plan”.

**[17] Clause 51 Primary development controls for Zone 1 (F)**

Insert “sustainable” in clause 51 (1) (c) before “natural resource management principles”.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

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**[18] Clause 51 (2)**

Omit “bushfire hazard reduction;”.  
Insert instead “biosolid waste applications;”.

**[19] Clause 51 (2)**

Insert “; water treatment sludge applications” in alphabetical order.

**[20] Clause 51 (3)**

Omit “camp or caravan sites;”. Insert instead “cabin or caravan sites;”.

**[21] Clause 51 (3)**

Omit “; utility installations”.

**[22] Clause 53 Primary development controls for Zone 2 (V)**

Omit clause 53 (2)–(4). Insert instead:

**(2) Development without development consent**

Development for the purpose of the following may be carried out on land within Zone 2 (V) without development consent:  
environmental conservation; home based child care establishments.

**(3) Development only with development consent**

Development for the purpose of the following may be carried out on land within Zone 2 (V) only with development consent:  
agriculture; animal cemeteries; artificial water bodies; assisted accommodation; bed and breakfast accommodation; boarding houses; bulk fuel stores; bulky goods sales rooms or showrooms; business premises; cabin or caravan sites; camp sites; car parks; cemeteries; child care centres; clubs; club houses; communications facilities; community centres; community service centres; convenience service stations; corner stores; cultural centres; dairies; depots; dry cleaners; dwelling houses; educational establishments; entertainment facilities; exhibition homes; forestry; funeral establishments; group homes; guest houses or hostels; helipads; home businesses; home industries; home occupations; hospitals;

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

## Schedule 1 Amendments

---

hotels; laundromats; light industries; machinery dealerships; medical consulting rooms; mining; motor and recreational vehicle dealerships; office premises; places of assembly; places of worship; plant nurseries; public buildings; recreation areas; recreation facilities; refreshment areas; restaurants; roadside stalls; rural industries; service stations; shops; taverns; tourist accommodation; tourist facilities; transfer stations; transport depots; turf farming; vehicle body repair workshops; vehicle repair stations; veterinary hospitals; water treatment sludge applications; any other buildings, works, places or land uses that are not included in subclause (2) or (4).

(4) **Prohibited development**

Development for the purpose of the following is prohibited on land within Zone 2 (V):

abattoirs; additional dwellings; aerodromes; animal establishments; aquaculture; biosolid waste applications; brothels; car wrecking yards; composting; correctional centres; cotton farming; crushing, grinding or separating works; dual occupancies; extractive industries; farmstay establishments; industries; intensive agriculture; intensive livestock keeping establishments; kennels; landfill sites; major retail attractors; materials recycling depots; medium density housing; offensive or hazardous industries; passenger transport terminals; restricted premises; road transport terminals; sawmills; semi-detached housing; stock and sale yards; treated waste applications; warehouses or distribution centres; waste management facilities.

**[23] Clause 57 Tourism**

Omit “farmstay establishments,” from clause 57 (2).

**[24] Clause 57 (3)**

Omit the subclause.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

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**[25] Clause 61A**

Insert after clause 61:

**61A Dryland salinity**

- (1) The environmental management objectives of this plan for dryland salinity (and the objectives of this clause) are to prevent spread of dryland salinity and remedy existing areas of salinity.
- (2) This clause applies to land within Zone 2 (V) that is identified as “salt outbreak” on the maps entitled “Soil Conservation Service of NSW: Soil Erosion Survey—1:100,000 Dubbo” and “Soil Conservation Service of NSW: Soil Erosion Survey—1:100,000 Narromine”.
- (3) A person must not, except with the consent of the Council, carry out development on land to which this clause applies which involves the removal or destruction of native vegetation.
- (4) This clause does not require consent for any such development if there is a requirement made by or under an Act other than the *Environmental Planning and Assessment Act 1979* for the development to be licenced or approved by a public authority other than the Council.
- (5) Consent must not be granted for any such development unless the Council has considered a dryland salinity impact assessment that demonstrates how the proposed development is consistent with the objectives of this clause. The dryland salinity impact assessment must address the following matters:
  - (a) whether the loss of the vegetation will potentially result in increasing soil salinity,
  - (b) any comment furnished by the Department of Land and Water Conservation,
  - (c) any mitigation measures proposed to be undertaken.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Schedule 1 Amendments

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[26] **Schedule 1**

Omit the Schedule. Insert instead:

**Schedule 1 Dictionary**

(Clause 5)

**Part A Definitions of land uses**

*Abattoir* means a building or place used for the slaughter of animals, whether or not animal by-products are processed, manufactured or distributed there, and includes a knackery.

*Additional dwelling* means a dwelling house located on land on which another dwelling house is or is intended to be located, and:

- (a) that is used as the principal place of residence by rural workers employed in an agricultural use or a rural industry conducted on that land, or
- (b) that is a temporary dwelling for a member of the landowner's family.

*Aerodrome* has the meaning ascribed to that expression in the *Civil Aviation Act 1988* of the Commonwealth.

*Agriculture* means:

- (a) the production of crops or fodder, or
- (b) horticulture, including fruit, vegetable and flower crop production, or operation of wholesale plant nurseries, or
- (c) the grazing of livestock, or
- (d) the keeping and breeding of livestock, including poultry, other birds or bees,

for commercial purposes, but (in Part 3) does not include a building or place, or land used for a land use, elsewhere defined in this dictionary.

*Animal cemetery* means a building or place used for the interment of deceased pets, including dogs, cats and other animals kept as domestic pets.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

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***Animal establishment*** means a building or place used for the breeding, boarding or training of, or caring for, animals for commercial purposes and includes stables and riding schools, but does not include kennels or intensive livestock keeping establishments.

***Aquaculture*** means the cultivation of the resources of inland waters for the propagation or rearing of fish or plants or other organisms.

***Artificial waterbody*** has the same meaning as in Schedule 3 to the *Environmental Planning and Assessment Regulation 2000*.

***Assisted accommodation*** means a building or place, not being a group home, used for the purposes of temporary or permanent accommodation for either:

- (a) socially disadvantaged people, in which case it must incorporate facilities for their rehabilitation or relief, or
- (b) incurable or convalescing persons.

***Bed and breakfast accommodation*** means a dwelling which:

- (a) provides temporary overnight accommodation for the short-term traveller, and
- (b) offers at least breakfast for guests, and
- (c) does not accommodate more than 8 guests, and
- (d) does not contain facilities in rooms for the preparation of meals by guests, and
- (e) is not used in whole or in part for the permanent or long-term accommodation of any person other than the person or persons who operate and manage the temporary accommodation and who normally reside in the dwelling.

***Biosolid waste application*** means the application of sludge or other semi-solid products of human sewage treatment plants to land for the purpose of improving land productivity, that is undertaken in accordance with the NSW Environment Protection Authority's guidelines titled "Environmental Guidelines: Use and Disposal of Biosolids Products" dated October 1997, as amended from time to time, but does not include the use of the land for the disposal of biosolids.

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Schedule 1 Amendments

---

**Boarding house** means a building or place which is not licensed to sell liquor and where accommodation, together with meals and laundry facilities, are provided, but only to residents.

**Brothel** means premises used for the purpose of prostitution or, on a commercial basis, for sexual gratification, including those where only one person is engaged in prostitution or sexual gratification at any one time.

**Bulk fuel store** means a structure used for the storage of 2,000 litres or more of fuel.

**Bulky goods sales room or showroom** means a building or place used for the sale by retail or auction, the hire or the display of items (whether goods or materials) which are of such a size, shape or weight as to require:

- (a) a large area for handling, storage or display, or
- (b) direct vehicular access to the site of the building or place by members of the public, for the purpose of loading items into their vehicles after purchase,

and includes timber yards, hardware stores, and furniture outlets, but not a building or place used for any sale of foodstuffs or clothing or predominantly for the sale of other similar small items.

**Business premises** means a building or place in which there is carried on an occupation, a profession or a trade which provides a service directly and regularly to the public, but (in Part 3) does not include a building or place elsewhere defined in this dictionary.

**Cabin or caravan site** means a site used for the purpose of:

- (a) placing moveable dwellings for the temporary accommodation of tourists, or
- (b) the erection, assembly or placement of cabins for the temporary accommodation of tourists.

**Camp site** means a place used for the pitching of tents or other like portable, lightweight and temporary shelter for the short term shelter of visitors or tourists.

**Car park** means a building or place used for parking vehicles, and any manoeuvring space and access thereto, whether operated for gain or not.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

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***Car wrecking yard*** means land used for the collection, dismantling, storage or salvaging of automobiles or other vehicles or machinery or for the sale of their parts.

***Cemetery*** means a place used for interment of the deceased, but does not include an animal cemetery.

***Child care centre*** means a building or place used for the purpose of supervising or caring for six or more children under the age of six years and includes a long day care centre, preschool, occasional care centre, children's neighbourhood centre, or multipurpose child care centre, but does not include a home based child care establishment.

***Club*** means a building used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purposes, whether of the same or of a different kind, whether or not the whole or a part of such building is the premises of a club registered under the *Registered Clubs Act 1976* which may in addition offer refreshment, entertainment and leisure facilities to members and guests.

***Club house*** means a building located upon community land and which is utilised for activities associated with an authorised sporting activity undertaken on the land or adjacent land, but does not include a club or a building or place elsewhere defined in this dictionary.

***Communications facility*** means a building, structure, work or place used primarily for transmitting or receiving signals for the purposes of communication, and includes radio masts and towers and satellite disks, and the like.

***Community centre*** means a building or place owned, leased or subleased by the Council, another public authority or a body of persons which provides for the physical, social, cultural or intellectual development or welfare of the local community, and is used to provide facilities comprising or relating to any one or more of the following or any like facility:

- (a) a public library,
- (b) public health services,
- (c) rest rooms,
- (d) meeting rooms,



## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Schedule 1 Amendments

---

- (e) indoor recreation,
- (f) child minding,

but (in Part 3) does not include a building or place elsewhere defined in this dictionary.

**Community service centre** means a building or place used for the provision of community and social services by one or more government agency or party authorised to act on behalf of a government agency and may be used for counselling and policing but does not include a building or place, or land used for a land use, elsewhere defined in this dictionary.

**Composting** means a building or place or site used for the breaking down of organic material into compost but does not include the breaking down of organic material that is a consequence of the residential or agricultural use of the subject site, where it is undertaken in accordance with the Council's documents titled "A Guide to Composting".

**Convenience service station** means a retail establishment where motorists refuel vehicles that includes a shop with an area in excess of 50 square metres where food and household necessities are sold.

**Corner store** means a shop which has a floor space of not more than 150 square metres, that sells a variety of merchandise generally of a convenience type and that is located at least 400 metres from any other corner store or similar commercial establishment or land within Zone 3 (a), (b) or (c) under *Dubbo Local Environmental Plan 1998—Urban Areas*. It may consist of or include a chemist's shop, newsagency, milk bar, take-away food shop, general store, video shop, butcher's shop, baker's shop or be used for any similar use or combination of uses.

**Correctional centre** means a penal or reformatory establishment.

**Cotton farming** means the use of a site for the commercial production of cotton.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

---

***Crushing, grinding or separating works*** means a place used to process materials including sand, gravel, rock, minerals or materials for recycling or reuse, including slag, road base or demolition material (such as concrete, bricks, tiles, asphaltic material, metal or timber) by crushing, grinding or separating into different sizes.

***Cultural centre*** means a gallery or museum and may include a performance space and a restaurant or refreshment area.

***Dairy*** means a building or place used for the milking (other than for personal consumption) of livestock.

***Depot*** means a building or place used only for the storage of any plant, machinery, materials or goods used or intended to be used by the owner or occupier of the building or place, but does not include a building or place elsewhere specifically defined in this dictionary.

***Dry cleaner*** means a building used for the commercial cleaning of clothing, linen or other material products and the like with the use of chemicals and may include an ancillary laundry service.

***Dual occupancy*** means two separate dwellings on one allotment of land, neither of which is an additional dwelling as defined in this dictionary.

***Dwelling house*** means a building containing one, but not more than one, dwelling.

***Educational establishment*** means a building used as a school, college, TAFE establishment, academy or lecture hall, but does not include a building used wholly or principally as a child care centre or tourist facility.

***Entertainment facility*** means a building or place used for the purpose of entertainment, exhibitions or displays and includes theatres, cinemas, music halls, concert halls, drive-in theatres and the like.

***Environmental conservation*** means the protection, rehabilitation or restoration of land, which is consistent with practices agreed to or authorised by:

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

## Schedule 1 Amendments

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- (a) the Department of Land and Water Conservation (in relation to erosion control, management of drainage corridors and other activities the responsibility of that Department), or
  - (b) the Department of Agriculture (in relation to conservation farming and other activities the responsibility of that Department), or
  - (c) the National Parks and Wildlife Service (in relation to conservation of sites of archeological significance, flora or fauna habitat or other activities the responsibility of that Service), or
  - (d) New South Wales Fisheries (in relation to managing fish, fish habitat and aquatic biodiversity and other activities the responsibility of that agency), or
  - (e) the Council.

***Exhibition home*** means a building designed to be a dwelling but initially operated as a display home for a period of up to but not more than 12 months, which is open to public inspection at regular times and may include a sales office.

***Extractive industry*** means an industry or undertaking, not being a mine, which depends for its operations on the winning of extractive material from the land on which it is carried on.

***Farmstay establishment*** means a property at which:

- (a) an established farming enterprise is carried on which forms part of the day to day operation of the property, and
- (b) accommodation and entertainment are provided for tourists.

***Forestry*** includes arboriculture, silviculture, forest protection, the cutting, dressing or preparation, otherwise than in a sawmill, of wood and other forest products and the establishment of roads required for the removal of wood and forest products or for forest protection.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

---

**Funeral establishment** means a building or place used for the conducting of funerals and for any or all associated activities which may include the provision of a crematorium, mortuary, preparation areas, offices, caretaker's accommodation or the like but does not include premises used solely as an office.

**Group home** means a dwelling that is a permanent group home or a transitional group home as defined in *State Environmental Planning Policy No 9—Group Homes*.

**Guest house or hostel** means a building which:

- (a) provides temporary overnight accommodation for the short-term traveller, and
- (b) offers at least breakfast for guests, and
- (c) does not contain facilities in rooms for the preparation of meals by guests, and
- (d) is not used in whole or in part for the permanent or long-term accommodation of any person other than the person or persons who operate and manage the temporary accommodation (who may normally reside in the building).

**Helipad** means an area or place not open to public use and which is set apart for the taking off and landing of helicopters.

**Home based child care establishment** means a dwelling providing care for up to seven children (including the care giver's own children), in the premises where the care giver resides.

**Home business** means a home occupation that involves either or both of the following:

- (a) the employment of one, but not more than one, person who is not a resident of the dwelling,
- (b) regular visits by clientele.

**Home industry** means an industry carried on in a building (other than a dwelling house or a dwelling in a residential flat building) under the following circumstances:

- (a) the building has a floor area less than the internal floor area of the principal dwelling on the site up to a maximum floor area of 100 square metres, and

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

## Schedule 1

Amendments

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- (b) the building is erected within the curtilage of the dwelling house or residential flat building occupied by the person carrying on the industry or on adjoining land owned by that person, and
- (c) the industry does not:
  - (i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise, or
  - (ii) involve exposure to view from any adjacent premises or from any public place of any unsightly matter, or
  - (iii) require the provision of any essential service main of a greater capacity than that available to the locality.

***Home occupation*** means an occupation carried on in a dwelling house or in a dwelling in a residential flat building by the permanent residents of the dwelling house or dwelling which would not have required registration of the building under the *Factories, Shops and Industries Act 1962* immediately before the repeal of sections 10–13 of that Act and does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise, or
- (c) the display of goods, whether in a window or otherwise, or
- (d) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling house or dwelling to indicate the name and occupation of the residents), or
- (e) the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail, or

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

- 
- (f) use of more than one room of the house or of more than 30 square metres of the floor area of the dwelling house or residential flat building, whichever is the lesser, or
  - (g) regular visits by clientele.

**Hospital** means a building or place used as a:

- (a) hospital, or
- (b) sanatorium, or
- (c) health centre, or
- (d) nursing home, or
- (e) home for aged persons, infirm persons, incurable persons or convalescent persons,

whether public or private, and includes a shop or dispensary used in conjunction with the building or place.

**Hotel** means any premises specified in a hotelier's licence granted under the *Liquor Act 1982*, that may also provide overnight accommodation.

**Industry** means the manufacturing, assembling, altering, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, processing or adapting of any goods or any articles, but (in Part 3) does not include any other use elsewhere defined in this dictionary.

**Intensive agriculture** means:

- (a) the use of a site predominantly for the cultivation by irrigation of fruit, vegetable crops, flower crops, pasture or fodder, or like crops which rely on irrigation, or
- (b) the commercial keeping or breeding (or both) of livestock which are substantially dependent on high quality forage produced from the land, such as horse studs or similar enterprises,

but does not include the use of animal establishments or artificial waterbodies, aquaculture, cotton farming, the use of intensive livestock keeping establishments or large scale earthworks, or turf farming or dairying.

**Intensive livestock keeping establishment** means a building or place used for a commercial operation where animals are nurtured substantially on feed not produced on the land

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

## Schedule 1 Amendments

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(excluding temporary feeding during and as a result of drought, fire, flood or similar emergency) where the animals are penned or housed and includes cattle feed lots, poultry sheds, piggeries and the like.

***Kennel*** means a building or place used for the training, breeding or boarding or a combination thereof, of domestic pets or greyhounds, or both.

***Landfill site*** means land used for the purposes of disposing of waste to fill the land.

***Laundromat*** means a building available to the public for the use of coin or token operated washing and drying machines or for a washing, drying and ironing service provided by the operator, or for both of those services.

***Light industry*** means an industry, not being an offensive or hazardous industry, in which the processes carried on, or the transportation involved or the machinery or materials used, do not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise.

***Machinery dealership*** means a building or place used for the sale by retail or auction, the hire or the display of agricultural, earthmoving or road transport machinery and equipment as well as the ancillary sale of parts and accessories and the servicing and repair of such items.

***Major retail attractor*** means a retail establishment with a retail floor space in excess of 1,000 square metres and includes a department store, discount department store or supermarket but does not include a bulky goods sales room or showroom.

***Materials recycling depot*** means land used for the collection, storage, recycling or sale of scrap metals, waste paper, rags, bottles or other scrap materials.

***Medical consulting rooms*** means a room or a number of rooms forming either the whole of or part of, attached to or within the curtilage of, a dwelling house and used by not more than three legally qualified medical practitioners or by not more than three dentists within the meaning of the *Dentists Act 1989*, or by not more than three health care professionals, who practise there the profession of medicine, dentistry or health care, respectively, and, if more than one, practise in

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

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partnership, and who employ not more than three employees in connection with that practice.

**Medium density housing** means two or more dwellings on a site where each dwelling has an individual entrance and direct private access to private open space at natural ground level for the exclusive use of the occupants of the dwelling, and includes villas, residential flat buildings, terraces, town-houses, cluster housing, integrated housing, serviced apartments and the like but does not include semi-detached housing.

**Mining** includes any form of mining, such as surface mining (whether by open cut or any other method) and underground mining.

**Motor and recreational vehicle dealership** means a building or place used for the sale by retail or auction, the hire or the display of cars, motorcycles, caravans, boats, trailers and the like as well as the ancillary sale of parts and accessories and the servicing and repair of such items.

**Offensive or hazardous industry** means an industry which by reason of the process involved or the method of manufacture or the nature of the materials used or produced, requires isolation from other buildings.

**Office premises** means a building or place used for the purpose of administration, or for clerical, technical, professional or like activities (except for dealing with members of the public on a direct and regular basis or otherwise than by appointment), but (in Part 3) does not include a building or place elsewhere defined in this dictionary.

**Passenger transport terminal** means any building or place used for the assembly and dispersal of passengers travelling by any form of passenger transport, including any ancillary facilities required for the parking, manoeuvring, storage or routine servicing of any vehicle forming part of that undertaking.

**Place of assembly** means a public hall, dance hall, open-air theatre, or any other building of a like character used as such and whether used for the purpose of gain or not, but (in Part 3) does not include a place of worship, an educational establishment, entertainment facility or any other building or place separately defined in this dictionary.



Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Schedule 1 Amendments

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***Place of worship*** means a building or place used for the purpose of religious worship, whether or not the building or place is also used for counselling, social events or religious training by a congregation or religious group.

***Plant nursery*** means a building or place used for both the growing and selling by retail of plants, whether or not landscape supplies (including earth products) and other landscape and horticultural products are also sold there.

***Public building*** means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes.

***Recreation area*** means:

- (a) a children's playground, or
- (b) an area used for sporting activities or sporting facilities, including parks, reserves and ovals, or
- (c) an area used to provide facilities for recreational activities which promote the physical, cultural or intellectual welfare of persons within the community, being facilities provided by the Council, or a body of persons associated for the purpose of the physical, cultural or intellectual welfare of persons within the community,

and includes such an area that has undergone aesthetic enhancement by way of tree planting and other landscaping but does not include a racecourse or a showground.

***Recreation facility*** means a building or place used for sporting activities, recreation or leisure activities, whether or not operated for the purpose of gain, and includes sports stadiums, showgrounds, racecourses and the like, but does not include a building or place elsewhere defined in this dictionary.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

---

**Refreshment area** means premises that are ancillary to another approved use of the site that provide refreshments to visitors of the site, operate within the hours of operation and utilise the same parking and access as the use to which they are ancillary and includes a wine tasting room and a kiosk.

**Restaurant** means a building or place used for the sale of prepared food and beverages that provides sit down, takeaway, or drive through service or any combination thereof and includes a restaurant, fast food outlet, café, tea room, eating house or the like.

**Restricted premises** means business premises or a shop that, due to its nature, restricts access to customers over 18 years of age and includes a sex shop and the like, but does not include a tavern, hotel or brothel.

**Roadside stall** means a place used for the purpose of offering for sale by retail agricultural goods produced on the allotment on which the place is located or on allotments in the locality, but only where the building, structure or device used for offering produce for sale is of a temporary nature (that is, it is capable of being erected or dismantled in 24 hours).

**Road transport terminal** means a building or place used mainly for the bulk handling of goods for transport by road (or transfer for air transit), and includes facilities for the loading and unloading of vehicles used to transport those goods and may provide for the parking, servicing and repair of those vehicles and includes a courier service.

**Rural industry** means:

- (a) the handling, selling, treating, processing or packing of rural products, or
- (b) the regular servicing or repairing of plant or equipment used for the purpose of a rural activity operating in the locality.

**Sawmill** means a mill handling, cutting and processing timber from logs or baulks.

**Semi-detached housing** means a building containing two, but not more than two, dwellings on a single allotment of land.

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Schedule 1 Amendments

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**Service station** means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oils and other petroleum products, whether or not the building or place is also used for any one or more of the following:

- (a) the hire of trailers,
- (b) the sale by retail of spare parts and accessories for motor vehicles,
- (c) the washing and greasing of motor vehicles,
- (d) the repairing and servicing of motor vehicles involving the use of hand tools (other than repairing and servicing which involves top overhaul of motors, body building, panel beating, spray painting, or suspension, transmission or chassis restoration),
- (e) the retail sale or hire of other goods within an ancillary area,

but does not include a building or place elsewhere defined in this dictionary.

**Shop** means a building or place used for the purpose of selling items, whether by retail or auction, for hiring of items or for displaying items for the purpose of selling or hiring them (whether the items are goods or materials) but does not include a major retail attractor or bulky goods sales room or showroom.

**Stock and sale yard** means a building or place used for the purpose of offering livestock or poultry for sale.

**Tavern** means premises licensed for the sale of liquor but which do not provide overnight accommodation on a commercial basis.

**Tourist accommodation** means a building or buildings substantially used for the temporary accommodation of tourists, visitors and travellers which may have facilities for the convenience of patrons, such as restaurants, convention areas and the like and includes a motel, but (in Part 3) does not include a building or place elsewhere defined in this dictionary.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

---

**Tourist facility** includes an interpretation centre associated with a site of recognised historic, natural or cultural interest and may include a restaurant used in association with a tourist facility located on the same site.

**Transfer station** means a place set aside for the collection and transfer of domestic and commercial waste, but not a place that fronts a transport corridor.

**Transport depot** means a building or place used for the parking or storage of 2 or more motor powered or motor drawn vehicles used in connection with a passenger transport undertaking, business, industry or shop.

**Treated waste application** means the application or disposal of liquid effluent, sludge or other semi-solid organic waste products to or on land but does not include biosolid waste application, composting, landfilling, water treatment sludge application or operation of waste management facilities or any activity that is reasonably and normally ancillary to another approved or lawful use or another use elsewhere defined in this dictionary.

**Turf farming** means the commercial cultivation, and removal from land, of turf.

**Vehicle body repair workshop** means a building or place used for the repair of vehicles or agricultural machinery involving body building, panel beating or spray painting.

**Vehicle repair station** means a building or place used for the purpose of carrying out repairs or the sale and fitting of accessories to vehicles or agricultural machinery, not being a vehicle body repair workshop.

**Veterinary hospital** means a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for treatment.

**Warehouse or distribution centre** means any building or place used mainly for:

- (a) storing goods, or
- (b) handling or displaying items (whether goods or materials) which have been produced or manufactured for sale, other than retail sale, to the public from the building or place.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Schedule 1 Amendments

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**Waste management facility** means a place used for the disposal or treatment, or both, of wastes and includes a sewerage treatment plant but does not include a landfill site or a place which any other use separately defined in this dictionary is carried out.

**Water treatment sludge application** means the application to land of solid or semi-solid materials generated by the process of water treatment, at a scale and in a manner that are consistent with requirements that apply to biosolid waste applications as detailed in the NSW Environment Protection Authority's guidelines titled "Environmental Guidelines: Use and Disposal of Biosolids Products" dated October 1997, as amended from time to time.

## Part B Definitions of other terms

**Advertisement** means the use of a building or place for the display of symbols, messages or other devices for promotional purposes, or for conveying information, instructions, directions or the like, whether or not the display involves the erection of a structure or the carrying out of a work, but does not include a commercial sign or an advertisement on publicly owned furniture such as public seating and garbage bins.

**Airport Obstacle Limitation** means the area shown as subject to obstacle limitations on the map labelled "Dubbo Airport—Obstacle Limitation Surface", dated 26 August 1997 and held in the office of the Council.

**Alter** in relation to a heritage item means:

- (a) make structural changes to the outside of the heritage item, or
- (b) make non-structural changes to the detail, fabric, finish or appearance of the outside of the heritage item, but not changes resulting from the maintenance of the existing detail, fabric, finish or appearance of the outside of the heritage item.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

---

***Ancillary use*** means a use which is secondary or subsidiary to, and supportive of, the primary use on the same site but does not include designated development as identified in Schedule 3 to the *Environmental Planning and Assessment Regulation 2000*.

***Appointed day*** means the day on which this plan takes effect.

***Aquifer impact assessment*** means an analysis of how development may impact on the aquifer.

***Archaeological site*** means a site identified as such in Schedule 2 to this plan.

***Certified***, for the purpose of clauses 13 and 13A of this plan, means accepted and endorsed by an appropriately qualified consultant or by appropriate representatives of government agencies who have responsibility for managing the particular issue(s).

***City*** means the City of Dubbo.

***Commercial sign*** means any advertisement, whether illuminated or not, which:

- (a) has an outline that would fit within a rectangular figure 1.25 metres in length and 0.6 metre in height and has an area not exceeding 0.75 square metre, and
- (b) in respect of any place or premises to which it is affixed, contains only:
  - (i) a reference to the identity or a description of the place or premises, or
  - (ii) a reference to the identity or a description of any person residing or carrying on an occupation at that place or premises, or
  - (iii) particulars of any occupation carried on at the place or premises, or
  - (iv) such directions or cautions as are usual or necessary relating to the place or premises or any occupation carried on in the place or premises, or
  - (v) particulars or notifications required or permitted to be displayed by or under any Act (including any Commonwealth Act), or

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

## Schedule 1 Amendments

- 
- (vi) particulars relating to the goods, commodities or services dealt with or provided at the place or premises, or
  - (vii) particulars of any activity held or to be held at the place or premises, or
  - (viii) a reference to any affiliation with a trade, professional or other association relevant to the business conducted on the place or premises.

**Community land** has the meaning ascribed to that expression in the *Local Government Act 1993*.

**Conservation instrument** has the meaning ascribed to that expression in the *Heritage Act 1977*.

**Contaminated land** means land in, on or under which any substance is present at a concentration above that normally present in, on or under the land and that poses, or is likely to pose, an immediate or long term risk to human health or the environment.

**Council** means the Council of the City of Dubbo.

**Demolish** a heritage item, building, relic, tree, place or work means the damaging, defacing, destroying, pulling down, dismantling or the removal of the heritage item, building, relic, tree, place or work, in whole or in part.

**Development** has the meaning ascribed to it in the *Environmental Planning and Assessment Act 1979*. It includes:

- (a) the erection of a building on land, and
- (b) the carrying out of a work in, on, over or under land, and
- (c) the use of land or of a building or work on land, and
- (d) the subdivision of land.

**Drainage** means the management of stormwater via various engineering methods.

**Dryland salinity impact assessment** means an analysis of how development may impact on any identified areas of dryland salinity.

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

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

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***Environmentally sensitive land*** refers to land that is identified as part of the aquifer recharge area (being the sensitive areas adjoining the Macquarie River to the immediate north and south of the city), as erosion susceptible (being lands identified as land capability classifications VII and VIII by the Soil Conservation Service), or as being of habitat value (being areas of Crown land, TSR's etc) on the maps entitled "Aquifer", "Erosion" and "Habitat", respectively, deposited in the office of the Council.

***Extractive material*** means sand, gravel, clay, soil, rock, stone and similar substances.

***Flood affected land*** means land identified on the zoning map as "Flood Affected (indicative)". It includes land that was inundated in 1955 by floodwaters in the locality (or, in the case of land at Eumungerie, that was inundated in 1993), but does not include land that lies above a flood standard adopted for the time being by the Council.

***Health care professional*** means a person who provides professional health services to members of the public and includes:

- (a) a podiatrist registered under the *Podiatrists Act 1989*, and
- (b) a chiropractor or osteopath or chiropractor and osteopath registered under the *Chiropractors and Osteopaths Act 1991*, and
- (c) a physiotherapist registered under the *Physiotherapists Registration Act 1945*, and
- (d) an optometrist registered under the *Optometrists Act 1930*.

***Heritage item*** means a building, work, place, relic or tree specified in Schedule 2.

***Heritage significance*** means historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance.



## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Schedule 1 Amendments

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**Land** includes:

- (a) the sea or an arm of the sea,
- (b) a bay, inlet, lagoon, lake or body of water, whether inland or not and whether tidal or non-tidal, and
- (c) a river, stream or watercourse, whether tidal or non-tidal.

**Large scale earthworks** means ground disturbance involving more than 2,500 square metres of surface area involving either vegetation removal, cut and fill operations or land forming necessary to permit building work or other development to proceed.

**Maintenance**, in relation to a heritage item, means ongoing protective care of the fabric of the heritage item and its setting.

**Native vegetation** means vegetation that is indigenous to the State, including trees, shrubs and understorey plants. For the purposes of this definition, indigenous vegetation is that of a species which existed in the State before European settlement.

**Natural ground level** means the level of land as if no development has taken place.

**On-site waste disposal** means the breaking down of human or animal wastes via natural means on land and then disposal on the same land either through spraying, in trenches or by other means, but only if it is ancillary to an approved use.

**Potential archaeological site** means a site identified in Schedule 7 to this plan and includes a specific site known to the consent authority to have archaeological potential even if it is not so identified.

**Principles of ecologically sustainable development** means the principles derived from the following statements:

Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes. Ecologically sustainable development can be achieved through the implementation of the following principles and programs:

- (a) the precautionary principle—namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

## Amendments

## Schedule 1

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reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:

- (i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and
  - (ii) an assessment of the risk-weighted consequences of various options,
- (b) inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations,
- (c) conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,
- (d) improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:
- (i) polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement, and
  - (ii) the users of goods and services should pay prices based on the costs involved in the full cycle of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste, and
  - (iii) environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

## Schedule 1 Amendments

---

***Probable maximum flood*** means the largest flood that could conceivably occur in the Macquarie and Talbragar Rivers system. For the purposes of this plan, it is taken to be equivalent to the “Extreme Flood” having a peak discharge of three times that of the 1% AEP (1 in 100 years) event.

***Property Development Plan*** means a plan that has been prepared by an appropriately qualified consultant, and provides details of such of the following as are relevant to the application:

Infrastructure/Plant

- (a) specialised machinery to be used in the proposed agricultural use,
- (b) specialised handling, processing and storage facilities for the proposed agricultural use,
- (c) specialised internal fencing suitable for the proposed agricultural use,
- (d) the adequacy of road access within the allotment for the proposed agricultural use,
- (e) the adequacy of the supply of electricity to the allotment and the arrangements for its distribution for the proposed agricultural use and for its connection to any proposed dwelling house,
- (f) the location intended for any proposed dwelling house,

Economic function

- (g) the current and proposed agricultural use of the allotment,
- (h) budgets relating to the profit and loss of the proposed agricultural use,

Water

- (i) the water allocation that has been obtained and how it is appropriate for the proposed agricultural use,
- (j) the irrigation system and its likely impact on waterways and aquifers,

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

- 
- (k) drainage works to contain run-off of effluent or chemical residues, or any other substance or material stored or generated on-site that is likely to result in the contamination of surface or groundwaters,
  - (l) the impact localised flooding has on the land,

Aquifer

- (m) the location of any aquifer, dam, river, creek or other water source situated under or on, or passing through, the allotment,
- (n) the potential impact of the proposed agricultural use on any aquifer, including its impact on groundwater levels and water quality,

Soils

- (o) a soil survey identifying the soil capability of the allotment, likely contamination, affected salinity (both on and off-site), and the soil management practices appropriate for the proposed agricultural use, including soil erosion control measures,
- (p) the risk of soil erosion and its likely impact on groundwater and surface water quality,

Vegetation

- (q) the impact vegetation clearance may have on the existing habitat of native fauna,
- (r) the risk of bushfire and proposed mitigation measures,
- (s) whether the removal of native vegetation will result in irreparable damage to the vegetation system in the locality.

***Property Development Plan—Abridged*** means a plan that has been prepared by an appropriately qualified consultant, and provides details of such of the following as are relevant to the application:

Infrastructure/Plant

- (a) existing and proposed plant and infrastructure used for the operation of the farming enterprise and farmstay establishment,

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

## Schedule 1 Amendments

Economic function

- (b) the current and proposed agricultural use of the allotment,
- (c) budgets relating to the profit and loss of the agricultural enterprise and the farmstay establishment,

Environmental impact

- (d) the potential impact of the development on any aspect of the environment including water, aquifer, soils and vegetation,

Adjoining land uses

- (e) the potential impact of the development on adjoining land uses including the potential for conflict with agricultural uses within the site and on adjoining sites.

***Qualified consultant*** means a person who possesses tertiary qualifications in agricultural science or land management (or both), has at least 2 years practical experience in that field, and is a member of a professional agricultural, natural resources management or land use planning association that has a code of ethics.

***Relic*** means any deposit, object or material evidence (not being a handicraft made for sale, but which may consist of human remains) relating to:

- (a) the use or settlement of the land within the City of Dubbo, being a deposit, object or material evidence that is more than 50 years old, or
- (b) indigenous or non-European habitation of land within the City of Dubbo, being habitation, either prior to or concurrent with the occupation of that land by persons of European extraction.

***Remediation plan*** means a plan, prepared by a consultant accredited by the Environment Protection Authority, which details works required to be undertaken for the restoration of contaminated land.

***Road*** means a public thoroughfare used for the passage of humans, vehicles or animals.

***Setbacks*** for the purpose of this plan are measured from the property boundary abutting the relevant road.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

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**Soil erosion assessment** means an analysis of the impact proposed development may have on existing erosion patterns and of the measures that are required to minimise soil erosion.

**Sustainable** in the context of this plan refers to existing and proposed activities that, in the Council's opinion, formed after considering advice provided to the Council by relevant government agencies, satisfy the environmental objectives of this plan.

**Sustainable natural resource management** means ensuring that the health, diversity and productivity of the nation's natural resources are maintained or enhanced for the benefit of future generations through the conservation of biological diversity and the integrity of ecosystems and for the purpose of this plan requires that development be assessed with regard to the principles of ecologically sustainable development.

**Temporary use** or **temporary structure** means a use or structure that is intended to operate or be erected only for a specific period of time or in specific circumstances and that is not intended to continue or remain in place on a permanent basis. Where it involves the erection of any new structure, the structure must be designed, erected and maintained so as to be able to be quickly relocated or dismantled.

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

**Transport corridor** means the road and rail corridors (including land up to the adjoining property boundaries) identified as:

- (a) Mitchell Highway,
- (b) Newell Highway,
- (c) Dubbo-Mendooran Road,
- (d) Dunedoo Road,
- (e) Eumungerie-Narromine Road,
- (f) Bunglegumbie Road from the Mitchell Highway to the intersection at Troy Bridge Road,
- (g) Troy Bridge Road,
- (h) Main Western Railway Line,
- (i) Molong Railway Line,

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Schedule 1 Amendments

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- (j) Coonamble Railway Line,
- (k) Merrygoen Railway Line,

on the zoning map.

**Utility undertaking** means any undertaking carried on by or by authority of any Government department, or in pursuance of any Commonwealth or State Act, for the purpose of:

- (a) railway, road, water or air transport, or wharf or river undertakings, or
- (b) the provision of sewerage or drainage services, or
- (c) the supply of water, hydraulic power, electricity or gas, or
- (d) telecommunications facilities, or
- (e) firefighting facilities, or
- (f) paramedical facilities.

**Water quality management plan** means a plan that explains strategies aimed at protecting and enhancing the quality of local surface watercourses by managing the quality and quantity of effluent or contaminated run-off likely to be produced from proposed development, both during and after the construction phase.

**Waterway** means land that is located within 40 metres of the highbank of a river or stream listed in Schedule 3.

**Wetland** means land that is inundated with shallow water that may be slow moving or stationary, fresh, brackish or saline, for a long enough period (either temporarily or permanently) so that the plants and animals living on or within the land are adapted to, and often dependent on, living in a wet condition for at least part of their life cycle.

**Wildlife habitat impact assessment** means an analysis of how development may impact on existing areas of wildlife habitat and existing corridors between those areas.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendments

Schedule 1

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*Zoning map* means the sheets of the map marked “Dubbo Local Environmental Plan 1997—Rural Areas”, as amended by the maps (or, if any sheets of maps are specified, by the specified sheets of the maps) marked as follows:

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

**[27] Schedule 6, heading**

Omit the heading. Insert instead:

**Schedule 6 Additional uses of land**

(Clause 15)

**[28] Schedule 6**

Omit the first item. Insert instead:

- Development for the purpose of a landfill site, waste management facility and/or for passive recreational uses not involving the erection of a building on Lot 1125 DP 880898, known as the Whylandra Waste Disposal depot.

**[29] Schedule 6**

Insert at the end:

- Development for the purpose of bed and breakfast accommodation and/or 2 self contained cabins for the short term accommodation of tourists and a wine tasting/refreshment area on land comprising the consolidation of Lot 1 Section 3 DP 758201, Lot 233 DP 822451 and Lot 331 DP 754308, but only if the development is ancillary to the use of the sites as a vineyard and winery, respectively.



Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Schedule 1      Amendments

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**[30] Schedule 7**

Insert after Schedule 6:

**Schedule 7    Potential archeological sites**

(Schedule 1)

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 3)

Amendment of zoning map

Schedule 2

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## Schedule 2 Amendment of zoning map

(Clause 5)

### [1] Sheets 1–6

Omit from the key on sheets 1–6:

Dryland Agriculture	1 (A)
Intensive Agriculture	1 (I)
Forestry	1 (F)
Small Farm Estate	1 (S)
Village	2 (V)
National Parks & Nature Reserve	8

Insert instead:

1 (A) Dryland Agriculture Zone
1 (I) Intensive Agriculture Zone
1 (F) Forestry Zone
1 (S) Small Farm Estates Zone
2 (V) Village Zone
8 National Parks and Nature Reserves Zone

### [2] Sheet 5

Omit from sheet 5 the words “Scale 1:100 000”.

Insert instead “Scale 1:8,000”.

### [3] Sheet 5 scale bar

Replace the scale bar on sheet 5 with a bar that corresponds to the scale of 1:8,000.

## Gosford Local Environmental Plan No 408

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*.  
(N01/00032/S69)

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

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Clause 1 Gosford Local Environmental Plan No 408

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## Gosford Local Environmental Plan No 408

### 1 Name of plan

This plan is *Gosford Local Environmental Plan No 408*.

### 2 Aims of plan

This plan aims:

- (a) to remove the zoning of part of the land to which this plan applies so as to allow the land to be used for the purpose of a road and to provide that the provisions of the *Gosford Planning Scheme Ordinance* (the Ordinance) will no longer apply to that land, and
- (b) to rezone the remainder of the land which is privately owned to allow it to be used for commercial purposes.

### 3 Land to which plan applies

- (1) To the extent that this plan removes the zoning of land and provides that the Ordinance no longer applies, it applies to Crown land fronting the Pacific Highway, West Gosford, as shown edged heavy black on Sheet 2 of the map marked "Gosford Local Environmental Plan No 408" deposited in the office of Gosford City Council.
- (2) To the extent that this plan rezones land, it applies to part of Lots 120 and 121, DP 846754, Pacific Highway and Racecourse Road, West Gosford, as shown coloured light blue with dark scarlet edging and lettered 3 (b) on Sheet 1 of that map.

### 4 Amendment of Gosford Planning Scheme Ordinance

*Gosford Planning Scheme Ordinance* is amended:

- (a) by inserting in appropriate order at the end of the definition of *Scheme map* in clause 3 (1):  
Gosford Local Environmental Plan No 408

Gosford Local Environmental Plan No 408

Clause 4

- 
- (b) by inserting at the end of clause 4 (2):  
Land, being Crown land fronting the Pacific Highway, West Gosford, as shown edged heavy black on Sheet 2 of the map marked "Gosford Local Environmental Plan No 408" deposited in the office of the Council.

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979****HAWKESBURY LOCAL ENVIRONMENTAL PLAN 1989 (AMENDMENT No. 121)**

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. (P00/00160/S69)

Sydney, 9 May 2001.

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

**Citation**

1. This plan may be cited as Hawkesbury Local Environmental Plan 1989 (Amendment No. 121).

**Aims, objectives, etc**

2. The aim of this plan is to correct some anomalies in the operation of the clauses controlling subdivision by the adjustment of boundaries.

**Land to which plan applies**

3. This plan applies to all land within the City of Hawkesbury to which Hawkesbury Local Environmental Plan 1989 applies.

**Relationship to other environmental planning instruments**

4. This plan amends Hawkesbury Local Environmental Plan 1989 in the manner set out in clause 5.

**Amendment of Hawkesbury Local Environmental Plan 1989**

5. Hawkesbury Local Environmental Plan 1989 is amended as follows:

- (a) omit clause 13 (1) (d) and insert instead the following paragraphs:
  - (d) the number of dwelling-houses capable of being erected, as a consequence of the adjustment or relocation, does not exceed the total number permissible prior to that adjustment or relocation; and
  - (e) the number of additional allotments capable of being created, as a consequence of the adjustment or relocation, under this plan does not exceed the total permissible prior to that adjustment or relocation.
- (b) omit clause 13 (6) (b) and insert instead the following paragraphs:
  - (b) whether the land is capable of on-site effluent disposal where no reticulated sewerage system is available; and
  - (c) whether the proposed lots are similar in size to the surrounding lots; and
  - (d) whether the environment will be improved as a result of the subdivision; and
  - (e) whether appropriate environmentally sound, safe, low-cost access is available for the dwelling-house site proposed on each of the lots created by the subdivision; and
  - (f) whether the proposed lots will affect a historic subdivision pattern; and
  - (g) whether development that may occur as a result of the subdivision will affect a historically significant view or vista to or from a heritage item.

## **Kiama Local Environmental Plan 1996 (Amendment No 42)**

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*.  
(W91/00407/S69)

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

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Clause 1                      Kiama Local Environmental Plan 1996 (Amendment No 42)

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## **Kiama Local Environmental Plan 1996 (Amendment No 42)**

### **1 Name of plan**

This plan is *Kiama Local Environmental Plan 1996 (Amendment No 42)*.

### **2 Aims of plan**

This plan replaces a land description in Schedule 4 to *Kiama Local Environmental Plan 1996* that consequently reduces the area of land on which the carrying out of development for the purpose of a low impact and low scale tourist facility is permissible with consent.

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

This plan applies to land situated in the area of Kiama, being Lot 201, DP 1022563, Crooked River Road, Gerroa, as shown edged heavy black on the map marked "Kiama Local Environmental Plan 1996 (Amendment No 42)" deposited in the office of the Council of the Municipality of Kiama.

### **4 Amendment of Kiama Local Environmental Plan 1996**

*Kiama Local Environmental Plan 1996* is amended by omitting from Schedule 4 the following matter:

Lot 1, DP 730771, Crooked River Road, Gerroa, as shown edged heavy black on the map marked "Kiama Local Environmental Plan 1996 Amendment No 16"

and by inserting instead the following matter:

Lot 201, DP 1022563, Crooked River Road, Gerroa, as shown edged heavy black on the map marked "Kiama Local Environmental Plan 1996 (Amendment No 42)"



**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979****LIVERPOOL LOCAL ENVIRONMENTAL PLAN 1997 (AMENDMENT No. 46)**

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. (P99/00563/S69)

Sydney, 3 May 2001.

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

**Citation**

1. This plan may be cited as Liverpool Local Environmental Plan 1997 (Amendment No. 46)

**Aims, objectives, etc**

2. This plan aims to rezone the land to which this plan applies to the 3 (a) Business zone under Liverpool Local Environmental Plan 1997 to allow the land to be used for a wide range of uses consistent with the needs of the Liverpool City Centre.

**Land to which this plan applies**

3. This plan applies to land with frontages to parts of Castlereagh Street and Elizabeth Drive, Liverpool, as shown edged heavy black on the map marked "Liverpool Local Environmental Plan 1997 (Amendment No. 46)" deposited in the office of the Council of the City of Liverpool.

**Relationship to other environmental planning instruments**

4. This plan amends Liverpool Local Environmental Plan 1997 as set out in clause 5.

**Amendment of Liverpool Local Environmental Plan 1997**

5. Liverpool Local Environmental Plan 1997 is amended by inserting at the end of the definition of "the map" in clause 6 (1) the following words:

Liverpool Local Environmental Plan 1997 (Amendment No. 46)

## **Maitland Local Environmental Plan 1993 (Amendment No 61)**

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*.  
(N00/00175/S69)

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

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Clause 1 Maitland Local Environmental Plan 1993 (Amendment No 61)

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## **Maitland Local Environmental Plan 1993 (Amendment No 61)**

### **1 Name of plan**

This plan is *Maitland Local Environmental Plan 1993 (Amendment No 61)*.

### **2 Aims of plan**

This plan aims to permit on the land to which this plan applies, with the consent of Maitland City Council, the carrying out of development for the purposes of a refreshment room, and business or office premises with a maximum gross floor area of 460 square metres.

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

This plan applies to land in the City of Maitland, being Lot 8415, DP 884390 and Lots 1–3, Section D, DP 23700, corner of the New England Highway and Arthur Street, Rutherford, as shown edged heavy black on the map marked “Maitland Local Environmental Plan 1993 (Amendment No 61)” deposited in the office of Maitland City Council.

### **4 Amendment of Maitland Local Environmental Plan 1993**

*Maitland Local Environmental Plan 1993* is amended by inserting at the end of Schedule 3 the following words:

Lot 8415, DP 884390 and Lots 1–3, Section D, DP 23700, corner of the New England Highway and Arthur Street, Rutherford, as shown edged heavy black on the map marked “Maitland Local Environmental Plan 1993 (Amendment No 61)”: Refreshment room; business or office premises with a maximum gross floor area of 460 square metres. RZ99004

## **Marrickville Local Environmental Plan 2001**

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*.  
(R97/00235/PC)

Minister for Urban Affairs and Planning

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Marrickville Local Environmental Plan 2001

Contents

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## Contents

	Page
<b>Part 1 Preliminary</b>	
1 Name of plan	5
2 Area covered by this plan	5
3 Relationship to other environmental planning instruments	5
4 Consent authority	5
5 Definitions and interpretation	5
<b>Part 2 Planning principles</b>	
6 Aim	7
7 Objectives	7
<b>Part 3 Zoning provisions</b>	
8 Zones indicated on the map	8
9 Zone objectives and development control	8
10 Residential 2 (A) zone	8
11 Residential 2 (B) zone	9
12 Residential 2 (C) zone	10
13 General Business 3 (A) zone	11
14 Neighbourhood Business 3 (B) zone	12
15 General Industrial 4 (A) zone	13
16 Light Industrial 4 (B) zone	14
17 Special Uses 5 (A) zone	15
18 Special Uses 5 (B) Railway zone	16
19 Open Space 6 (A) zone	16
20 Private Open Space 6 (B) zone	17
21 Local Open Space 9 (A) Reservation zone	18
22 Special Uses 9 (B) Reservation zone	19
23 Arterial Road and Arterial Road Widening 9 (C) Reservation zone	20
24 Local Road and Local Road Widening 9 (D) Reservation zone	20
25 Complying and exempt development	21

---

Page 2

Marrickville Local Environmental Plan 2001

Contents

	Page
<b>Part 4    General restrictions on development</b>	
26    Subdivision controls	23
27    Temporary uses	23
28    Development within areas affected by aircraft related noise	23
29    Flood prone land	24
30    Development on public roads	24
31    Nuclear activities	24
32    Conversion of industrial buildings to residential flat buildings	25
<b>Part 5    Specific restrictions on development</b>	
33    Floor space ratios	27
34    Height of certain buildings in Residential 2 (B) and 2 (C) zones	27
35    Dual occupancy development standards	28
36    Multi unit housing development on land zoned Residential 2 (A)	28
37    Landform modification	28
38    Use of existing commercial buildings in residential zones	29
39    Light industrial use of land in business zones	29
40    Offices, showrooms and shops in industrial zones	29
41    Advertisements and advertising structures	30
42    Child care centres	30
43    Professional consulting rooms in residential zones	31
44    Premises used for prostitution	31
45    Development of certain land for particular purposes	32
46    Restriction of development by proposed road realignment	33
<b>Part 6    Heritage conservation controls</b>	
47    Objectives	34
48    Protection of heritage items, heritage conservation areas and relics	34
49    Development consent not required for certain minor works	36
50    Notice of applications to local Aboriginal communities and the National Parks and Wildlife Service	37
51    Notification of demolition to the Heritage Council	37
52    Development in the vicinity of a heritage item	37
53    Development of known or potential archaeological sites (including places of Aboriginal cultural heritage significance)	38

Page 3

## Marrickville Local Environmental Plan 2001

## Contents

	Page
54 Conservation incentives	39
55 Matters to take into account in heritage conservation areas	40
<b>Part 7 Environmental management provisions</b>	
56 Protection of trees	41
57 Development involving acid sulfate soils	41
58 Waste management	42
59 Energy, water and stormwater efficiency	43
60 Landscaping and biodiversity	43
61 Development in the vicinity of Alexandra Canal	43
<b>Part 8 Social planning provisions</b>	
62 Community safety	45
63 Retention of low-cost rental accommodation	45
64 Accessibility	46
<b>Part 9 Special provisions</b>	
65 Acquisition and development of land reserved for roads	47
66 Acquisition of certain land reserved for Council	48
67 Acquisition of land reserved for special uses	49
68 Pending applications	50
69 Classification and reclassification of public land as operational land	50
70 Classification and reclassification of public land as community land	51
71 Suspension of certain covenants etc	51
<b>Schedules</b>	
1 Definitions	52
2 Additional development	66
3 Classification and reclassification of public land as operational land	71
4 Classification and reclassification of public land as community land	72
5 Identification of heritage items	73

Marrickville Local Environmental Plan 2001

Clause 1

Preliminary

Part 1

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## Marrickville Local Environmental Plan 2001

### Part 1 Preliminary

#### 1 Name of plan

This plan is *Marrickville Local Environmental Plan 2001*.

#### 2 Area covered by this plan

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

#### 3 Relationship to other environmental planning instruments

- (1) This plan repeals all local environmental plans and deemed environmental planning instruments which, immediately before the day on which this plan took effect, applied to the land to which this plan applies.
- (2) *State Environmental Planning Policy No 4—Development Without Consent* is amended by inserting at the end of Schedule 1 the following words:  
*Clause 57 of Marrickville Local Environmental Plan 2001*
- (3) *State Environmental Planning Policy No 60—Exempt and Complying Development* is amended by omitting the word “Marrickville” from subclause (1) of Part 1 of Schedule 1.

#### 4 Consent authority

Marrickville Council is the consent authority for the purposes of this plan, subject to the Act.

#### 5 Definitions and interpretation

- (1) Definitions used in this plan are set out in Schedule 1.
- (2) In this plan:
  - (a) a reference to a building or place used for a purpose includes a reference to a building or place intended to be used for the purpose, and



Clause 5           Marrickville Local Environmental Plan 2001

Part 1             Preliminary

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- (b) a reference to a map is a reference to a map deposited in the office of the Council, and
  - (c) a reference to land within a zone specified in clauses 10–24 is a reference to land shown on the map in the manner indicated in the respective clauses as a means of identifying land of the zone so specified.
- (3) Notes to this plan and the list of its contents are not part of this plan.

Marrickville Local Environmental Plan 2001

Clause 6

Planning principles

Part 2

---

## Part 2 Planning principles

### 6 Aim

The aim of this plan is to establish the framework for future development within the Marrickville local government area.

### 7 Objectives

The objectives of this plan are:

- (a) to consolidate and update planning controls in the area, and
- (b) to create a land use framework which allows detailed provisions to be made in development control plans, and
- (c) to enhance the quality of life and promote the well-being of the local community, and
- (d) to encourage new development to apply the principles of ecologically sustainable development, in particular, energy, water and stormwater efficiency, waste reduction and biodiversity conservation, and
- (e) to identify and conserve those items and localities which contribute to the local, built form, environmental and cultural heritage of Marrickville, and
- (f) to ensure that there are adequate controls to minimise aircraft noise impact upon residential and community uses, and
- (g) to encourage housing affordability, diversity and choice, and
- (h) to promote an accessible and safe living environment, and
- (i) to maximise business and employment opportunities, particularly in Marrickville's existing commercial centres.

Clause 8           Marrickville Local Environmental Plan 2001

Part 3            Zoning provisions

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## **Part 3 Zoning provisions**

### **8 Zones indicated on the map**

- (1) Clauses 10–24 describe the objectives for each zone, what development is allowed without development consent (including exempt development) or only with development consent and what development is prohibited in each zone.
- (2) The following zones are created by this plan:
  - Residential 2 (A) zone
  - Residential 2 (B) zone
  - Residential 2 (C) zone
  - General Business 3 (A) zone
  - Neighbourhood Business 3 (B) zone
  - General Industrial 4 (A) zone
  - Light Industrial 4 (B) zone
  - Special Uses 5 (A) zone
  - Special Uses 5 (B) Railway zone
  - Open Space 6 (A) zone
  - Private Open Space 6 (B) zone
  - Local Open Space 9 (A) Reservation zone
  - Special Uses 9 (B) Reservation zone
  - Arterial Road and Arterial Road Widening 9 (C) Reservation zone
  - Local Road and Local Road Widening 9 (D) Reservation zone

### **9 Zone objectives and development control**

The objectives of the zone are required to be taken into consideration by the consent authority in determining whether to grant development consent to a development application relating to land within that zone.

### **10 Residential 2 (A) zone**

- (1) **How is the zone shown on the map?**  
Coloured pink.

Marrickville Local Environmental Plan 2001

Clause 10

Zoning provisions

Part 3

**(2) What are the objectives of the zone?**

The objectives of this zone are:

- (a) to identify areas suitable for predominantly single dwelling residential development, and
- (b) to provide opportunities for non-residential development which is of a type and scale that is compatible with the surrounding land, and
- (c) to enable sites with an area greater than 1,500 square metres to be developed for multi unit housing.

**(3) What does not require development consent?**

Development for the purpose of:

- public utility undertakings

Exempt development

**(4) What requires development consent?**

Development for the purpose of:

- |  |   |
|--|---|
| • bed and breakfast accommodation                        | • home industries                             |
| • boarding houses containing not more than ten residents | • home occupations which involve prostitution |
| • child care centres                                     | • hospitals                                   |
| • community facilities                                   | • places of public worship                    |
| • dual occupancies                                       | • public buildings                            |
| • dwelling houses  | • recreation areas                            |
| • educational establishments                             | • remediation                                 |

Demolition

**(5) What is prohibited?**

Development not included in subclause (3) or (4).

**11 Residential 2 (B) zone****(1) How is the zone shown on the map?**

Coloured pink with red edging and lettered 2 (B).

**(2) What are the objectives of the zone?**

The objectives of this zone are:

- (a) to identify areas suitable for multi unit housing and residential flat buildings to a maximum of two storeys in appearance, and

Clause 11 Marrickville Local Environmental Plan 2001

Part 3 Zoning provisions

(b) to provide opportunities for non-residential development which is of a type and scale that is compatible with the surrounding area.

(3) **What does not require development consent?**

Development for the purpose of:

- public utility undertakings

Exempt development

(4) **What requires development consent?**

Development for the purpose of:

- |  |                              |
|--|------------------------------|
| • bed and breakfast accommodation                                | • hospitals                  |
| • boarding houses  | • multi unit housing         |
| • child care centres   | • places of public worship   |
| • community facilities   | • public buildings           |
| • dual occupancies   | • recreation areas           |
| • dwelling houses  | • remediation                |
| • educational establishments                                     | • residential flat buildings |
| • home industries  | • serviced apartments        |
| • home occupations in dwelling houses which involve prostitution |                              |

Demolition

(5) **What is prohibited?**

Development not included in subclause (3) or (4).

**12 Residential 2 (C) zone**

(1) **How is the zone shown on the map?**

Coloured pink with red edging and lettered 2 (C).

(2) **What are the objectives of the zone?**

The objectives of this zone are:

- (a) to identify areas suitable for multi unit housing and residential flat buildings to a maximum of three storeys in appearance, and
- (b) to provide opportunities for non-residential development which is of a type and scale that is compatible with the surrounding area, and
- (c) to enable large sites to be developed for multi unit housing and residential flat buildings exceeding three storeys in appearance.

Marrickville Local Environmental Plan 2001

Clause 12

Zoning provisions

Part 3

**(3) What does not require development consent?**

Development for the purpose of:

- public utility undertakings

Exempt development

**(4) What requires development consent?**

Development for the purpose of:

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• bed and breakfast accommodation</li> <li>• boarding houses</li> <li>• child care centres</li> <li>• community facilities</li> <li>• dual occupancies</li> <li>• dwelling houses</li> <li>• educational establishments</li> <li>• home industries</li> <li>• home occupations in dwelling houses which involve prostitution</li> </ul> | <ul style="list-style-type: none"> <li>• hospitals</li> <li>• multi unit housing</li> <li>• places of public worship</li> <li>• public buildings</li> <li>• recreation areas</li> <li>• remediation</li> <li>• residential flat buildings</li> <li>• serviced apartments</li> </ul> |
|--|---|

Demolition

**(5) What is prohibited?**

Development not included in subclause (3) or (4).

**13 General Business 3 (A) zone****(1) How is the zone shown on the map?**

Coloured blue.

**(2) What are the objectives of the zone?**

The objectives of this zone are:

- (a) to identify areas suitable for business and commercial activities, and
- (b) to permit a variety of ancillary and complementary land uses, and
- (c) to facilitate residential development in conjunction with other permissible uses in the zone.

Clause 13 Marrickville Local Environmental Plan 2001

Part 3 Zoning provisions

(3) **What does not require development consent?**

Development for the purpose of:

- public utility undertakings

Exempt development

(4) **What requires development consent?**

Development not included in subclause (3) or (5).

(5) **What is prohibited?**

Development for the purpose of:

- |  |                                       |
|--|---------------------------------------|
| • airline terminals  | • heliports                           |
| • amusement centres  | • industries                          |
| • bulk stores  | • institutions                        |
| • caravan parks  | • junk yards                          |
| • car repair stations  | • liquid fuel depots                  |
| • dual occupancies   | • mines                               |
| • dwellings, multi unit housing,<br>residential flat buildings, serviced<br>apartments that are not attached to<br>a permissible use | • offensive storage<br>establishments |
| • hazardous storage establishments   | • panel beating workshops             |
| • helipads   | • timber yards                        |
|  | • transport terminals                 |
|  | • warehouses                          |

**14 Neighbourhood Business 3 (B) zone**

(1) **How is the zone shown on the map?**

Coloured dark blue.

(2) **What are the objectives of the zone?**

The objectives of this zone are:

- (a) to identify areas appropriate for low scale business and commercial activities, and
- (b) to permit a variety of ancillary and complementary land uses, and
- (c) to facilitate residential development only in conjunction with business and commercial development.

Marrickville Local Environmental Plan 2001

Clause 14

Zoning provisions

Part 3

**(3) What does not require development consent?**

Development for the purpose of:

- public utility undertakings

Exempt development

**(4) What requires development consent?**

Development for the purpose of:

- |   |  |
|---|--|
| • advertisements                          | • hospitals  |
| • advertising structures                  | • hotels   |
| • bed and breakfast accommodation         | • motels   |
| • boarding houses                         | • multi unit housing attached to a permissible use |
| • car parking                             | • places of assembly                               |
| • child care centres                      | • places of public worship                         |
| • clubs                                   | • professional consulting rooms                    |
| • commercial premises                     | • public buildings                                 |
| • community facilities                    | • refreshment rooms                                |
| • dwellings attached to a permissible use | • remediation                                      |
| • educational establishments              | • retail plant nurseries                           |
| • high technology industries              | • service stations                                 |
| • home industries                         | • shops  |
|   | • swimming pools and spas                          |

Demolition

**(5) What is prohibited?**

Development not included in subclause (3) or (4).

**15 General Industrial 4 (A) zone****(1) How is the zone shown on the map?**

Coloured purple.

**(2) What are the objectives of the zone?**

The objectives of this zone are:

- (a) to identify areas suitable for industrial and warehousing activities, and
- (b) to permit a range of support and ancillary uses.



Clause 15 Marrickville Local Environmental Plan 2001

Part 3 Zoning provisions

(3) **What does not require development consent?**

Development for the purpose of:

- public utility undertakings

Exempt development

(4) **What requires development consent?**

Development not included in subclause (3) or (5).

(5) **What is prohibited?**

Development for the purpose of:

- |  |  |
|--|--|
| • airline terminals  | • hazardous storage establishments   |
| • amusement centres  | • helipads   |
| • bed and breakfast accommodation  | • heliports  |
| • boarding houses  | • hospitals  |
| • bulky goods salesrooms or showrooms  | • institutions   |
| • caravan parks  | • mines  |
| • commercial premises (other than banks and timber yards)                                  | • offensive industries   |
| • dwellings and multi unit housing that are not used in conjunction with a permissible use | • offensive storage establishments   |
| • dual occupancies   | • professional consulting rooms  |
| • dwelling houses  | • restricted premises  |
| • hazardous industries   | • residential flat buildings   |
|  | • serviced apartments  |
|  | • shops (other than chemists' shops, take-away food bars, fruit shops and newsagents' shops) |

**16 Light Industrial 4 (B) zone**

(1) **How is the zone shown on the map?**

Coloured purple with red edging and lettered 4 (B).

(2) **What are the objectives of the zone?**

The objectives of this zone are:

- (a) to identify areas suitable for light industrial and warehousing activities, and
- (b) to permit a range of support and ancillary uses.

Marrickville Local Environmental Plan 2001

Clause 16

Zoning provisions

Part 3

**(3) What does not require development consent?**

Development for the purpose of:

- public utility undertakings

Exempt development

**(4) What requires development consent?**

Development not included in subclause (3) or (5).

**(5) What is prohibited?**

Development for the purpose of:

- |  |  |
|--|--|
| • airline terminals  | • hospitals  |
| • amusement centres  | • industries (other than high technology industries or light industries)                     |
| • bed and breakfast accommodation  | • institutions   |
| • boarding houses  | • junk yards   |
| • bulky goods salesrooms or showrooms  | • laundries  |
| • car repair stations  | • liquid fuel depots   |
| • commercial premises (other than banks)   | • mines  |
| • dual occupancies   | • offensive storage establishments   |
| • dwelling houses  | • panel beating workshops  |
| • dwellings and multi unit housing that are not used in conjunction with a permissible use | • professional consulting rooms  |
| • hazardous storage establishments   | • residential flat buildings   |
| • helipads   | • restricted premises  |
| • heliports  | • road transport terminals   |
|  | • serviced apartments  |
|  | • shops (other than chemists' shops, take-away food bars, fruit shops and newsagents' shops) |

**17 Special Uses 5 (A) zone****(1) How is the zone shown on the map?**

Coloured yellow.

**(2) What are the objectives of the zone?**

The objective of this zone is to identify areas appropriate for the provision of community facilities.

Clause 17           Marrickville Local Environmental Plan 2001

Part 3             Zoning provisions

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(3) **What does not require development consent?**

Development for the purpose of:

- public utility undertakings

Exempt development

(4) **What requires development consent?**

Development for the purpose of:

- car parking
- child care centres
- community facilities
- educational establishments
- hospitals
- places of public worship
- public buildings
- public purposes

Demolition

(5) **What is prohibited?**

Development not included in subclause (3) or (4).

**18 Special Uses 5 (B) Railway zone**

(1) **How is the zone shown on the map?**

Coloured dark grey.

(2) **What are the objectives of the zone?**

The objective of this zone is to identify areas appropriate for railway development.

(3) **What does not require development consent?**

Development for the purpose of:

- public utility undertakings

(4) **What requires development consent?**

Development not included in subclause (3) or (5).

(5) **What is prohibited?**

Nil.

**19 Open Space 6 (A) zone**

(1) **How is the zone shown on the map?**

Coloured dark green.

Marrickville Local Environmental Plan 2001

Clause 19

Zoning provisions

Part 3

**(2) What are the objectives of the zone?**

The objective of this zone is to identify land appropriate for use as open space and for public recreational purposes.

**(3) What does not require development consent?**

Development for the purpose of:

- public utility undertakings
- works (but not buildings) involved in landscaping, gardening or bushfire hazard reduction authorised by a plan of management in respect of the land adopted by the Council under section 40 of the *Local Government Act 1993*

Exempt development

**(4) What requires development consent?**

Development for the purpose of:

- |                                     |                      |
|-------------------------------------|----------------------|
| • car parking                       | • recreation areas   |
| • child care centres                | • show grounds       |
| • open space maintenance facilities | • tourist facilities |

Demolition

**(5) What is prohibited?**

Development not included in subclause (3) or (4).

**20 Private Open Space 6 (B) zone****(1) How is the zone shown on the map?**

Coloured dark green with yellow edging.

**(2) What are the objectives of the zone?**

The objectives of this zone are:

- (a) to identify land appropriate for use as open space and for recreational purposes, and
- (b) to facilitate the use of privately owned land for sporting activities and associated uses.

Clause 20 Marrickville Local Environmental Plan 2001

Part 3 Zoning provisions

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(3) **What does not require development consent?**

Development for the purpose of:

- public utility undertakings
- works (but not buildings) involved in landscaping

Exempt development

(4) **What requires development consent?**

Development for the purpose of:

- car parking
- child care centres
- clubs
- open space maintenance facilities
- recreation areas
- recreation facilities
- show grounds

Demolition

(5) **What is prohibited?**

Development not included in subclause (3) or (4).

**21 Local Open Space 9 (A) Reservation zone**

(1) **How is the zone shown on the map?**

Coloured light green with black edging.

(2) **What are the objectives of the zone?**

The objective of this zone is to identify land intended to be acquired by the Council for open space and public recreational purposes.

(3) **What does not require development consent?**

Development for the purpose of:

- public utility undertakings
- works (but not buildings) involved in landscaping, gardening or bushfire hazard reduction

Exempt development

Marrickville Local Environmental Plan 2001

Clause 21

Zoning provisions

Part 3

**(4) What requires development consent?**

Development for the purpose of:

- car parking
- child care centres
- open space maintenance facilities
- recreation areas
- show grounds

Demolition

**(5) What is prohibited?**

Development not included in subclause (3) or (4).

**22 Special Uses 9 (B) Reservation zone****(1) How is the zone shown on the map?**

Coloured yellow with dark green edging.

**(2) What are the objectives of the zone?**

The objectives of this zone are:

- (a) to identify land reserved for future acquisition by the Council for the provision of community facilities, and
- (b) to identify land reserved at the request of a public authority for future acquisition for development for a public purpose for which the authority is responsible.

**(3) What does not require development consent?**

Development for the purpose of:

- public utility undertakings

Exempt development

**(4) What requires development consent?**

Development for the purpose of:

- car parking
- child care centres
- community facilities
- educational establishments
- hospitals
- places of public worship
- public buildings
- public purposes
- recreation facilities

Demolition

Clause 22           Marrickville Local Environmental Plan 2001

Part 3               Zoning provisions

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Development for the purpose of the particular use indicated for the land on the map (including development ordinarily incidental or ancillary to that use)

(5) **What is prohibited?**

Development not included in subclause (3) or (4).

**23 Arterial Road and Arterial Road Widening 9 (C) Reservation zone**

(1) **How is the zone shown on the map?**

Broken red band between firm black lines.

(2) **What are the objectives of the zone?**

The objective of this zone is to identify land required by the RTA for new arterial roads, and the widening of existing arterial roads.

(3) **What does not require development consent?**

Development for the purpose of:

- arterial roads, including widening of existing arterial roads
- public utility undertakings

Exempt development

(4) **What requires development consent?**

Development for the purpose of:

- car parking

Demolition

(5) **What is prohibited?**

Development not included in subclause (3) or (4).

**24 Local Road and Local Road Widening 9 (D) Reservation zone**

(1) **How is the zone shown on the map?**

Coloured grey between firm black lines.

(2) **What are the objectives of the zone?**

The objective of this zone is to identify land reserved for acquisition by the Council for new local roads and local road widening.

Marrickville Local Environmental Plan 2001

Clause 24

Zoning provisions

Part 3

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(3) **What does not require development consent?**

Development for the purpose of:

- public utility undertakings
- works (but not buildings) involved in roads and road widening

Exempt development

(4) **What requires development consent?**

Development for the purpose of:

- car parking

Demolition

(5) **What is prohibited?**

Development not included in subclause (3) or (4).

**25 Complying and exempt development**

- (1) Development of minimal environmental impact listed as exempt development in *Marrickville Development Control Plan 36—Complying and Exempt Development* as adopted by the Council on 18 April 2000 is exempt development, subject to this clause.
- (2) Development listed as complying development in *Development Control Plan 36—Complying and Exempt Development* as adopted by the Council on 18 April 2000 is complying development if it is local development of a kind that can be carried out with consent on the land on which it is proposed.
- (3) Building work that is ordinarily incidental or ancillary to any building lawfully in existence immediately before the commencement of this plan may be carried out with consent on the site of the building if the building work is listed as referred to in subclause (2) as complying development.
- (4) Subclause (3) does not apply to allow any building work on land that is zoned Local Open Space 9 (A) Reservation, Special Uses 9 (B) Reservation, Arterial Road and Arterial Road Widening 9 (C) Reservation or Local Road and Local Road Widening 9 (D) Reservation.



Clause 25           Marrickville Local Environmental Plan 2001

Part 3               Zoning provisions

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- (5) Development is complying or exempt development only if it complies with the development standards and other requirements applied to the development by *Development Control Plan 36—Complying and Exempt Development*, as adopted by the Council on 18 April 2000.
- (6) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Development Control Plan 36—Complying and Exempt Development* adopted by the Council, as in force when the certificate is issued.

Marrickville Local Environmental Plan 2001

Clause 26

General restrictions on development

Part 4

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## Part 4 General restrictions on development

### 26 Subdivision controls

A person must not subdivide land to which this plan applies without development consent.

### 27 Temporary uses

Despite any other provision of this plan, consent may be granted to any use of land or a building, including the erection of temporary structures or the carrying out of temporary works in connection with the use, on any land to which this plan applies, if the consent authority is satisfied that:

- (a) the use is genuinely temporary and will cease within the time fixed or agreed to by the consent authority, and
- (b) suitable arrangements have been made for the removal of any temporary structures or works, and for the reinstatement of the land or building, after the cessation of the temporary use, and
- (c) the granting of consent to the use is reasonable having regard to the nature of the use and the economic use of the land or the building pending its development in accordance with other provisions of this plan, and
- (d) the use will not unreasonably affect the viability of any commercial centre in the locality.

### 28 Development within areas affected by aircraft related noise

- (1) This clause applies to all land within the area bounded by the 20 Australian Noise Exposure Forecast (ANEF) contour as advised from time to time by the airport owner, and endorsed by Airservices Australia.
- (2) The consent authority, in determining whether to grant consent to development, on land to which this clause applies, for:
  - (a) residential purposes where the ANEF exceeds 20, or
  - (b) the purpose of educational establishments, hospitals or nursing homes, where the ANEF exceeds 20, or
  - (c) the purpose of hotels, motels, hostels or other tourist accommodation or public buildings, where the ANEF exceeds 25, or

Clause 28           Marrickville Local Environmental Plan 2001

Part 4               General restrictions on development

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- (d) the purpose of shops or commercial premises, where the ANEF exceeds 25, or
  - (e) the purpose of light industry, where the ANEF exceeds 30,
- must take into consideration the guidelines provided in Australian Standard *AS 2021-2000—Acoustics—Aircraft noise intrusion—Building siting and construction* regarding noise reduction relevant to the particular type of development the subject of the application.

### **29 Flood prone land**

- (1) A person shall not carry out development on land shown on the map as flood prone land without development consent.
- (2) The consent authority may, as a condition of its consent, require the floor of the building or work to be erected at a height sufficient, in the opinion of the consent authority, to prevent or reduce the incidence of flooding of that building or work or of adjoining land.

### **30 Development on public roads**

- (1) A person shall not erect a structure or carry out a work on a public road shown uncoloured on the map, or part of a public road that has been lawfully closed, without development consent.
- (2) Subclause (1) does not apply:
  - (a) to Council development for the purpose of bus shelters, landscaping or street furniture, or
  - (b) where approval has been granted for the development under Part 1 of Chapter 7 of the *Local Government Act 1993*, or
  - (c) to development for the purpose of public utility undertakings.

### **31 Nuclear activities**

Nothing in this plan prevents development, with development consent, for the purpose of the storage or disposal of any radioactive waste material resulting from an activity authorised under the *Radiation Control Act 1990*.

Marrickville Local Environmental Plan 2001

Clause 32

General restrictions on development

Part 4

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### **32 Conversion of industrial buildings to residential flat buildings**

- (1) This clause applies to a building in existence on land zoned Residential 2 (A), 2 (B) or 2 (C) on the appointed day, being a building that was designed and constructed for an industrial or warehouse purpose and in respect of which the existing use provisions of the Act have ceased to apply.
- (2) Despite any other provision of this plan, consent may be granted for the conversion of a building to which this clause applies to a residential flat building.
- (3) The following provisions do not apply to development allowed to be carried out by this clause:
  - (a) clause 33 (which relates to floor space ratios in respect of residential buildings),
  - (b) clause 34 (which relates to the height of multi unit housing and residential flat buildings in the Residential 2 (B) and 2 (C) zones),
  - (c) clause 36 (which relates to the height and floor space ratio of multi unit housing in the Residential 2 (A) zone).
- (4) Before granting consent for development referred to in subclause (2), the consent authority must take into consideration such of the following matters as are of relevance to the proposed development:
  - (a) the impact of the proposal on the scale and streetscape of the surrounding locality,
  - (b) the impact on surrounding properties, particularly in respect to overshadowing, loss of privacy, and visual intrusion,
  - (c) the impact on the future residents of the building by surrounding properties, particularly in respect to dust, odour and noise,
  - (d) the appropriateness of requiring, as a condition of any such consent, provision of landscaping or a private recreation area in the form of balconies and terraces,
  - (e) the heritage aspects of the existing building,
  - (f) the guidelines provided in Australian Standard *AS 2021–2000—Acoustics—Aircraft noise intrusion—Building siting and construction*, as amended from time to time, regarding noise reduction,

Clause 32           Marrickville Local Environmental Plan 2001

Part 4               General restrictions on development

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- (g) any guidelines, protocols or standards known to the consent authority to have been published by the EPA and which are relevant to remediation procedures, the type of contamination on the land or the type of use for which the land was, is or is proposed to be, developed,
  - (h) other sources of potential contamination,
  - (i) the building's suitability for conversion,
  - (j) the proximity and accessibility of the building to public transport,
  - (k) the degree of modification of the footprint, façade and height of the building,
  - (l) the impact on employment opportunities in the area,
  - (m) the size and mix of units or apartments,
  - (n) the impact on traffic and parking and the nature of the surrounding streets.
- (5) When granting such a consent, the consent authority may impose conditions that:
- (a) require the investigation, sampling and testing of the land referred to in the application, and
  - (b) require preparation of a remedial action plan for the land referred to in the application, and
  - (c) require remediation of the land referred to in the application to an appropriate standard, and
  - (d) prohibit the construction or erection of a building or the carrying out of a work on any part of the land referred to in the application until the responsible authority accepts in writing an independent review verifying the remediation of the land to an appropriate standard.

Marrickville Local Environmental Plan 2001

Clause 33

Specific restrictions on development

Part 5

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## Part 5 Specific restrictions on development

### 33 Floor space ratios

- (1) The floor space ratios of buildings are not to exceed those indicated in the Table below:

#### Floor space ratio table

Zone	Maximum floor space ratio
Residential 2 (A)	0.7:1
Residential 2 (B)	0.7:1
Residential 2 (C)	1:1
General Business 3 (A)	2:1
Neighbourhood Business 3 (B)	1:1
General Industrial 4 (A)	1:1
Light Industrial 4 (B)	1:1

- (2) Subclause (1) does not apply to single dwelling houses or dual occupancies on land within the Residential 2 (A), 2 (B) or 2 (C) zone.
- (3) Despite subclause (1), the maximum floor space ratio of a boarding house is 0.7:1.

### 34 Height of certain buildings in Residential 2 (B) and 2 (C) zones

- (1) A person shall not construct multi unit housing or a residential flat building within the Residential 2 (B) zone which exceeds 7.2 metres in height.
- (2) A person shall not construct multi unit housing or a residential flat building within the Residential 2 (C) zone which exceeds 10 metres in height, unless the site:
- is not less than 2,500 square metres in area, and
  - is not less than 30 metres wide at the front alignment of the building.

Clause 35           Marrickville Local Environmental Plan 2001

Part 5               Specific restrictions on development

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**35 Dual occupancy development standards**

- (1) A person shall not carry out dual occupancy development unless the following standards are met:
- (a) the allotment is to have an area of:
    - (i) 400 square metres or more where the two dwellings are attached, or
    - (ii) 600 square metres or more where the two dwellings are detached,
  - (b) the building or buildings on the allotment after the development is carried out are to have a floor space ratio:
    - (i) of 0.6:1 or less, or
    - (ii) equal to or less than the floor space ratio of any dwelling that was on the allotment before the development was carried out, if that ratio exceeds 0.6:1,
  - (c) a detached second dwelling house shall not have a height greater than 3.6 metres.

**36 Multi unit housing development on land zoned Residential 2 (A)**

Despite clause 10, multi unit housing development may, with development consent, be carried out on land zoned Residential 2 (A) if:

- (a) the site area is not less than 1,500 square metres, and
- (b) the floor space ratio does not exceed the requirements of clause 33, and
- (c) the building or buildings do not exceed 7.2 metres in height.

**37 Landform modification**

- (1) A person shall not, without development consent, carry out development on land which has the effect of materially altering the shape or natural form of the land, through either filling or excavation.
- (2) Subclause (1) does not apply to development for the purpose of public utility undertakings.

Marrickville Local Environmental Plan 2001

Clause 38

Specific restrictions on development

Part 5

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### **38 Use of existing commercial buildings in residential zones**

- (1) This clause applies to a building (other than a heritage item) in existence on land zoned Residential 2 (A), 2 (B) or 2 (C) on the appointed day, being a building that was designed and constructed for a non-residential purpose and in respect of which the existing use provisions of the Act have ceased to apply.
- (2) Despite any other provision of this plan, consent may be granted to the use of a building to which this clause applies for business or retail purposes provided the consent authority is satisfied that the gross floor area that will be used for those purposes does not exceed 100 square metres.

### **39 Light industrial use of land in business zones**

Despite clauses 13 and 14, development for the purpose of a light industry may, with development consent, be carried out on land zoned General Business 3 (A) or Neighbourhood Business 3 (B) if:

- (a) the gross floor area of the building, part of the building or the total area of the land proposed to be used exceeds 500 square metres, or
- (b) the site area of the land upon which the proposed development is to be carried out exceeds 1,000 square metres.

### **40 Offices, showrooms and shops in industrial zones**

Despite clauses 15 and 16, development for the purpose of offices, showrooms or shops may, with development consent, be carried out on land zoned General Industrial 4 (A) or Light Industrial 4 (B) if:

- (a) in relation to development for the purpose of offices or showrooms, or both, the consent authority is satisfied that:
  - (i) use of the office or showroom is ancillary or incidental to a use permissible within the General Industrial 4 (A) or Light Industrial 4 (B) zone that is being carried out on the land, and
  - (ii) the area devoted to the office or showroom, or both, does not comprise more than 25 per cent of the gross floor area devoted to that use, and
  - (iii) adequate on-site parking is available to accommodate the parking demands of the office or showroom, or



Clause 40 Marrickville Local Environmental Plan 2001

Part 5 Specific restrictions on development

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- (b) in relation to development for the purpose of shops:
  - (i) use of the shop is ancillary or incidental to an industrial or warehouse use permissible within the zone that is being carried out on the land, and
  - (ii) the gross floor area of the shop is not greater than 100 square metres.

#### **41 Advertisements and advertising structures**

- (1) An advertisement or advertising structure shall not be displayed or erected on any land without development consent.
- (2) Before granting consent to the display or erection of an advertisement or advertising structure, the consent authority must take into consideration:
  - (a) whether the advertisement or advertising structure complements and is compatible with the building or work on which it is to be displayed or erected and the physical character of the surrounding locality, and
  - (b) the effect of the advertisement or advertising structure on the amenity of the locality within which it is to be erected or displayed, including the visual impact, size, illumination, overshadowing or any other effect, and
  - (c) the effect of the advertisement or advertising structure on traffic safety on the streets from which it is visible.

#### **42 Child care centres**

Before granting consent for the use of premises for a child care centre, the consent authority must take into consideration such of the following matters as are of relevance to the application:

- (a) access to and within the site, incorporating principles of safety and provision for people with disabilities, in the design of driveways, car parking, and pedestrian and drop off and pick up areas,
- (b) whether there is provision for adequate off-street car parking,
- (c) the impact of aircraft noise,
- (d) the protection for adjoining and surrounding owners from excessive noise,

Marrickville Local Environmental Plan 2001

Clause 42

Specific restrictions on development

Part 5

- 
- (e) contamination,
  - (f) landscaping and fencing.

#### **43 Professional consulting rooms in residential zones**

Despite clauses 10, 11 and 12, development for the purpose of professional consulting rooms may, with development consent, be carried out on land in residential zones if:

- (a) the development is not carried out in close proximity to an existing commercial centre, and
- (b) sufficient off-street parking can be provided, and
- (c) the development will not unreasonably affect the amenity of surrounding properties.

#### **44 Premises used for prostitution**

- (1) The use of land to which this plan applies (except land zoned General Business 3 (A), General Industrial 4 (A) or Light Industrial 4 (B)) for the purpose of a brothel is prohibited.
- (2) Development for the purpose of a brothel may be carried out on land zoned General Business 3 (A), General Industrial 4 (A) or Light Industrial 4 (B), but only with development consent.
- (3) If development for the purpose of a dwelling house may be carried out on land to which this plan applies, the dwelling house may, but only with development consent, be used for the purpose of a home occupation consisting of prostitution carried on by not more than one prostitute.
- (4) Before granting consent for the use of premises for prostitution, the consent authority must take into consideration such of the following matters as are of relevance to the application:
  - (a) the location of the brothel or dwelling house and its proximity to any child care centre, community facility, educational establishment, hospital, place of public worship, recreation area or residential building, or any place regularly frequented by children,
  - (b) whether the operation of the brothel or dwelling house would cause a disturbance in the neighbourhood because of its size or operating hours, or the number of people working in it,

Clause 44 Marrickville Local Environmental Plan 2001

Part 5 Specific restrictions on development

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- (c) the number of brothels operating in the near vicinity of the premises the subject of the application,
  - (d) whether the operation of the brothel or dwelling house would interfere with the amenity of the neighbourhood,
  - (e) whether suitable access is available, or proposed to be provided, to the brothel or dwelling house,
  - (f) whether a suitable waiting area is provided in the brothel or dwelling house so as to prevent clients loitering outside the premises,
  - (g) whether sufficient off-street parking is available or proposed to be provided, if appropriate in the circumstances,
  - (h) the design and external appearance of the building and any associated structures and their impact on the character of the surrounding built environment,
  - (i) the content, illumination, size and shape of any advertisement and distinctive external lighting, and
  - (j) whether the operation of the brothel or dwelling house would cause a disturbance in the neighbourhood when taking into account any other brothels operating in the neighbourhood.
- (5) Consent must not be granted to the carrying out of development for the purpose of a brothel on land zoned General Business 3 (A) where any part of the brothel (excluding access) is located at street level.
- (6) *State Environmental Planning Policy No 1—Development Standards* does not apply to development to which this clause applies.

**45 Development of certain land for particular purposes**

- (1) Nothing in this plan prevents consent from being granted for the carrying out of development on land identified on the map marked “Marrickville Local Environmental Plan 2001—Additional Development” and referred to in Column 1 of Schedule 2 if the development is specified in Column 2 of that Schedule in relation to that land, subject to the development complying with such requirements as may be specified in Column 2.
- (2) In the event of an inconsistency between such requirements and other provisions of this plan, such requirements shall prevail, but only to the extent of the inconsistency.

Marrickville Local Environmental Plan 2001

Clause 46

Specific restrictions on development

Part 5

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**46 Restriction of development by proposed road realignment**

Despite any other provision of this plan, consent must be obtained for development on land between the existing road alignment and the broken black line identified on the map with the words "PNA".

Clause 47           Marrickville Local Environmental Plan 2001

Part 6               Heritage conservation controls

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## **Part 6 Heritage conservation controls**

### **47 Objectives**

The objectives of this plan in relation to heritage are to:

- (a) conserve the environmental heritage of the Marrickville local government area which includes natural, historic and Aboriginal components of environmental heritage, and
- (b) retain the cultural significance of that area, and
- (c) conserve existing significant fabric, settings, uses, views and relics associated with the heritage significance of heritage items and heritage conservation areas which provide evidence of significant aspects of the history of Marrickville, especially the residential, retail and industrial heritage, and
- (d) ensure that archaeological sites and places of Aboriginal significance are conserved, and
- (e) maintain the heritage significance of areas of remnant vegetation, significant trees, parks and the features of the Cooks River, and
- (f) recognise and strengthen the contribution of the environmental and cultural heritage to the character and amenity of many localities in Marrickville, and
- (g) ensure that the heritage conservation areas throughout Marrickville local government area retain their heritage significance, and
- (h) ensure that any development does not adversely affect the heritage significance of heritage items and heritage conservation areas and their settings.

### **48 Protection of heritage items, heritage conservation areas and relics**

- (1) The following development may be carried out only with development consent:
  - (a) demolishing or moving a heritage item or a building, work, relic, tree or place within a heritage conservation area,

Marrickville Local Environmental Plan 2001

Clause 48

Heritage conservation controls

Part 6

- 
- (b) altering a heritage item or a building, work, relic or place within a heritage conservation area by making structural or non-structural changes to its exterior, including changes to its detail, fabric, finish or appearance,
  - (c) altering a heritage item by making structural changes to its interior,
  - (d) moving a relic, or excavating land for the purpose of discovering, exposing or moving a relic,
  - (e) demolishing, dismantling, moving or altering a heritage item or relic,
  - (f) erecting a building on, or subdividing, land upon which a heritage item is located or which is within a heritage conservation area.
- (2) When determining a development application required by this clause, the consent authority must take into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area. This is to include but not to be limited to an assessment of the following:
- (a) for heritage items:
    - (i) the heritage significance of the item as part of the environmental heritage of the Marrickville local government area,
    - (ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features,
    - (iii) the measures proposed to conserve the heritage significance of the item and its setting,
    - (iv) whether any archaeological site or potential archaeological site would be adversely affected,
    - (v) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision,
  - (b) for heritage conservation areas:
    - (i) the heritage significance of the heritage conservation area and the contribution which any affected building, work, relic, tree or place makes to this heritage significance,

Clause 48 Marrickville Local Environmental Plan 2001

Part 6 Heritage conservation controls

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- (ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area,
  - (iii) the compatibility of the proposed development with nearby original buildings and the character of the heritage conservation area, including consideration of the size, form, scale, orientation, setbacks, materials and detailing of the proposed development,
  - (iv) the measures proposed to conserve the significance of the heritage conservation area and its setting,
  - (v) whether any identified landscape or horticultural features would be affected,
  - (vi) whether any archaeological site or potential archaeological site would be affected,
  - (vii) the extent to which the carrying out of the development in accordance with the consent would affect an historic subdivision pattern.
- (3) When determining whether or not to grant development consent required by this clause, the consent authority:
- (a) must not grant such consent until it has considered:
    - (i) a heritage impact statement for heritage items, or
    - (ii) a heritage assessment for conservation areas,which includes an assessment of matters specified in subclause (2) (a) or (b) (as appropriate), and
  - (b) may refuse to grant consent until it has considered a conservation management plan.

#### **49 Development consent not required for certain minor works**

Development consent is not required under clause 48, or for the carrying out of development on land identified as a heritage conservation area on the map marked "Marrickville Local Environmental Plan No 111", if:

- (a) in the opinion of the consent authority, the proposed development:
  - (i) is of a minor nature or consists of maintenance of the item or building, work, archaeological site, tree or place within a heritage conservation area, and
  - (ii) will not adversely affect the significance of the heritage item or heritage conservation area, and

Marrickville Local Environmental Plan 2001

Clause 49

Heritage conservation controls

Part 6

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- (b) the proponent has notified the consent authority in writing of the proposed work, and
  - (c) the consent authority has advised the proponent in writing before any work is carried out that:
    - (i) it is satisfied that the proposed development will comply with this clause, and
    - (ii) development consent is not required by any other clause of this plan.

**50 Notice of applications to local Aboriginal communities and the National Parks and Wildlife Service**

Before granting development consent to development which is likely to have an impact on an Aboriginal site, Aboriginal place or place of Aboriginal cultural significance, the consent authority must notify the relevant local Aboriginal community and the Director-General of National Parks and Wildlife of its intention to do so and take into consideration any comments received from the community or that Director-General within 28 days after the notice is sent.

**51 Notification of demolition to the Heritage Council**

Any application for consent to demolition of a heritage item of State significance must be notified to the Heritage Council and any comments received within 28 days of its being so notified must be taken into account in the determination of the application.

**52 Development in the vicinity of a heritage item**

- (1) Consent must not be granted for development affecting land in the vicinity of a heritage item until the consent authority has considered an assessment of the impact that the development would have on the heritage significance and setting of the item, as well as the impact of the development on any significant views to or from the heritage item.
- (2) This clause extends to development that may, in the opinion of the consent authority:
  - (a) have an impact on the setting of the heritage item (such as affecting a significant view to or from the item or by overshadowing), or
  - (b) undermine or otherwise cause physical damage to a heritage item, or



Clause 52           Marrickville Local Environmental Plan 2001

Part 6               Heritage conservation controls

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- (c) otherwise have any adverse impact on the heritage significance of a heritage conservation area or a heritage item within such an area.
- (3) The consent authority may refuse to grant any such consent unless it has considered a heritage assessment that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.
- (4) The heritage assessment should include details of the size, shape and scale of, setbacks for, and materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.

**53 Development of known or potential archaeological sites (including places of Aboriginal cultural heritage significance)**

- (1) Consent may be granted to the carrying out of development on an archaeological site which has Aboriginal cultural heritage significance or a potential archaeological site that is reasonably likely to have Aboriginal cultural heritage significance only if the consent authority:
  - (a) has considered a heritage impact statement of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site, and
  - (b) has notified the Director-General of National Parks and Wildlife of its intention to do so and taken into consideration any comments received from that Director-General within 28 days of the notice being sent.
- (2) Consent may be granted to the carrying out of development on any other archaeological site or potential archaeological site only if the consent authority:
  - (a) has considered a heritage impact statement of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site, and
  - (b) has notified the Heritage Council of its intention to do so and taken into consideration any comments received from that Council within 28 days of the notice being sent.

Marrickville Local Environmental Plan 2001

Clause 53

Heritage conservation controls

Part 6

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- (3) Subclause (2) does not apply if the proposed development does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above ground deposits would not be adversely affected by the proposed development.

#### **54 Conservation incentives**

- (1) Consent may be granted for the use for any purpose of a building that is a heritage item, or of the land on which any such item is erected, even though the use would otherwise be prohibited by this plan, if the consent authority is satisfied that the retention of the building that is a heritage item depends on the granting of consent and:
- (a) the condition of the heritage item is such that the use of the item for any purpose which is permissible in the zone would be impractical or undesirable, and
  - (b) the heritage item requires a substantial amount of capital expenditure (other than maintenance work) in order to conserve its heritage significance, and
  - (c) the proposed use is in accordance with a conservation management plan which has been endorsed by the Council, and
  - (d) the cost of the conservation work identified in the conservation management plan is such that there is no reasonable possibility that any of the uses which are permissible in the zone would be economically viable for the current or any future owner, and
  - (e) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and
  - (f) the proposed use, if approved, would not affect the heritage significance of the heritage item or its setting, and
  - (g) the proposed use would not adversely affect the amenity of the surrounding area, and
  - (h) in all other respects the proposed use complies with the provisions of this plan.
- (2) When considering an application for consent to erect a building on land on which a heritage item is to be retained and conserved, the consent authority may exclude the floor space of the building from its calculation of parking spaces for the proposed development if it is satisfied that:

Clause 54           Marrickville Local Environmental Plan 2001

Part 6               Heritage conservation controls

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- (a) any proposed car parking area would not adversely affect the heritage significance of the item, and
- (b) any proposed car parking area would not adversely affect the amenity of the area and its streetscape qualities, and
- (c) the conservation of the item in accordance with subclause (1) depends on the making of the exclusion.

**55 Matters to take into account in heritage conservation areas**

- (1) Before granting consent to the erection of a building within a heritage conservation area, the consent authority must make an assessment of:
  - (a) the pitch and form of the roof, if any, and
  - (b) the style, size, proportion and position of the openings for windows or doors, if any, and
  - (c) whether the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building are compatible with those of the materials used in existing buildings within the heritage conservation area.
- (2) Before granting consent to the carrying out of development on land shown as a heritage conservation area on the map marked "Marrickville Local Environmental Plan No 111", the consent authority is to have regard to the effect of carrying out the proposed development on the heritage significance of buildings situated on that land.

Marrickville Local Environmental Plan 2001

Clause 56

Environmental management provisions

Part 7

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## Part 7 Environmental management provisions

### 56 Protection of trees

- (1) Clause 8 of the *Environmental Planning and Assessment Model Provisions 1980* is adopted for the purposes of this plan.
- (2) A tree preservation order made under the *Marrickville Planning Scheme Ordinance* in relation to land to which this plan applies, and in force immediately before the appointed day, is taken to be a tree preservation order made by the Council under clause 8 of the *Environmental Planning and Assessment Model Provisions 1980*, as adopted by subclause (1), and may be rescinded or varied in accordance with that clause.

### 57 Development involving acid sulfate soils

- (1) Development must not be carried out without development consent on land identified as being subject to acid sulfate soil risk, which is shown edged heavy black on the acid sulfate soils map, if it will involve works at or below the groundwater level or it could lower the groundwater table.
- (2) Despite any other provision of this plan, development must not be carried out without development consent if it involves the placement of acid sulfate soil on or under any land.
- (3) Consent required by this clause must not be granted unless the consent authority has considered:
  - (a) a preliminary soil assessment to ascertain the presence or absence of acid sulfate soils within the area of the proposed works, except where the applicant agrees that acid sulfate soils are present within the area of the proposed works, and
  - (b) where the preliminary soil assessment ascertains (or the applicant agrees) that acid sulfate soils are present—an acid sulfate soils management plan that has been prepared in accordance with any acid sulfate soil assessment and management guidelines approved for the time being by the Director-General, except where the consent authority decides that such a management plan is not appropriate for the proposed development, and

Clause 57	Marrickville Local Environmental Plan 2001
Part 7	Environmental management provisions

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- (c) the likelihood of the proposed development resulting in the oxidisation of acid sulfate soils and the discharge of acid water from the area of the proposed development, and
  - (d) any comments received within such time-frame as the consent authority allows, from any relevant public authority the consent authority may consult with in respect of the application.
- (4) This clause requires consent even if the development is to be carried out by councils (including Marrickville Council), county councils or drainage unions, despite *State Environmental Planning Policy No 4—Development Without Consent* and any other provision of this plan.
- (5) In this clause:
- acid sulfate soils*** means actual acid sulfate soils or potential acid sulfate soils.
- acid sulfate soils map*** means the series of maps marked “Marrickville Local Environmental Plan 2001—Acid Sulfate Soils Planning Maps”.
- actual acid sulfate soils*** means soils containing highly acidic soil horizons or layers resulting from the aeration of soil materials that are rich in iron sulfides, primarily pyrite. The soil material has a pH of less than 4 when measured in dry seasonal conditions.
- potential acid sulfate soils*** means soil material which is waterlogged and contains oxidisable sulfur compounds and that has a field pH of 4 or more but will become severely acid when oxidised.

## 58 Waste management

Before granting development consent, the consent authority must take into consideration such of the following matters relating to waste management as are of relevance to the application:

- (a) re-use and recycling of building and construction materials,
- (b) re-use and recycling of household, commercial and industrial waste,
- (c) site storage requirements for construction, and for managing household, commercial and industrial waste.

Marrickville Local Environmental Plan 2001

Clause 59

Environmental management provisions

Part 7

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### **59 Energy, water and stormwater efficiency**

Before granting development consent, the consent authority must take into consideration such of the following matters relating to energy and water conservation as are of relevance to the application:

- (a) opportunities for alternative energy sources,
- (b) energy efficiency of site planning,
- (c) building layout, envelope and materials,
- (d) provision of solar hot water,
- (e) the efficiency fixtures and appliances,
- (f) conservation of embodied energy,
- (g) bicycle and pedestrian access,
- (h) landscaping,
- (i) stormwater collection, storage, detention and treatment.

### **60 Landscaping and biodiversity**

Before granting development consent, the consent authority must take into consideration such of the following matters relating to conservation of biodiversity as are of relevance to the application:

- (a) the maintenance of remnant native vegetation,
- (b) the protection and enhancement of native fauna,
- (c) opportunities for landscaping with native plants,
- (d) enhancement of the natural qualities of the Cooks River foreshores,
- (e) maintenance and establishment of habitat corridors,
- (f) the findings of any studies by qualified bodies or persons, relating to the conservation of biodiversity.

### **61 Development in the vicinity of Alexandra Canal**

- (1) A person must not, except with development consent, erect any structure on land within 10 metres of:
  - (a) the bank of the Alexandra Canal, or
  - (b) any of its open secondary channels.

Clause 61           Marrickville Local Environmental Plan 2001

Part 7               Environmental management provisions

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- (2) Such a consent must not be granted unless the consent authority:
- (a) has made an assessment of the effect the erection of that structure would have on the aquatic environment and the potential use of Alexandra Canal and its foreshores for recreational purposes, and
  - (b) has considered whether conditions should be imposed on that consent requiring the landscaping of that land, and
  - (c) has considered whether conditions should be imposed on that consent requiring the creation of a right of carriageway for the purpose of permanent pedestrian access within that land.

Marrickville Local Environmental Plan 2001

Clause 62

Social planning provisions

Part 8

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## Part 8 Social planning provisions

### 62 Community safety

Before granting an application for development consent, the consent authority must take into consideration such of the following matters relating to the provision of community safety (if any) as are of relevance to the application:

- (a) the provision of active street frontages where appropriate,
- (b) the provision of lighting for pedestrian site access between public and shared areas, parking areas and building entrances,
- (c) the visibility and legibility of building entrances from streets, public areas or internal driveways.

### 63 Retention of low-cost rental accommodation

(1) Before granting an application for development consent, the consent authority must take into account such of the following matters relating to low-cost rental accommodation (if any) as are of relevance to the application:

- (a) whether a major reduction in low-cost rental accommodation is proposed,
- (b) the availability of comparable accommodation in the locality,
- (c) any adverse social and economic effects of the proposal,
- (d) any arrangements to re-house displaced residents,
- (e) the cumulative impact of the loss of low-cost rental accommodation,
- (f) the structural soundness and fire safety of any building involved, and cost of any necessary rectification work.

(2) In this clause:

***low-cost rental accommodation*** means accommodation in a building that falls within the definition of ***low-rental residential building*** in *State Environmental Planning Policy No 10—Retention of Low-Cost Rental Accommodation*.



Clause 64           Marrickville Local Environmental Plan 2001

Part 8               Social planning provisions

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#### **64 Accessibility**

- (1) Before granting an application for development consent, the consent authority must take into account such of the following matters relating to the needs of people with disabilities (if any) as are of relevance to the application:
  - (a) the provision for a continuous accessible path of travel from all public roads and public spaces as well as unimpeded internal access,
  - (b) the provision for ease of use and comfort through appropriate gradients, rest areas, circulation space and user friendly entrances,
  - (c) safety design measures, including contrasting colours for points of danger, slip resistant travel surfaces and appropriate positioning of street furniture,
  - (d) legible design features, such as signs and international symbols and indicators, to assist in determining the location of handrails and guard-rails,
  - (e) provision for people with disabilities of opportunities for access through principal entrances of commercial and public buildings.
- (2) Consent must not be granted to the carrying out of development for the purpose of new multi unit housing or a new residential flat building unless at least 10% of the total number of dwellings (in the case of development involving the creation of 10 or more dwellings) have been designed in accordance with Australian Standard AS 4299—*Adaptable Housing*.

Marrickville Local Environmental Plan 2001

Clause 65

Special provisions

Part 9

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## Part 9 Special provisions

### 65 Acquisition and development of land reserved for roads

- (1) The owner of any vacant land zoned Arterial Road and Arterial Road Widening 9 (C) Reservation may, by notice in writing, require:
  - (a) the RTA, in the case of land that is included in the 5-year works program of the RTA current at the time of receipt of the notice, or
  - (b) the Corporation, in any other case,to acquire the land.
- (2) The owner of any land zoned Arterial Road and Arterial Road Widening 9 (C) Reservation that is not vacant may, by notice in writing, require the RTA to acquire the land if:
  - (a) the land is included in the 5-year works program of the RTA current at the time of the receipt of the notice, or
  - (b) the RTA has decided not to give concurrence under subclause (4) to an application for consent to the carrying out of development on the land, or
  - (c) the RTA is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable time.
- (3) On receipt of a notice under this clause, the RTA or the Corporation, as the case may be, must acquire the land unless the land might reasonably be required to be dedicated for public roads.
- (4) A person may, with development consent granted with the concurrence of the RTA, carry out development on land zoned Arterial Road and Arterial Road Widening 9 (C) Reservation:
  - (a) for a purpose for which development may be carried out (with or without development consent) on land in an adjoining zone, or
  - (b) for any purpose which is compatible with development which may be carried out on land in an adjoining zone.
- (5) In deciding whether to grant concurrence to proposed development under this clause, the RTA must take the following matters into consideration:

Clause 65           Marrickville Local Environmental Plan 2001

Part 9               Special provisions

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- (a) the need to carry out development on the land for the purposes of classified roads or proposed classified roads within the meaning of the *Roads Act 1993*,
  - (b) the imminence of acquisition,
  - (c) the likely additional cost to the RTA or the Corporation resulting from the carrying out of the proposed development.
- (6) Land acquired under this clause may be developed, with development consent, for any purpose, until such time as it is required for the purpose for which it was acquired.

**66 Acquisition of certain land reserved for Council**

- (1) The owner of any land zoned Local Open Space 9 (A) Reservation or Local Road and Local Road Widening 9 (D) Reservation may, by notice in writing, require the Council to acquire the land, but only if:
- (a) the land is included in the Council's Section 94 Contributions Plan or a Works Program current at the time of the receipt of the notice, or
  - (b) the Council has decided not to grant consent to the carrying out of development on the land, on the basis of those matters specified under subclause (3), or
  - (c) the Council is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable time.
- (2) On receipt of a notice under this clause, the Council must acquire the land unless the land might reasonably be required to be dedicated for:
- (a) local recreation, in the case of land zoned Local Open Space 9 (A) Reservation, or
  - (b) local roads, in the case of land zoned Local Road and Local Road Widening 9 (D) Reservation.
- (3) Before granting consent to proposed development that may be required to be acquired under this clause, the consent authority must take the following matters into consideration:
- (a) in the case of land zoned Local Open Space 9 (A) Reservation, the need to use the land for the purpose of local recreation,
  - (b) in the case of land zoned Local Road and Local Road Widening 9 (D) Reservation, the need to use the land for the purpose of local roads,

Marrickville Local Environmental Plan 2001

Clause 66

Special provisions

Part 9

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- (c) the imminence of acquisition,
  - (d) the likely additional cost to the Council resulting from the carrying out of the proposed development.
- (4) Land acquired under this clause may be developed, with development consent, for any purpose, until such time as it is required for the purpose for which it was acquired.

**67 Acquisition of land reserved for special uses**

- (1) The owner of any land zoned Special Uses 9 (B) Reservation may, by notice in writing, require the Council (where the land has been reserved for future acquisition by the Council) or another public authority (where the land has been reserved for a land use for which that authority is responsible) to acquire the land.
- (2) On receipt of a notice referred to in subclause (1), but subject to subclause (3), the public authority concerned shall acquire the land, unless the land is required to be provided without cost as a condition of consent to the carrying out of development or held by the public authority concerned for the public purpose for which it is reserved.
- (3) A person may, with development consent granted with the concurrence of the public authority (if any), other than the consent authority, responsible for its acquisition, carry out development for any purpose on land zoned Special Uses 9 (B) Reservation until the land is acquired or developed for the purpose for which it is zoned.
- (4) In deciding whether to grant concurrence to proposed development under this clause, the public authority concerned must take the following matters into consideration:
  - (a) the need to carry out the development for the purpose for which it is zoned,
  - (b) the imminence of acquisition,
  - (c) the likely additional cost to the public authority resulting from the carrying out of the proposed development.

Clause 68           Marrickville Local Environmental Plan 2001

Part 9               Special provisions

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### **68 Pending applications**

A development application made but not finally determined before the commencement of this plan:

- (a) if it is for consent to development that is permissible with consent under this plan, is to be determined under and in accordance with this plan,
- (b) if it is for consent to development that is prohibited by this plan, is to be determined as if this plan had been exhibited but had not commenced.

### **69 Classification and reclassification of public land as operational land**

- (1) The public land described in Schedule 3 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.
- (2) The amendments made by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993* do not apply to land described in Part 1 of Schedule 3.
- (3) Land described in Part 2 of Schedule 3:
  - (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 operational land.
- (4) Land described in Columns 1 and 2 of Part 3 of Schedule 3, 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 (if any) specified opposite the land in Column 3 of Part 3 of Schedule 3.
- (5) In this clause, *the relevant amending plan*, in relation to land described in Part 3 of Schedule 3, means the local environmental plan cited at the end of the description of the land.

Marrickville Local Environmental Plan 2001

Clause 69

Special provisions

Part 9

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- (6) Before the relevant amending plan inserted the description of land into Part 3 of Schedule 3, the Governor approved of subclause (4) applying to the land.

**70 Classification and reclassification of public land as community land**

The public land described in Schedule 4 is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.

**71 Suspension of certain covenants etc**

- (1) For the purpose of enabling development to be carried out in accordance with this plan (as in force when the development is carried out) or with a consent granted under the Act in relation to development within any zone, the operation of any covenant, agreement, or similar instrument imposing restrictions on development, to the extent necessary to serve that purpose, shall not apply to the development.
- (2) Nothing in subclause (1) affects the rights or interests of any public authority under any registered instrument.
- (3) Pursuant to section 28 of the Act, the Governor approved of subclauses (1) and (2) before this plan was made.

Marrickville Local Environmental Plan 2001

Schedule 1 Definitions

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## Schedule 1 Definitions

(Clause 5 (1))

In this plan:

**Aboriginal cultural significance** means cultural significance to indigenous inhabitants of the State.

**Aboriginal places and natural sacred sites** are places that comprise natural features, such as creeks or mountains, of Aboriginal cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary Aboriginal cultural significance such as Aboriginal middens and post contact sites.

**Aboriginal site** is any site which has the physical remains of prehistoric occupation, or is of contemporary significance to the Aboriginal people. Such a site can include remnants of the occupation of the land by Aboriginal people such as burial places, engraving sites, rock art, midden deposits, scarred and carved trees and sharpening grooves.

**advertisement** means a sign, notice, device or representation in the nature of an advertisement visible from any public place, public reserve or navigable water.

**advertising structure** means a structure used or to be used principally for the display of an advertisement.

**airline terminal** means a building or place used for the assembly of passengers and goods prior to the transport of those passengers and goods either to or from an airport or an aerodrome.

**alter**, in relation to a heritage item or a building, work or place within a heritage conservation area, means:

- (a) make structural changes to the heritage item, building or work, or
- (b) make non-structural changes to the detail, fabric, finish or appearance of the outside of the heritage item, building, work or place, other than changes that maintain the existing detail, fabric, finish or appearance of the outside of the heritage item, building, work or place.

**amusement centre** means premises containing more than 2 amusement machines and open to the public for the operation or viewing of those machines.

Marrickville Local Environmental Plan 2001

Definitions

Schedule 1

---

***amusement machine*** means a machine devised as a games table, whether coin operated or not, and which is:

- (a) mechanically or electronically powered to release or make available balls, or other items or projections in or on the machine, by use of springs, flippers, paddles, cues or electronic devices which are controlled wholly or partly by a computer, and
- (b) operated by one or more players for amusement or recreation, and includes a snooker table or a pool table.

***appointed day*** means the day on which this plan took effect.

***archaeological site*** means a site described in Part 3 of Schedule 5 and identified on the archaeological sites map as a known archaeological site of non-Aboriginal heritage significance and includes sites not so marked which are of non-Aboriginal heritage significance.

***archaeological sites map*** means the map marked “Marrickville Local Environmental Plan 2001—Archaeological Sites”.

***arterial road*** means any existing road indicated on the map by a continuous red band on white between firm black lines.

***backpackers’ hostel*** means a building or part of a building that provides temporary accommodation for travellers and tourists and that is not used as their principal place of residence.

***bed and breakfast accommodation*** means a dwelling house which provides short term accommodation for not more than 6 persons, and incorporates a common facility for the provision of meals, but does not include a backpackers’ hostel, boarding house, serviced apartments, private hotel, hotel or motel.

***boarding house*** includes a house let in lodgings, hostel or Class 3 boarding house under the *Building Code of Australia* which provides a permanent place of residence, but does not include a backpackers’ hostel, a guest house, a private hotel, a motel or other tourist accommodation.

***brothel*** means premises used for the purposes of prostitution by one or more prostitutes, or premises that are designed to be used for that purpose, but does not include a dwelling house in which prostitution is carried out by not more than one prostitute as a home occupation.



## Marrickville Local Environmental Plan 2001

## Schedule 1

Definitions

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**bulk store** means a building or place used for the bulk storage of goods where the goods stored or to be stored are not required for use in a shop or commercial premises on the same parcel of land or on adjoining land in the same ownership.

**bulky goods salesroom or showroom** means a building or place used for the sale by retail or auction, or the hire or display, of items (whether goods or materials) which are of such a size, shape or weight as to require:

- (a) a large area for handling, storage or display, or
- (b) direct vehicular access to the site of the building or place by members of the public, for the purpose of loading items into their vehicles after purchase or hire.

**bus depot** means a building or place used for the servicing, repair and garaging of buses and other vehicles used for the purposes of a bus transport undertaking.

**bus station** means a building or place used as a terminal for the assembly and dispersal of passengers travelling by bus.

**car parking** means the use of a building or place for the purpose of parking motor vehicles that is not directly and exclusively associated with, or ordinarily ancillary and incidental to, the use of a building or place on the same allotment of land.

**car repair station** means a building or place used for the purpose of carrying out repairs to motor vehicles or agricultural machinery, not being:

- (a) body building, or
- (b) panel beating which involves dismantling, or
- (c) spray painting other than of a touching-up character.

**child care centre** means a building or place used for the purpose of supervising or caring for children and includes:

- (a) a dwelling house used solely for that purpose,
- (b) a public hall used for that purpose, and
- (c) any part of a shop, office or factory used for that purpose.

**club** means a building used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purposes, whether of the same or a different kind and whether or not the whole or part of such a building is the premises of a club registered under the *Registered Clubs Act 1976*.

Marrickville Local Environmental Plan 2001

Definitions

Schedule 1

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**commercial premises** means a building or place used as an office or for other business or commercial purposes, but (in Part 3) does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

**community facility** means a building or place owned or controlled by a public authority or a body of persons associated for the purpose of providing for the physical, social, cultural, economic or intellectual development or welfare of the local community, but (in Part 3) does not include a building or place elsewhere specifically defined in this Schedule.

**conservation** means all the processes of looking after a building or work so as to retain its heritage significance. Conservation includes maintenance, preservation, restoration, reconstruction and adaptation.

**conservation management plan** means a document prepared in accordance with the provisions of the *NSW Heritage Manual*, current at the time, which establishes the heritage significance of the item, place or heritage conservation area and identifies heritage conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

**curtilage** means the area of land (including land covered by water) surrounding a heritage item, a heritage conservation area, or a building, relic, place, tree or work within a heritage conservation area, which is relevant in the interpretation of its heritage significance.

**demolition**, in relation to a building or work, means the damaging, defacing, destruction, pulling down or removal of that building or work, in whole or in part.

**development** has the meaning ascribed to it in section 4 of the Act.

**dual occupancy** means two dwellings on an allotment of land whether contained in one or more buildings.

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

**dwelling house** means a building the whole of which contains only 1 dwelling on an allotment of land.

## Marrickville Local Environmental Plan 2001

## Schedule 1

Definitions

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***educational establishment*** means a building used as a school, college, technical college, TAFE establishment, academy, lecture hall, gallery or museum, but does not include a building used wholly or principally as an institution or child care centre.

***environmental heritage*** means those buildings, works, relics or places of historic, scientific, cultural, social, archaeological, architectural or aesthetic significance.

***floor*** means that space within a building which is situated between one floor level and the floor level next above or, if there is no floor above, the ceiling or roof above.

***floor space ratio*** of buildings is the ratio of the total gross floor area of the buildings to the site area.

***gross floor area***, in relation to a building, means the sum of the areas of each floor of the building where the area of each floor is taken to be the area within the outer face of the external enclosing walls as measured at a height of 1,400 millimetres above each floor level, excluding:

- (a) columns, fin walls, sun control devices and any elements, projections or works outside the general lines of the outer face of the external wall, and
- (b) lift towers, cooling towers, machinery and plant rooms and ancillary storage space and vertical air-conditioning ducts, and
- (c) car parking needed to meet any requirements of the Council and any internal access thereto, and
- (d) space for the loading and unloading of goods.

***hazardous industry*** means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

***hazardous storage establishment*** means any establishment where goods, materials or products are stored which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the establishment from existing or likely future development on

Marrickville Local Environmental Plan 2001

Definitions

Schedule 1

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the other land in the locality), would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

**health care professional** means a person who provides professional health services to members of the public and includes:

- (a) a podiatrist registered under the *Podiatrists Act 1989*, and
- (b) a chiropractor or osteopath or chiropractor and osteopath registered under the *Chiropractors and Osteopaths Act 1991*, and
- (c) a physiotherapist registered under the *Physiotherapists Registration Act 1945*, and
- (d) an optometrist registered under the *Optometrists Act 1930*.

**height**, in relation to a building, means the distance measured vertically from any point on the ceiling of the topmost floor of the building to the natural ground level immediately below that point.

**helipad** means an area or place not open to the public use which is authorised by the Commonwealth Department of Transport and which is set apart for the taking off and landing of helicopters.

**heliport** means an area or place open to public use which is licensed by the Commonwealth Department of Transport for use by helicopters and includes terminal buildings and facilities for the parking, servicing and repair of helicopters.

**heritage conservation area** means an area of land described in Part 2 of Schedule 5 and shown in distinctive colouring and edged heavy black on the heritage conservation area map, and includes buildings, works, relics, trees and places situated on or within that land.

**heritage conservation area map** means the map marked “Marrickville Local Environmental Plan 2001—Heritage Conservation”.

**heritage conservation management plan** means a document prepared in accordance with the provisions of the *NSW Heritage Manual*. It establishes the heritage significance of a heritage item, place or heritage conservation area and should identify conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

## Marrickville Local Environmental Plan 2001

## Schedule 1

Definitions

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**heritage impact assessment** means a document, prepared by a person with qualifications and experience (such as architecture or heritage planning), which analyses the history, heritage significance and condition of a building, work, relic, significant tree or place, and assesses the impact of proposed development on that significance in accordance with the methodology of the ICOMOS Burra Charter and the Heritage Office guidelines, current at the time of lodgment of an application.

**heritage item** means a building, work, relic, tree or place, a component of a building, work, relic, tree or place and its curtilage or a group of buildings, works, relics or trees which is described in Part 1 of Schedule 5 and shown by distinctive colouring and edged heavy black on the map marked "Marrickville Local Environmental Plan 2001—Heritage Items".

**heritage significance** means historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance.

**high technology industry** means an enterprise which has as its primary function the manufacture, development, production, processing, assembly of or research into:

- (a) electronic and micro-electronic systems, goods or components, or
- (b) computer software or hardware, or
- (c) instrumentation or instruments, or
- (d) communication and telecommunication systems, goods or components, or
- (e) biological, pharmaceutical, medical or paramedical systems, goods or components, or
- (f) other goods, systems or components intended for use in science and technology,

and includes a laboratory or testing facility.

**home industry** means the use of a dwelling or of any land comprising, or building erected on, the allotment on which a dwelling is located, for the purposes of an office, light industry or business (other than a shop or professional consulting rooms) but only if:

- (a) the use is undertaken by the permanent residents of the dwelling, whether or not the use also involves the employment of persons other than those residents, and

Marrickville Local Environmental Plan 2001

Definitions

Schedule 1

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- (b) the use does not:
- (i) interfere with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, or
  - (ii) involve exposure to view from any adjacent premises or from any public place of any unsightly matter.

**home occupation** means an occupation carried on in a dwelling house, in two attached dwellings on an allotment of land, or in a dwelling in a residential flat building, by the permanent residents of the dwelling house or dwelling which does not involve:

- (a) anything that would have required the registration of the building under the *Factories, Shops and Industries Act 1962* immediately before the repeal of section 11 of that Act, or
- (b) prostitution (except where the activity is carried on by not more than one prostitute in a dwelling house), or
- (c) the employment of persons other than those residents, or
- (d) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, or
- (e) the display of goods, whether in a window or otherwise, or
- (f) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling house or dwelling to indicate the name and occupation of the resident), or
- (g) the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail.

**hospital** means a building or place (other than an institution) used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, care for people with developmental disabilities, psychiatric care or counselling and services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there) and includes:

## Marrickville Local Environmental Plan 2001

## Schedule 1

Definitions

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- (a) ancillary facilities for the accommodation of nurses or other health care workers, ancillary shops or refreshment rooms and ancillary accommodation for persons receiving health care or for their visitors, and
- (b) facilities situated in the building or at the place and used for educational or research purposes, whether or not they are used only by hospital staff or health care workers, and whether or not any such use is a commercial use.

**hotel** means the premises to which a hotelier's licence granted under the *Liquor Act 1982* relates.

**industry** means:

- (a) any manufacturing process within the meaning of the *Factories, Shops and Industries Act 1962*, or
- (b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as development ancillary to any business.

**institution** means a penal or reformatory establishment.

**junk yard** means land used for the collection, storage, abandonment or sale of scrap metals, waste paper, rags, bottles or other scrap materials or goods or used for the collecting, dismantling, storage, salvaging or abandonment of automobiles or other vehicles or machinery or for the sale of parts thereof.

**landscaped area** means that part of the site area not occupied by any building, except for swimming pools or open air recreation facilities, which part is to be predominantly landscaped by way of the planting of gardens, lawns, shrubs or trees and is available for use and enjoyment by the occupants of the building erected on the site area, but does not include so much of the site area as is used for driveways, parking areas or drying yards.

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

**liquid fuel depot** means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquid.

Marrickville Local Environmental Plan 2001

Definitions

Schedule 1

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***maintenance*** means the ongoing protective care of a heritage item or a building work, relic, tree or place within a heritage conservation area. It does not include alterations or the introduction of new materials or technology (for example, injectable damp proof courses or roof treatments).

***mine*** means any place, open cut, shaft, tunnel, pit, drive, level or other excavation, drift, gutter, lead, vein, lode or reef on, in or by which any operation is carried on for or in connection with the purpose of obtaining any metal or mineral by any mode or method and includes any place on which any product of the mine is stacked, stored, crushed or otherwise treated, but does not include a quarry.

***motel*** means a building or buildings (other than a hotel, boarding house or residential flat building) substantially used for the overnight accommodation of travellers and the vehicles used by them, whether or not the building or buildings are also used in the provision of meals to those travellers or the general public.

***motor showroom*** means a building or place used for the display or sale of motor vehicles, caravans or boats, whether or not motor vehicle accessories, caravan accessories or boat accessories are sold or displayed there.

***multi unit housing*** means two or more dwellings in a group and includes terrace houses, villas, townhouses, cluster housing and integrated housing.

***offensive industry*** means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise), in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

***offensive storage establishment*** means any establishment where goods, materials or products are stored which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the establishment from existing or likely future development on other land in the locality), would emit a polluting discharge (including,



## Marrickville Local Environmental Plan 2001

## Schedule 1

Definitions

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for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

**panel beating workshop** means a building or place used for the purpose of carrying out repairs to motor vehicles or agricultural machinery, where the work involved includes:

- (a) body building, or
- (b) panel beating, which may or may not involve dismantling, or
- (c) spray painting.

**parking space** includes any garage or court available for use by vehicles.

**place of assembly** means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre or music bowl, or any other building of a like character used as such, whether used for the purposes of gain or not, but does not include a place of public worship, an institution or an educational establishment.

**place of public worship** means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

**potential archaeological site** means a site identified as such in Schedule 5 and includes a site known to the Council to have archaeological potential even if it is not so identified and shown.

**professional consulting rooms** means a room or a number of rooms forming either the whole of or part of, attached to or within the curtilage of, a dwelling house and used by not more than three legally qualified medical practitioners or by not more than three dentists within the meaning of the *Dentists Act 1989*, or by not more than three health care professionals, who practise therein the profession of medicine, dentistry or health care respectively and, if more than one, practise in partnership, and who employ not more than three employees in connection with that practice.

**public building** means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes.

**public utility undertaking** means any undertaking carried on by, or by authority of, any public authority, or in pursuance of any Commonwealth or State Act, for the purpose of:

Marrickville Local Environmental Plan 2001

Definitions

Schedule 1

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- (a) railway, road or air transport, or
  - (b) the provision of sewerage or drainage services, or
  - (c) the supply of water, hydraulic power, electricity or gas.

**recreation area** means:

- (a) a children's playground,
- (b) an area used for sporting activities or sporting facilities,
- (c) an area used to provide recreational facilities by the Council for the physical, cultural or intellectual welfare of the community, or
- (d) an area used by a body of persons associated for the purposes of the physical, cultural or intellectual welfare of the community to provide recreational facilities for those persons,

but does not include a show ground.

**recreation facility** means a building or place used for indoor recreation, a table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley or any other building of a like character used for recreation and whether used for the purpose of gain or not, but does not include an amusement centre or a place of assembly.

**refreshment room** means a restaurant, café, tea room, eating house or the like.

**relic** means:

- (a) any deposit, object or material evidence (which may consist of human remains) relating to the use or settlement of the local government area of Marrickville, not being Aboriginal habitation, which is more than 50 years old, or
- (b) any deposit, object or material evidence (which may consist of human remains) relating to Aboriginal habitation of the local government area of Marrickville, whether before or after its occupation by persons of European extraction.

**residential flat building** means a building containing three or more dwellings.

## Marrickville Local Environmental Plan 2001

## Schedule 1

Definitions

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**restricted premises** means premises (other than a newsagency or pharmacy) where:

- (a) publications classified Category 1 restricted, Category 2 restricted or RC under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth are shown, exhibited, displayed, sold or otherwise made accessible or available to the public, or
- (b) a business to which section 578E (Offences relating to advertising or displaying products associated with sexual behaviour) of the *Crimes Act 1900* applies is conducted.

**retail plant nursery** means a building or place used for both the growing and retail selling of plants, whether or not ancillary products are sold there.

**road transport terminal** means a building or place used for the principal purpose of the bulk handling of goods for transport by road, including facilities for the loading and unloading of vehicles used to transport those goods and for the parking, servicing and repair of those vehicles.

**service station** means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oil and other petroleum products whether or not the building or place is also used for any one or more of the following purposes:

- (a) the sale by retail of spare parts and accessories for motor vehicles,
- (b) washing and greasing of motor vehicles,
- (c) installation of accessories,
- (d) repairing and servicing of motor vehicles involving the use of hand tools (other than repairing and servicing which involves top overhaul of motors, body building, panel building, spray painting, or suspension, transmission or chassis restoration).

**serviced apartment** means a dwelling which is cleaned and otherwise serviced or managed by the owner or manager of the building or the owner's or manager's agent, and which provides temporary accommodation for people whose principal place of residence is elsewhere.

Marrickville Local Environmental Plan 2001

Definitions

Schedule 1

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**shop** means a building or place used for the purpose of selling, exposing or offering for sale by retail, goods, merchandise or materials, but (in Part 3) does not include a building or place elsewhere specifically defined in this Schedule, or a building or place used for a land use elsewhere specifically defined in this Schedule.

**site area** means the area of land to which an application for consent under the Act relates, excluding any land on which the development to which the application relates is not permitted by or under this plan.

**State significance**, in relation to a heritage item, means a heritage item on the State Heritage Register.

**subdivision** has the same meaning as it has in the *Environmental Planning and Assessment Act 1979*.

**substantial demolition** means the destruction of any part of a heritage item, an archaeological site or of a building, work, relic, tree or place within a heritage conservation area which contributes to its heritage significance.

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

**the Council** means Marrickville Council.

**the map** means the map marked "Marrickville Local Environmental Plan 2001", as amended by the maps, or specified sheets of maps, marked as follows:

**tourist facilities** means an establishment providing for holiday accommodation or recreation and may include a boat shed, boat landing facilities, camping ground, playground, refreshment room, water sport facilities or a club used in conjunction with any such activities.

**transport terminal** means a building or place used as an airline terminal, a road transport terminal, a bus station or a bus depot.

**utility installation** means a building or work used by a public utility undertaking, but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

**warehouse** means a building or place used for the storage of goods, merchandise or materials pending their sale and distribution to persons engaged in the retail trade.

Marrickville Local Environmental Plan 2001

Schedule 2 Additional development

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## Schedule 2 Additional development

(Clause 45)

### Column 1

**394 Marrickville Road, Marrickville**  
Lot 1, Section 1, DP 5482

**Camperdown Park, Australia Street, Camperdown**  
Lot 3, DP 175973

**34 Victoria Road, Marrickville**  
Lot 100, DP 715231

**114–116 Stanmore Road, Stanmore**  
Lots 40 and 41, DP 816443

**107 Windsor Road, Dulwich Hill**  
Lot 4, DP 4182

**1 Thomas Street, Lewisham**  
Part Lot 1, DP 565617

**138 Marrickville Road, Marrickville**  
Lot 13, Section 1, DP 1465

**58–76 Stanmore Road and 2 Tupper Street, Stanmore**  
Lots A and C, DP 308880, Lot 1, DP 105806 and Lot 1, DP 121240

**257 Enmore Road, Enmore**  
Lot 2, DP 212102

**69 Australia Street, Camperdown**  
Lot 9, DP 2036

**275 Stanmore Road, Marrickville**  
ground floor of premises, existing as at the appointed day, on Lot 3, DP 381188

### Column 2

Development for the purpose of commercial premises

Development for the purpose of community purposes

Development permissible within the General Business 3 (A) zone, with any building having a floor space ratio not exceeding 0.8:1

Development for the purpose of small shops and job printing

Development for the purpose of an artist's studio

Development for the purpose of commercial premises

Development for the purpose of commercial premises

Development for the purpose of a club

Development for the purpose of clothing manufacture and a clothing shop

Development for the purpose of commercial premises

Development for the purpose of commercial premises

Marrickville Local Environmental Plan 2001

Additional development

Schedule 2

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**Column 1**

**Column 2**

**846–854 Princes Highway, Tempe**  
Lot 1, DP 783720

Development for the purpose of commercial premises

**238–240 Enmore Road, Enmore**  
Lot 2, DP 977701

Development for the purpose of commercial premises

**67–69 Westbourne Street, Petersham**  
ground floor of premises, existing as at the appointed day, on corner.  
Lot 21, Sec 23, DP 1106

Development for the purpose of commercial premises

**2G Gladstone Street, Newtown**  
Lot 1, DP 208950

Development for the purpose of a junkyard

**102–104 Silver Street, Marrickville**  
Lots 1 and 2, DP 517419

Development for the purpose of commercial premises with a floor space ratio not exceeding 1.2:1

**11 Garners Avenue, Marrickville**  
Conveyance No 713, Book 779

Development for the purpose of industry within a building having a floor space ratio not exceeding 0.13:1 and car parking

**13–17 Regent Street, Petersham**  
Lot 1, DP 830175

Development for the purpose of car parking

**58–60 Australia Street, Camperdown**  
Lot 1, DP 710638

Development for the purpose of an artist's studio, electrical appliances shop and electrician's workshop

**72 and 74 Frampton Avenue, Marrickville**  
Lots 18 and 19, DP 4433

Development for the purpose of a warehouse having a gross floor area not exceeding 300 square metres

**255 Enmore Road, Marrickville**  
Lot 1, DP 212102

Development for the purpose of commercial premises having a gross floor area not exceeding 62 square metres

**13 Garners Avenue, Marrickville**  
Conveyance No 928, Book 1897

Development for the purpose of car parking

**16–18 Mary Street, St Peters**  
Lot 1, DP 89071

Development for the purpose of car parking

**29–31 Railway Terrace, Lewisham**  
Lot A, DP 152875

Development for the purpose of commercial premises, a refreshment room and a shop

## Marrickville Local Environmental Plan 2001

Schedule 2 Additional development

**Column 1****1 Railway Road, St Peters**  
Part Lot 89, DP 750**35 Crystal Street, Petersham**  
Lot 1, DP 513827**16–20 Australia Street, Camperdown**  
Lot 2, DP 775663**645–657 Princes Highway, Tempe**  
Lot 1, Section 2, DP 681**11–23 Gordon Street, Marrickville**  
Lots 37–52 and Part Lot 53, DP 1525,  
Lot 1, DP 321107, and Part Lot 1,  
DP 79082**376 Princes Highway, Tempe**  
Lot B, DP 374296**58–60 Crystal Street, Petersham**  
Lot 2, DP 531712Land known as the **Marrickville Hospital**  
site, fronting Lilydale Street and  
Livingstone and Marrickville Roads,  
Marrickville, on that part of the site zoned  
Special Uses.  
Part Lot 2, DP 872693**Column 2**

Development for the purpose of car parking

Development for the purpose of clothing  
manufacturing and assorted storageDevelopment for the purpose of a  
residential flat buildingRetail sale of electrical goods and mobile  
phonesDevelopment for the purpose of  
commercial premisesDevelopment for the purpose of a motor  
cycle showroom for the display, sale and  
rental of motor cyclesDevelopment permissible within the  
Business General 3 (A) zone, with any  
building having a floor space ratio not  
exceeding 1.35:1Development on the land within the  
Special Uses 5 (A) zone for the purpose of  
a child care centre, public building, open  
space, commercial premises, car parking,  
community facilities or residential uses, but  
only if the floor space ratio of all buildings  
on the land within the Special Uses  
5 (A) zone does not exceed 2:1. In respect  
of this requirement, gross floor area  
excludes the floor area of any heritage  
items retained within the Special Uses  
5 (A) zone.

Marrickville Local Environmental Plan 2001

Additional development

Schedule 2

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**Column 1**

**8 Bridge Road, Stanmore**  
Lot 1, DP 606147

**Column 2**

Development for residential purposes, but only if:

- (a) the floor space ratio of all buildings on the land after the development has been carried out does not exceed 3.5:1, and
- (b) the total number of dwellings on the land does not exceed 87, and
- (c) the height of the building does not exceed an RL height of 34.45 metres AHD.



## Marrickville Local Environmental Plan 2001

Schedule 2 Additional development

**Column 1**

**1–27 Princes Highway, St Peters**  
Lot 100, DP 600471

**Column 2**

Development for residential purposes and for the purpose of refreshment rooms, but only if:

- (a) the floor space ratio does not exceed 2.2:1, and
- (b) the total number of dwellings and serviced apartments does not exceed 132, and
- (c) the uppermost ceilings of all buildings erected on the land do not project above a building envelope with boundaries formed by:
  - (i) a line directly above the western boundary of the land at a height of 28.25 AHD, and
  - (ii) a straight line joining the point directly above the north-western corner of the land at a height of 28.25 AHD and the point directly above the more easterly north-eastern corner of the land at a height of 37.25 AHD, and
  - (iii) a straight line joining the last mentioned point and the point directly above the south-eastern corner of the land at a height of 31.75 AHD, and
  - (iv) a straight line joining the last mentioned point and the point directly above the south-western corner of the land at a height of 28.25 AHD.

Marrickville Local Environmental Plan 2001

Classification and reclassification of public land as operational land

Schedule 3

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### **Schedule 3 Classification and reclassification of public land as operational land**

(Clause 69)

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

- 1 286 Wardell Road, Marrickville, being part Lot 24, DP 5530
- 2 105–119 May Street, St Peters, being part Lot 1, DP 630454
- 3 18 Lawson Avenue, Marrickville, being part Lot 1, DP 847707
- 4 614 Princes Highway, Tempe, being part Lot A, DP 382059, and part Lot F, DP 385210

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

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

<b>Column 1 Locality</b>	<b>Column 2 Description</b>	<b>Column 3 Trusts etc not discharged</b>
Marrickville	31 Centennial Street, Marrickville, being Lot 422, DP 884295— <i>Marrickville Local Environmental Plan No 141</i>	

Marrickville Local Environmental Plan 2001

Schedule 4      Classification and reclassification of public land as community land

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**Schedule 4      Classification and reclassification of public  
land as community land**

(Clause 70)

Marrickville Local Environmental Plan 2001

Identification of heritage items

Schedule 5

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## Schedule 5 Identification of heritage items

(Schedule 1)

### Part 1 Heritage items

#### General

Street and Suburb	Street No	Description	Heritage conservation map reference
Abergeldie Street, Dulwich Hill	1	Victorian house	1.45
	3	Victorian house	1.45
	5	Victorian house	1.45
	7	Victorian house	1.45
	25	Cottage and garden	1.47
Addison Road, Marrickville	142–144	Community centre	2.113
Albany Street, Petersham	135	Part Victorian semi	2.10/1
	137	Part Victorian semi	2.10/1
Albermarle Street, Newtown	55–59	Victorian villa	2.34
	38	Colonial Regency house	2.31
	54	Colonial Regency house and stables	2.31
	69–73	Victorian villa	2.33

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 Page 73

## Marrickville Local Environmental Plan 2001

## Schedule 5 Identification of heritage items

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<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Australia Street, Camperdown	1–11	Industrial facade	2.29
	10	Italianate villa	2.28
	12–14	Cranbrook—Victorian Italianate villa	2.28
	13–33	Industrial facade	2.29
	35–41	Industrial facade	2.29
	202	Courthouse Hotel	2.41
Bedford Street, Newtown	15	Part of retail group	2.38
	27	Part of retail group	2.38
	37	Part of retail group	2.38
Bridge Road, Stanmore	2–6	Brick factory	2.21
Brighton Street, Petersham	16	Victorian shop	1.18
Cambridge Street, Stanmore	95–101	Victorian Gothic villa and outbuilding	2.65
Cary Street, Marrickville	48	Victorian villa	3.21
Cavendish Street, Stanmore	40	Victorian villa	2.67
	42	Victorian villa	2.67
	59	Part of Hughenden Terrace	2.66
	61	Part of Hughenden Terrace	2.66

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## Marrickville Local Environmental Plan 2001

## Identification of heritage items

## Schedule 5

<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
	63	Part of Hughenden Terrace	2.66
	65	Part of Hughenden Terrace	2.66
	67	Part of Hughenden Terrace	2.66
Chapel Street, Marrickville	39–97	Industrial facade	2.111
Chelmsford Street, Newtown	88–90	Corner shop	2.35
Collins Street, Tempe	1	Stone house	4.26
	3	Stone house	4.26
	11	Stone house	4.26
	13	Stone house and quarry	4.26
Constitution Road, Dulwich Hill	29	Victorian villa	1.44
Corunna Road, Stanmore	125	Edwardian cottage	2.9
Crystal Street, Petersham	107	Part of terrace housing	1.21
	109	Part of terrace housing	1.21
	111	Part of terrace housing	1.21
	113	Part of terrace housing	1.21
	115	Part of terrace housing	1.21
	117	Part of terrace housing	1.21
	119	Part of terrace housing	1.21

## Marrickville Local Environmental Plan 2001

## Schedule 5 Identification of heritage items

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Street and Suburb	Street No	Description	Heritage conservation map reference
	121	Part of terrace housing	1.21
	123	Part of terrace housing	1.21
	125	ANZ Bank	1.22/1
Douglas Street, Petersham	56–58	Two Victorian villas	2.10/2
Edgar Street, Tempe	25	Brick cottage	4.28
Edgware Road, Enmore	13–17	Victorian villa	2.95
	43A (43½)	Victorian Gothic house	2.96
	45	Victorian Gothic house	2.96
	47	Victorian Gothic house	2.96
Eliza Street, Newtown	5	Former School of Arts	2.46
Enmore Road, Enmore	82–84	Dispensary Hall	2.77
	88	Stanmore House at rear (part)	2.76
	90–92	Stanmore House at rear (part)	2.76
	118–132	Enmore Theatre	2.75
	341	Part of terrace housing	2.99
	343	Part of terrace housing	2.99
	345	Part of terrace housing	2.99
	347	Part of terrace housing	2.99
	349	Part of terrace housing	2.99

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## Marrickville Local Environmental Plan 2001

## Identification of heritage items

## Schedule 5

Street and Suburb	Street No	Description	Heritage conservation map reference
	351	Part of terrace housing	2.99
	353	Part of terrace housing	2.99
	355	Part of terrace housing	2.99
	357	Part of terrace housing	2.99
	359	Part of terrace housing	2.99
	361	Part of terrace housing	2.99
	363	Part of terrace housing	2.99
	365	Part of terrace housing	2.99
	367	Part of terrace housing	2.99
	369	Part of terrace housing	2.99
	371	Part of terrace housing	2.99
Esk Street, Marrickville	5	Stone house	3.20
Ewart Street, Dulwich Hill	114	Gladstone Hall	3.1
Fisher Street, Petersham	1	Victorian house	1.10/1
	3	Victorian house	1.10/1
	5	Victorian house	1.10/1
Fort Street, Petersham	17	“Valencia” flat building	1.15
	17A	Flat building	1.15
Frazer Street, Marrickville	52–64	Booth House	1.51



## Marrickville Local Environmental Plan 2001

## Schedule 5 Identification of heritage items

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<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Frederick Street, Sydenham	46	Former corner shop	4.19
George Street, Sydenham	88	Victorian filigree terrace and engineering workshop at rear	4.39
Gladstone Street, Enmore	1	Cragos Flour Mill	2.72
Gordon Crescent, Stanmore	34–36	Essington—Victorian villa	2.14
	38	Victorian Italianate villa	2.13/1
Gordon Street, Marrickville	11–23	Former Globe Worsted Mills	2.114
Herbert Street, Dulwich Hill	11–13	The Rectory	1.50
Hillcrest Street, Tempe	22	Lymmerston—Victorian villa	4.24
Hunter Street, Lewisham	40	Morton House—Edwardian house	1.33
Illawarra Road, Marrickville	560	Stone house	3.28
Julieta Street, Enmore	40–42	Semi detached cottages	2.97
	44	Semi detached cottages	2.97
	46	Semi detached cottages	2.97
King Street, Newtown	325	Former CBC Bank	2.45
	327	Former ANZ Bank	2.44
	415A	Part of terrace with shops	2.79

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## Marrickville Local Environmental Plan 2001

## Identification of heritage items

## Schedule 5

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<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
	417	Part of terrace with shops	2.79
	417A	Part of terrace with shops	2.79
	419	Part of terrace with shops	2.79
	419A	Part of terrace with shops	2.79
	539	Formerly "Molloys" shop	2.80
	555	Shop counters	2.81
	631	St Peters Hotel	2.82
Laura Street, Newtown	2	Part of terrace housing	2.86
	4	Part of terrace housing	2.86
	6	Part of terrace housing	2.86
	8	Part of terrace housing	2.86
	10	Part of terrace housing	2.86
	12	Part of terrace housing	2.86
	14	Part of terrace housing	2.86
	16	Part of terrace housing	2.86
	18	Part of terrace housing	2.86
	20	Part of terrace housing	2.86
	22	Part of terrace housing	2.86
	24	Part of terrace housing	2.86

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## Marrickville Local Environmental Plan 2001

## Schedule 5 Identification of heritage items

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<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Lawson Avenue, Marrickville	18	Federation house	1.51A
Leicester Street, Marrickville	12	Stead House	2.103
Lennox Street, Newtown	2	Part of Victorian terrace	2.49
	4	Part of Victorian terrace	2.49
	6	Part of Victorian terrace	2.49
	8	Part of Victorian terrace	2.49
	38	Part of "Church Avenue—1886" terrace	2.49
	40	Part of "Church Avenue—1886" terrace	2.49
	42	Part of "Church Avenue—1886" terrace	2.49
	44	Part of "Church Avenue—1886" terrace	2.49
	46	Part of "Church Avenue—1886" terrace	2.49
	48	Part of "Church Avenue—1886" terrace	2.49
	50	Part of "Church Avenue—1886" terrace	2.49
52	Part of "Church Avenue—1886" terrace	2.49	
54	Part of "Church Avenue—1886" terrace	2.49	
56	Part of "Church Avenue—1886" terrace	2.49	

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## Marrickville Local Environmental Plan 2001

## Identification of heritage items

## Schedule 5

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<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
	58	Part of "May" terrace	2.49
	60	Part of "May" terrace	2.49
	62	Part of "May" terrace	2.49
	64	Part of "May" terrace	2.49
	66	Part of "May" terrace	2.49
	68	Part of "May" terrace	2.49
	70	Part of "May" terrace	2.49
	72	Part of "May" terrace	2.49
	74	Part of "May" terrace	2.49
	76	Part of "May" terrace	2.49
	78	Part of "May" terrace	2.49
	80	Part of "May" terrace	2.49
	82	Part of "May" terrace	2.49
	84	Part of "May" terrace	2.49
Lilydale Street, Marrickville		Old Nurses quarters	3.11
		Old ward block	3.11
Livingstone Road, Marrickville	182	Victorian cottage	3.11
	184	Victorian cottage	3.11
	186	Victorian cottage	3.11

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## Marrickville Local Environmental Plan 2001

## Schedule 5 Identification of heritage items

Street and Suburb	Street No	Description	Heritage conservation map reference
Livingstone Road, Petersham	46–48	Victorian house	1.27A
	55–67	Former Salvation Army College	1.27
	323	“Laurel-Bank” Edwardian villa	3.30
London Street, Enmore	9	Part of “Jersey” terrace	2.69
	11	Part of “Jersey” terrace	2.69
	13	Part of “Jersey” terrace	2.69
	15	Part of “Jersey” terrace	2.69
	75	Corner—Queen Anne house	2.70
Margaret Street, Newtown	2	Part of semi-detached house	2.91
	4	Part of semi-detached house	2.91
Margaret Street, Petersham	58	Part of Victorian terrace	2.5
	60	Part of Victorian terrace	2.5
	62	Part of Victorian terrace	2.5
Marrickville Road, Marrickville	321	Edwardian house	1.56
May Street, St Peters	105	Part of terrace housing	2.83A
	107	Part of terrace housing	2.83A
	109	Part of terrace housing	2.83A
	111	Part of terrace housing	2.83A

## Marrickville Local Environmental Plan 2001

## Identification of heritage items

## Schedule 5

Street and Suburb	Street No	Description	Heritage conservation map reference
	113	Part of terrace housing	2.83A
	115	Part of terrace housing	2.83A
	117	Part of terrace housing	2.83A
	119	Part of terrace housing	2.83A
Middleton Street, Petersham	13	Victorian villa	2.56
Myrtle Street, Marrickville	1	Stone house	4.5
New Canterbury Road, Petersham	23–25	Egyptian Room Scottish Royal Arch Temple	1.10/2
	49–59	Former theatre	1.29
Old Canterbury Road, Dulwich Hill	227	Victorian villa	1.43
	279	Victorian house	1.45
Old Canterbury Road, Lewisham	11	Timber Victorian cottage	1.2
	13	Timber Victorian cottage	1.2
Oxford Street, Newtown	18	Part of Victorian terrace	2.32
	20	Part of Victorian terrace	2.32
	24	Part of Victorian terrace	2.32
Palace Street, Petersham	19	Victorian villa	1.13
	21	“Zanobi” Victorian villa and stables	1.17
	23	Victorian villa	1.17

## Marrickville Local Environmental Plan 2001

## Schedule 5 Identification of heritage items

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<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
	25	Victorian villa	1.17
	74	Corner shop	1.9
Parramatta Road, Petersham	386	Petersham Inn Hotel	2.3
Percival Road, Stanmore	120	Former bakery and ovens	2.17
	122	Shop facades	2.17
	124	Shop facades	2.17
Phillip Street, Petersham	48	Single storey corner shop	2.71
	50	Double storey corner shop	2.71
	2	Flats	2.4
	4	Flats	2.4
	6	Flats	2.4
	8	Flats	2.4
	10	Flats	2.4
	12	Flats	2.4
Premier Street, Marrickville	24	Federation house	3.22
	26	Federation house	3.22
Princes Highway, St Peters	634–808	Westpac Stores and Penfolds	4.32
Probert Street, Newtown	167	Corner shop	2.38

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## Marrickville Local Environmental Plan 2001

## Identification of heritage items

## Schedule 5

<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Railway Avenue, Stanmore	6	Federation cottage (Wilga)	2.22/1
	8	Federation cottage (Eddington)	2.22/1
	10	Federation cottage (Irene)	2.22/1
	12	Federation cottage (Otago)	2.22/1
	14	Federation cottage (Kiora)	2.22/1
	16	Federation cottage	2.22/1
	18	Federation cottage (Killara)	2.22/1
	20	Federation cottage (Dorothy)	2.22/1
	22	Federation cottage (Etham)	2.22/1
	24	Federation cottage	2.22/1
	50	Dundoos—Victorian villa	2.23
Railway Road, Sydenham	19	Victorian filigree style sandstone faced residence	4.38
Railway Street, Petersham	2	Glenthorn—Victorian villa	1.12
	4	Glenrock—Victorian villa	1.12
	15	Flats	1.15
	17	Flats	1.15



## Marrickville Local Environmental Plan 2001

## Schedule 5 Identification of heritage items

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Street and Suburb	Street No	Description	Heritage conservation map reference
	19	Flats	1.15
	23	Victorian villa	1.15A
	45	Victorian shop	1.18
Salisbury Road, Camperdown	143	Victorian cottage	2.24
	145	Victorian cottage	2.24
Sebastopol Street, Marrickville	10	Newington Manor— Victorian Gothic villa	2.60
Shaw Street, Petersham	18	Victorian Italianate villa	1.26
Shepherd Street, Marrickville	65	Sims Metal—factory	2.112
South Street, Tempe	43	Ficus tree	4.37
Stanmore Road, Stanmore	61	Edwardian house	2.67
	63	Edwardian house	2.67
	65	Edwardian house	2.67
	67	Edwardian house	2.67
	69–71	Edwardian house	2.67
	73	Edwardian house	2.67
	75	Edwardian house	2.67
	86	Bombara—villa	2.61
	144	Stanmore Victorian villa	2.59
	280–292	Newington Hotel	2.54

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## Marrickville Local Environmental Plan 2001

## Identification of heritage items

## Schedule 5

<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Station Street, Newtown	51	Part of terrace housing	2.92
	51A	Part of terrace housing	2.92
	53	Part of terrace housing	2.92
	53A	Part of terrace housing	2.92
	55	Part of terrace housing	2.92
	55A	Part of terrace housing	2.92
	57	Part of terrace housing	2.92
	57A	Part of terrace housing	2.92
	59	Part of terrace housing	2.92
	59A	Part of terrace housing	2.92
	61	Part of terrace housing	2.92
	61A	Part of terrace housing	2.92
	63	Part of terrace housing	2.92
	63A	Part of terrace housing	2.92
	65	Part of terrace housing	2.92
67	Victorian Italianate villa	2.92	
Summerhill Street, Lewisham	4	Former shop and residence	1.39
Sutherland Street, Sydenham	48	Corner shop	4.19
Temple Street, Stanmore	32	Polychrome brickwork cottage	2.12
Terry Street, Dulwich Hill	10	Waratah Flour Mill	1.42

## Marrickville Local Environmental Plan 2001

## Schedule 5 Identification of heritage items

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<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Thornley Street, Marrickville	28	Federation house	3.26
Trafalgar Street, Stanmore	143–145	Horaceville—Victorian villa	2.64
	223–229	Four Victorian villas	2.62/1
Union Street, Tempe	60	Hurlingham— Victorian villa	4.30
Unwins Bridge Road, Sydenham	41	Carthness— Gothic/Italianate house	4.21A
Unwins Bridge Road, St Peters	125	Milford Haven— Colonial bungalow	4.29
	137	Stone house	4.28
Victoria Road, Marrickville	34	Mill House	2.105
	80	Bethesda House	2.103
Victoria Street, Dulwich Hill	122	Timber Edwardian house	1.41
Wardell Road, Dulwich Hill	128	Timber cottage	1.52
	286	Victorian cottage	3.2A
Warren Road, Marrickville	47	Victorian villa	3.18
	51	Victorian villa	3.18
Woodcock Street, Marrickville	11–13	Colchester—Victorian villa	1.54

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Marrickville Local Environmental Plan 2001

Identification of heritage items

Schedule 5

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**Churches**

<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Stanmore Road, Stanmore	325	All Saints Anglican Church	2.50
Wardell Road, Dulwich Hill	194–206	Carmelite Convent	3.5
Metropolitan Road, Enmore	17–21	Enmore Church of Christ	2.94
Herbert Street, Dulwich Hill	7–9	Holy Trinity Church of England	1.49
Church Street, Camperdown	191	Newtown Baptist Church	2.48
The Boulevard, Lewisham	13–15	Petersham Baptist Church and Church Hall	1.34
Gordon Street, Petersham (39A West Street)	2	Petersham Presbyterian Church and Parish Hall	1.30
Railway Street, Petersham	32A	Petersham Uniting Church	1.14
Illawarra Road, Marrickville	388–390	Roseby Memorial Church	3.19
Marrickville Road, Marrickville	350–392	St Brigid's Church, Hall, Monastery, Shrine and Grounds	3.15
Marrickville Road, Marrickville	332–334	St Clement's Church of England Hall and Rectory	3.16
Bedford Street, Newtown	49–63	St Joseph's Catholic Church	2.36
Stanmore Road, Enmore	13–35	St Luke's Church of England	2.68

## Marrickville Local Environmental Plan 2001

## Schedule 5 Identification of heritage items

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<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Railway Parade, Sydenham	24A	St Mary/St Mina Coptic Orthodox Church	4.22
Livingstone Road, Marrickville	205–207	St Nicholas Greek Orthodox Church	3.8
Princes Highway, St Peters	187–209	St Peter's Church of England	4.14
Edgware Road, Newtown	290	St Pius Church and Presbytery	2.85
Church Street, Newtown	187–189	St Stephen's Church of England and Cemetery	2.47
Thomas Street, Lewisham		St Thomas's Catholic Church and Presbytery	1.6
Albany Road, Stanmore	140	Stanmore Baptist Church	2.11

**Civic buildings and works**

<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Bedford Street, Newtown	5	Newtown Town Hall	2.43
Bourne Street, Juliett Street and Enmore Road between Murray and Bourne Streets		Brick paving	2.101
Camperdown Park, Camperdown		Horse trough, balustrade and two ficus trees	2.26/1
Carrington Road between Harriet Street and Warren Road, Marrickville		Canary Island palms	4.7

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## Marrickville Local Environmental Plan 2001

## Identification of heritage items

## Schedule 5

<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Crystal Street, Petersham	105	Petersham Town Hall	1.20
George Street, Henry Street, Park Road, Park Lane, Railway Lane, Rowe Lane, Reilly Lane and Stewart Lane, Sydenham		Brick kerbs and sandstone kerb guttering	4.40
Graham Avenue, Marrickville	(2–20, 3–21)	Brick paving and Canary Island palms	1.57
High, Junction, Ruby and Schwebel Streets, Marrickville		Stonewalling, terracing and street planting	4.4
Hillcrest Street, Tempe	(1–33, 2–24)	Brick paving	4.23
Marrickville Road and Railway Parade, Sydenham		Brick retaining walls	4.10
Marrickville Road, Marrickville	303–307	Marrickville Town Hall	3.14
Old Canterbury Road near Summerhill Street, Lewisham	(101–109)	Stone terracing and steps	1.40
Parramatta Road, Stanmore	(22–28)	Milestone	2.1/1
Stanmore Road, Stanmore	(302–306)	Horse trough	2.54/1
Streets located in the former Municipality of Petersham		All street names marked in cement paving	2.52

## Marrickville Local Environmental Plan 2001

## Schedule 5 Identification of heritage items

<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Thornley Street and Hampden Avenue, Marrickville		Quarry and stone-walling	3.27
Trafalgar Street, Petersham	(355)	Horse trough	1.31A
Unwins Bridge Road, Sydenham	39	St Peters Town Hall	4.21
Victoria Street, St Peters	(18–20), 11–15)	Brick road and footpath paving and stone guttering	4.16
<b>Hospitals</b>			
<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
West Street, Petersham	29	Former Lewisham Hospital, convent and grounds (including building known as 1 Thomas Street)	1.7
<b>Parks</b>			
<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Australia Street, Camperdown		Camperdown Park, bandstand and war monument	2.26
Enmore Road, Enmore		Enmore Park and entry gates and Port Jackson fig trees	2.100
Centennial Street, Marrickville		Henson Park	2.107

## Marrickville Local Environmental Plan 2001

## Identification of heritage items

## Schedule 5

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<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Stanmore Road, Petersham		Maundrell Park and pergolas, stone steps and seating and dwarf boundary wall	2.51
West Street, Lewisham and Petersham		Park and stone boundary walls, pergolas and memorial gates	1.8
Holt Crescent, Marrickville		Richardsons Lookout and gate posts	3.24
Percival Road, Stanmore		Weekley Park and pergolas and dwarf boundary wall	2.19

**Police stations and court houses**

<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Australia Street, Newtown	222	Courthouse and former Police Station	2.42
Gladstone Street, Marrickville	4-8	Former Marrickville Police Station	4.2
New Canterbury Road, Petersham	2-4	Petersham Police Station	1.23
Princes Highway, Tempe	846-854	Tempe Police Station	4.35



## Marrickville Local Environmental Plan 2001

## Schedule 5 Identification of heritage items

**Post offices and boxes**

<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Enmore Road, corner of Stanmore Road, Enmore	213	Enmore Post Office	2.74
Marrickville Road, Marrickville	274A	Marrickville Post Office	4.1
Marrickville Road, corner Lilydale Street, Marrickville	313–319	Letter Box	3.11

**Railway buildings and structures**

<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Douglas Street, Stanmore		Stanmore Railway Station	2.15
Gleeson Avenue, Sydenham		Sydenham Railway Station	4.11
Hawthorne Canal, Lewisham		Adjacent Girder Bridges	1.3
Illawarra Road, Marrickville		Marrickville Railway Station	3.17
Phillip Street, Enmore		Pedestrian tunnel	2.71
Terminus Street, Petersham		Petersham Railway Station and footbridge	1.19

Marrickville Local Environmental Plan 2001

Identification of heritage items

Schedule 5

**Schools and educational establishments**

<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Australia Street, Newtown	229–233	Australia Street Infants	2.40
Darley Street, Newtown	109–123	Camdenville Public	2.87
Parramatta Road, Camperdown	127	Camperdown Public	2.25
Denison Road, Lewisham	63–77	Christian Brothers High	1.37
Seaview Street, Dulwich Hill	1	Dulwich Hill High	1.48
Metropolitan Road, Enmore	12	Enmore Activity	2.93
Premier Street, Marrickville	78–88	Ferncourt Public	3.23
Chapel Street, Marrickville	102–116	Marrickville Public	2.110
Livingstone Road, Marrickville		Marrickville West Public	3.3
Stanmore Road, Stanmore	144–248	Newington College—grounds	2.57
Stanmore Road, Stanmore	248	Newington College—former Methodist Church	2.58
Gordon Street, Petersham	2	Petersham Girls High	1.31
Crystal Street, Petersham	27	Petersham TAFE	2.6
Lennox Street, Newtown	109	St Joseph's Boys School	2.37

Page 95

## Marrickville Local Environmental Plan 2001

## Schedule 5 Identification of heritage items

Street and Suburb	Street No	Description	Heritage conservation map reference
Oxford Street, Newtown	26–38	St Joseph's Girls School and St Bede's Convent and Presbytery	2.37A
Church Street, St Peters	43A	St Peters Public	4.13
Thomas Street, Lewisham		St Thomas's Catholic School	1.6
Cambridge Street, Stanmore	102	Stanmore Public	2.63
Unwins Bridge Road, Tempe	119 and 368	Tempe Public	4.25

**Water and sewerage structures**

Street and Suburb	Street No	Description	Heritage conservation map reference
Carrington Road, Marrickville (northern end)	1	Sewer vent, pumping station and Edwardian house	4.6
Garden Street, Sydenham	1–37	Flood storage reserve and brick drain	4.12
Hunter Street, corner of The Boulevard, Lewisham	17	Sewer ventilation stack	1.35
Illawarra Road, Despointes Street, Malakoff Street and Northcote Street, near Sydenham Road		Brick drain	2.106
New Canterbury Road, Petersham	20–48	Petersham Reservoir—site, gate and fence	1.24

Marrickville Local Environmental Plan 2001

Identification of heritage items

Schedule 5

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<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Premier Street, Marrickville	24	Sewer ventilation stack	3.22
<b>Miscellaneous</b>			
<b>Street and Suburb</b>	<b>Street No</b>	<b>Description</b>	<b>Heritage conservation map reference</b>
Burrows Road, Sydenham	DP 108428	Timber stores	4.18
Illawarra Road, Marrickville	520–556	Former Schebel Family Quarry	3.28
Illawarra Road, Marrickville	96–106	Department of Housing/former Town Hall	2.108
Marrickville Road, Marrickville	309	Marrickville Fire Station	3.13
Princes Highway, Tempe	745–763	Tempe Bus Depot	4.33
Rear Dibble Avenue, Dulwich Hill	(9–15)	Dibble Avenue Waterhole	3.2
Riverside Park, Marrickville		Aboriginal Midden	3.29
Stanmore Road, Petersham	308–314	Stanmore Fire Station	2.53
Unwins Bridge Road, Sydenham	204	Electricity Substation	4.20
Warren Park, Marrickville		Burial vaults	3.25

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Marrickville Local Environmental Plan 2001

Schedule 5 Identification of heritage items

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**Part 2 Heritage conservation areas**

**Part 3 Archaeological significant sites**

## **Mosman Local Environmental Plan 1998 (Amendment No 7)**

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*.  
(S00/01618/S69)

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

Sydney, 9 May 2001.

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Clause 1 Mosman Local Environmental Plan 1998 (Amendment No 7)

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## **Mosman Local Environmental Plan 1998 (Amendment No 7)**

### **1 Name of plan**

This plan is *Mosman Local Environmental Plan 1998 (Amendment No 7)*.

### **2 Aims of plan**

This plan aims to rezone the land to which this plan applies to 2 (a1) Residential under *Mosman Local Environmental Plan 1998*.

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

This plan applies to Lot 1, DP 927200, 3 Ellamatta Avenue, Mosman, as shown distinctively coloured on the map marked "Mosman Local Environmental Plan 1998 (Amendment No 7)" deposited in the office of Mosman Municipal Council.

### **4 Amendment of Mosman Local Environmental Plan 1998**

*Mosman Local Environmental Plan 1998* is amended by inserting in appropriate order in the definition of **zoning map** in Schedule 1 the following words:

Mosman Local Environmental Plan 1998 (Amendment No 7)

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979****NARRABRI LOCAL ENVIRONMENTAL PLAN No. 38**

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. (S00/01436/P.C.)

Sydney, 9 May 2001.

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

**Citation**

1. This plan may be cited as Narrabri Local Environmental Plan No. 38.

**Aims, objectives, etc.**

2. This plan aims to rezone certain land in Narrabri for the erection of a community cultural centre.

**Land to which this plan applies**

3. This plan applies to part Lot 2, DP 758755, Section 29, Parish of Narrabri, County of Nandewar, Town of Narrabri, as shown edged heavy black on the map marked "Narrabri Local Environmental Plan No. 38" deposited. in the office of Narrabri Council.

**Relationship to other environmental planning instruments**

4. This plan amends Narrabri Local Environmental Plan No. 2 in the manner set out in Clause 5.

**Amendment of Narrabri Local Environmental Plan No. 2**

5. Narrabri Local Environmental Plan No. 2 is amended by inserting in appropriate order, at the end of the definition of, "the map", in Clause 5 the following words:

Narrabri Local Environmental Plan No. 38



**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979****ROCKDALE LOCAL ENVIRONMENTAL PLAN 2000 (AMENDMENT No. 3)**

I, the Minister for Urban Affairs and Planning, in pursuance of section 70 of the Environmental Planning and Assessment Act 1979, make the following local environmental plan. (S00/00681)

Sydney, 9 May 2001.

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

**Citation**

1. This plan may be cited as Rockdale Local Environmental Plan 2000 (Amendment No. 3)

**Aims of this plan**

2. (1) The aim of this plan is to allow, with consent, on the land to which this plan applies, automotive accessories installations, car repair stations, motor showrooms and spare parts sales.
- (2) This plan also sets a maximum floor space ratio for any building erected on the land to which this plan applies.

**Land to which this plan applies**

3. This plan applies to Lots A and B in DP 970613, Lot 16, Section I in DP 1071, Lot 9, Section I in DP 1071 and Lot 10, Section I in DP 1071, known as 10-12 Allen Street and 11-13 Ann Street, Arncliffe, as shown edged in heavy black on the map marked "Rockdale Local Environmental Plan 2000 (Amendment No. 3)" deposited in the office of the Rockdale City Council.

**Relationship to other environmental planning instruments**

4. This plan amends Rockdale Local Environmental Plan 2000 in the manner set out in clause 5.

**Amendment of Rockdale Local Environmental Plan 2000**

5. Rockdale Local Environmental Plan 2000 is amended:

- (a) by inserting in alphabetic order of locality in Appendix 3 to Part I the following matter:

Arncliffe

10-12 Allen Street and 11-13 Ann Street, Arncliffe	Lots A and B in DP 970613, Lot 16 Section I in DP 1071, Lot 9 Section I in DP 1071 and Lot 10 Section I in DP 1071	Development for the purpose of automotive accessories installations, car repair stations, motor showrooms, spare parts sales.
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- (b) by inserting after clause 34 the following clause:

34A Development of 10-12 Allen Street and 11-13 Ann Street, Arncliffe

Notwithstanding clause 34, the floor space ratio of a building erected or proposed to be erected on land to which Rockdale Local Environmental Plan 2000 (Amendment No. 3) applies must not exceed 0.75:1.

## **Newcastle Local Environmental Plan 1987 (Amendment No 123)**

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*.  
(N00/00266/S69)

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

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Clause 1 Newcastle Local Environmental Plan 1987 (Amendment No 123)

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## **Newcastle Local Environmental Plan 1987 (Amendment No 123)**

### **1 Name of plan**

This plan is *Newcastle Local Environmental Plan 1987 (Amendment No 123)*.

### **2 Aims of plan**

This plan aims to allow, with the consent of the Newcastle City Council, the use of dwelling-houses for the purpose of exhibition homes on land within Zone No 2 (a) (the Residential Zone) under *Newcastle Local Environmental Plan 1987*.

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

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

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

*Newcastle Local Environmental Plan 1987* is amended:

- (a) by inserting in alphabetical order in clause 9 (1) the following definition:

*exhibition home* means a dwelling-house or group of dwelling-houses used on a temporary basis for display purposes associated with the sale of the dwelling or dwellings, and includes other aspects such as house and land sales, materials display, home financing and the like, and may include associated buildings.

- (b) by inserting in alphabetical order in the Table to clause 12 in Item 3 of the matter relating to Zone No 2 (a) the words “exhibition homes,”.

## **City of Shoalhaven Local Environmental Plan 1985 (Amendment No 181)**

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*.  
(W90/00424/S69)

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

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Clause 1 City of Shoalhaven Local Environmental Plan 1985 (Amendment No 181)

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## City of Shoalhaven Local Environmental Plan 1985 (Amendment No 181)

### 1 Name of plan

This plan is *City of Shoalhaven Local Environmental Plan 1985 (Amendment No 181)*.

### 2 Aims of plan

This plan aims to reinstate an allowance provision (with some modification) into Schedule 9 to *City of Shoalhaven Local Environmental Plan 1985*, so as to allow, with the consent of Shoalhaven City Council, the erection of dwelling-houses or the carrying out of dual occupancy development (where the development results in attached dwellings) on the land to which this plan applies.

### 3 Land to which plan applies

This plan applies to Lots 13–17, DP 853617, Lots 3–7, DP 862443, Lot 26, DP 883925, Lots 8–12, DP 1012244 and Lots 18 and 19, DP 1018097, Kyeema Drive, Woodstock, as shown edged heavy black on the map marked “City of Shoalhaven Local Environmental Plan 1985 (Amendment No 181)” deposited in the office of the Council of the City of Shoalhaven.

### 4 Amendment of City of Shoalhaven Local Environmental Plan 1985

*City of Shoalhaven Local Environmental Plan 1985* is amended by inserting at the end of Schedule 9 the following words:

Lots 13–17, DP 853617, Lots 3–7, DP 862443, Lot 26, DP 883925, Lots 8–12, DP 1012244 and Lots 18 and 19, DP 1018097, Kyeema Drive, Woodstock, as shown edged heavy black on the map marked “City of Shoalhaven Local Environmental Plan 1985 (Amendment No 181)”—erection of one dwelling-house or dual occupancy development (where the development results in attached dual occupancy) on each of the lots.

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979****STRATHFIELD LOCAL ENVIRONMENTAL PLAN No. 94**

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. (S00/01778/S69)

Sydney, 14 May 2001.

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

**Name of plan**

1. This plan may be cited as Strathfield Local Environmental Plan No. 94.

**Alms and objectives of plan**

2. This plan aims to amend Schedule 9 to the Strathfield Planning Scheme Ordinance by including additional properties as heritage items.

**Land to which plan applies**

3. This plan applies to land known as Nos 46 and 48 Beresford Road, Strathfield, as identified on the map marked "Strathfield Local Environmental Plan No. 94 Heritage and Conservation Map" deposited in the office of the Strathfield Municipal Council.

**Relationship to other environmental planning instruments**

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

**Amendment of Strathfield Planning Scheme Ordinance**

5. The Strathfield Planning Scheme Ordinance is amended:

- (a) by inserting at the end of the definition of "Heritage and Conservation map" in clause 4 (1) the following words:  
Strathfield Local Environmental Plan No. 94 – Heritage and Conservation Map
- (b) by inserting in Schedule 9 under the heading of "PROPERTY" in alphabetical order of street name and numerical order of street number the following matter:  
46 Beresford Road, Strathfield – Interwar house  
48 Beresford Road, Strathfield – Interwar house

## **Sutherland Shire Local Environmental Plan 2000 (Amendment No 5)**

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*.  
(S00/01776/S69)

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

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Clause 1 Sutherland Shire Local Environmental Plan 2000 (Amendment No 5)

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## **Sutherland Shire Local Environmental Plan 2000 (Amendment No 5)**

### **1 Name of plan**

This plan is *Sutherland Shire Local Environmental Plan 2000 (Amendment No 5)*.

### **2 Aims of plan**

This plan aims:

- (a) to rezone the land to which this plan applies from Zone 2 (a1) Residential to Zone 6 (a) Public Recreation under *Sutherland Shire Local Environmental Plan 2000*, and
- (b) to maintain the foreshore scenic protection area nomination over the land.

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

This plan applies to Lots 2 and 3, DP 706014 (151–157 Ellesmere Road, Gymea), Lot 11, DP 202216 (9 Uloola Place, Gymea) and an unmade section of Ellesmere Road, Gymea, as shown edged heavy black on the map marked “Map 11: 151–157 Ellesmere Road, an unmade section of that road and 9 Uloola Place” deposited in the office of Sutherland Shire Council.

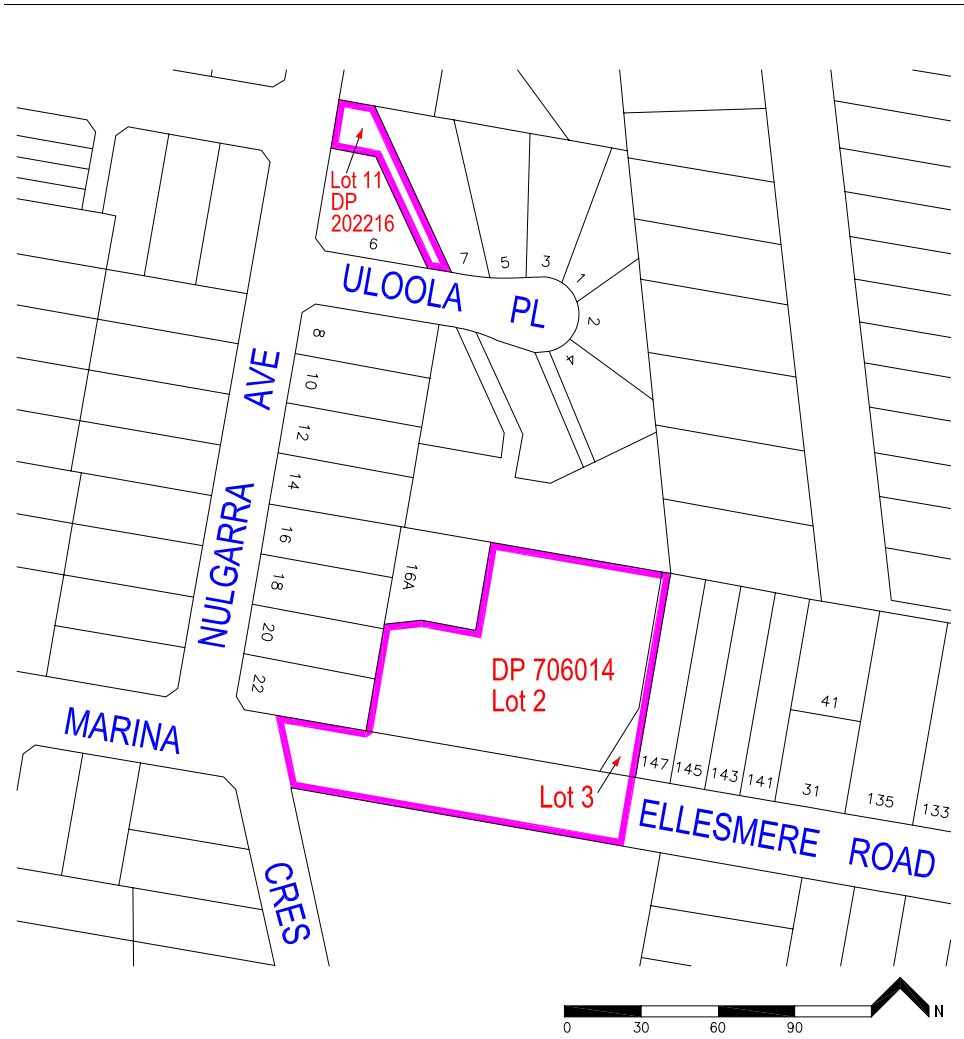
### **4 Amendment of Sutherland Shire Local Environmental Plan 2000**

*Sutherland Shire Local Environmental Plan 2000* is amended by inserting in Schedule 7 in numerical order of maps the following map:



Sutherland Shire Local Environmental Plan 2000 (Amendment No 5)

Clause 4



Map 11: 151-157 Ellesmere Road, an unmade section of that road and 9 Uloola Place

LOCATION GYMEA

 6 (a) Public Recreation (FSPA)

## **Tweed Local Environmental Plan 2000 (Amendment No 12)**

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*.  
(G99/00215/S69)

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

Sydney, 3 May 2001.

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Clause 1 Tweed Local Environmental Plan 2000 (Amendment No 12)

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## **Tweed Local Environmental Plan 2000 (Amendment No 12)**

### **1 Name of plan**

This plan is *Tweed Local Environmental Plan 2000 (Amendment No 12)*.

### **2 Aims of plan**

This plan aims to rezone the land to which this plan applies from Zone 6 (b) Recreation to Zone 2 (c) Urban Expansion under *Tweed Local Environmental Plan 2000*.

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

This plan applies to certain land fronting Leisure Drive, Banora Point, as shown coloured scarlet, edged red and lettered "2 (c)" on the map marked "Tweed Local Environmental Plan 2000 (Amendment No 12)" deposited in the office of the Tweed Council.

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

*Tweed Local Environmental Plan 2000* is amended by inserting in appropriate order in Part 2 of Schedule 6 the following words:

Tweed Local Environmental Plan 2000 (Amendment No 12)

## **Wingecarribee Local Environmental Plan 1989 (Amendment No 107)**

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*.  
(W00/00027/S69)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning  
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Clause 1 Wingecarribee Local Environmental Plan 1989 (Amendment No 107)

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## **Wingecarribee Local Environmental Plan 1989 (Amendment No 107)**

### **1 What is this plan called?**

This plan is *Wingecarribee Local Environmental Plan 1989 (Amendment No 107)*.

### **2 What are the aims of this plan?**

This plan aims:

- (a) to rezone part of the land to which this plan applies from Zone No 6 (a) (the Open Space (Existing Recreation) Zone) to Zone No 2 (c) (the Village or Township Zone) under *Wingecarribee Local Environmental Plan 1989* (the 1989 plan), and
- (b) to rezone the remainder of the land from Zone No 2 (c) to Zone No 6 (a) under the 1989 plan, and
- (c) to reclassify the land referred to in paragraph (a) from community to operational land within the meaning of the *Local Government Act 1993*.

### **3 Where does this plan apply?**

This plan applies:

- (a) to the extent that it rezones and reclassifies certain land, to so much of Part Lot 33, Section 3, DP 6221, Boronia Avenue, Hill Top, and known as part of Boronia Park, as is shown edged heavy black on the map marked "Wingecarribee Local Environmental Plan 1989 (Amendment No 107)" deposited in the office of Wingecarribee Shire Council, and
- (b) to the extent that it rezones the remainder of the land, to part of Lot 21, Section 3, DP 6221, Boronia Avenue, Hill Top, as shown edged heavy black on that map.

### **4 How does this plan affect other environmental planning instruments?**

*Wingecarribee Local Environmental Plan 1989* is amended as set out in Schedule 1.

Wingecarribee Local Environmental Plan 1989 (Amendment No 107)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 5 Definitions

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

Wingecarribee Local Environmental Plan 1989 (Amendment No 107)

### [2] Clause 38AA

Insert at the end of Part 4:

#### **38AA Classification and reclassification of public land as operational land**

- (1) The public land described in Schedule 9 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 9:
  - (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 2 of Schedule 9, 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 2 of Schedule 9.
- (4) In this clause, *the relevant amending plan*, in relation to land described in Part 2 of Schedule 9, means the local environmental plan cited at the end of the description of the land.

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Page 3

Wingecarribee Local Environmental Plan 1989 (Amendment No 107)

Schedule 1 Amendments

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- (5) Before the relevant amending plan inserted the description of land into Part 2 of Schedule 9, the Governor approved of subclause (3) applying to the land.

**[3] Schedule 9**

Insert after Schedule 8:

**Schedule 9 Classification and reclassification of public land as operational land**

(Clause 38AA)

**Part 1 Interests not changed**

**Part 2 Interests changed**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Locality</b>	<b>Description</b>	<b>Trusts etc not discharged</b>
<b>Hill Top</b>		
Boronia Avenue	So much of Part Lot 33, Section 3, DP 6221, known as part of Boronia Park, as is shown edged heavy black on the map marked "Wingecarribee Local Environmental Plan 1989 (Amendment No 107)"— <i>Wingecarribee Local Environmental Plan 1989 (Amendment No 107).</i>	Nil.

## **Wingecarribee Local Environmental Plan 1989 (Amendment No 108)**

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*.  
(W91/00856/PC)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning  
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Clause 1                      Wingecarribee Local Environmental Plan 1989 (Amendment No 108)

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## **Wingecarribee Local Environmental Plan 1989 (Amendment No 108)**

### **1 Name of plan**

This plan is *Wingecarribee Local Environmental Plan 1989 (Amendment No 108)*.

### **2 Aims of plan**

This plan aims:

- (a) to clarify that development of land within Zone No 2 (a2) under *Wingecarribee Local Environmental Plan 1989* for the purposes of home occupation is exempt development within the meaning of that plan, and
- (b) to permit the erection of a single dwelling-house, with the consent of Wingecarribee Shire Council, on certain land fronting Kangaloon Road, Glenquarry.

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

- (1) This plan, in so far as it gives effect to the aim expressed in clause 2 (a), applies to all land situated within the Wingecarribee local government area.
- (2) This plan, in so far as it gives effect to the aim expressed in clause 2 (b), applies to Lot 1 DP 787665, Kangaloon Road, Glenquarry, as shown edged heavy black on the map marked "Wingecarribee Local Environmental Plan 1989 (Amendment No 108)" deposited in the office of Wingecarribee Shire Council.

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

The *Wingecarribee Local Environmental Plan 1989* is amended as set out in Schedule 1.

Wingecarribee Local Environmental Plan 1989 (Amendment No 108)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 9 Zone objectives and development control table

Omit "Home occupations." from Item 2 of the matter relating to Zone No 2 (a2) in the Table to the clause.

Insert instead "Exempt development as defined in clause 6A; recreation gardens."

### [2] Clause 73

Insert in appropriate order:

#### **73 Special provisions—certain land fronting Kangaloon Road, Glenquarry**

- (1) This clause applies to Lot 1 DP 787665, Kangaloon Road, Glenquarry, as shown edged heavy black on the map marked "Wingecarribee Local Environmental Plan 1989 (Amendment No 108)".
- (2) A person may, with the consent of the council, carry out development on land to which this clause applies for the purpose of the erection of a single dwelling-house.
- (3) In determining an application for consent for the erection of a single dwelling-house on the land to which the clause applies, the council must take into account whether adequate provision has been made:
  - (a) to ensure a neutral or beneficial effect on the quality of surface or ground waters, and
  - (b) to ensure that no on-site effluent disposal area will be located within 150 metres of the Wingecarribee River or within 100 metres of any creek or watercourse, whether perennial or intermittent, and
  - (c) to ensure that vehicular access to Lot 1 DP 787665, Kangaloon Road has a minimum sight distance of 190 metres in both directions, and
  - (d) for the restoration of riparian land.

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Page 3

## Wingecarribee Local Environmental Plan 1989 (Amendment No 108)

## Schedule 1      Amendments

- 
- (4) The council must not grant consent to the erection of a single dwelling-house on the land to which the clause applies unless:
- (a) the council is satisfied that the proposed development will not have an adverse impact on the prominent landscape features of the site and the surrounding area, and
  - (b) the particular scenic and cultural values of the rural landscape will be maintained to the satisfaction of the council, and
  - (c) the ground floor of the dwelling-house is not above 670 AHD, and
  - (d) the dwelling-house is located so that it is not silhouetted above the natural horizon of the land, when viewed from Kangaloon Road.
- (5) For the purposes of subclause (6), *riparian corridors* consist of strips of land to which this clause applies (along both sides of the length of each watercourse) that have a minimum width of 20 metres (excluding the width of the watercourse) when measured landward horizontally from the top of the bank and at right angles with the general flow direction of the watercourse.
- (6) The council must not grant consent to the erection of a residential or an ancillary building within the riparian corridors on land to which this clause applies.

**[3] Schedule 7 Exempt development**

Insert “, 2 (a2)” after “2 (a1)” wherever occurring.

## **City of Wollongong Local Environmental Plan 1990 (Amendment No 205)**

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*.  
(W98/00069/S69)

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

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Clause 1 City of Wollongong Local Environmental Plan 1990 (Amendment No 205)

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## **City of Wollongong Local Environmental Plan 1990 (Amendment No 205)**

### **1 Name of plan**

This plan is *City of Wollongong Local Environmental Plan 1990 (Amendment No 205)*.

### **2 Aims and objectives of plan**

The object of this plan is to add new heritage items (including 3 new heritage conservation areas) to the *City of Wollongong Local Environmental Plan 1990*.

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

This plan applies to land in the vicinity of Austinmer, Bulli, Brownsville and Figtree, as shown edged heavy black on the sheets of the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 205)" deposited in the office of the Council of the City of Wollongong.

### **4 Amendment of City of Wollongong Local Environmental Plan 1990**

The *City of Wollongong Local Environmental Plan 1990* is amended as set out in Schedule 1.

City of Wollongong Local Environmental Plan 1990 (Amendment No 205)

Amendments

Schedule 1

## Schedule 1 Amendments

(Clause 4)

### [1] Clause 6 Definitions

Insert at the end of the definition of *heritage map* in clause 6 (1):

City of Wollongong Local Environmental Plan 1990  
(Amendment No 205)

### [2] Schedule 1 Items of heritage significance

Insert in Part 1 (Items of local significance) after the matter relating to Austinmer School Residence under the heading "Austinmer":

C	Austinmer Heritage Conservation Area	Moore Street and The Grove
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### [3] Schedule 1, Part 1

Insert after the matter relating to the Former Illawarra Lake Hotel under the heading "Brownsville":

C	Brownsville Heritage Conservation Area	Hore Street, Prince Edward Drive and Brownsville Avenue
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### [4] Schedule 1, Part 2 Items of State and regional significance

Insert after the matter relating to the Bulli Heritage Conservation Area under the heading "Bulli/Woonona":

C	Old Bulli Conservation Area	Princes Highway R
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Page 3

City of Wollongong Local Environmental Plan 1990 (Amendment No 205)

Schedule 1      Amendments

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

Omit the mater relating to Gardens of “Greenhills” and Hillside under the heading “Wollongong”.

Insert instead:

B, L	“Greenhills” and “Hillside” and Gardens	Princes Highway, Figtree	R
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**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979****YARROWLUMLA LOCAL ENVIRONMENTAL PLAN 1993 (AMENDMENT No. 35)**

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. (Q00/00080/S69)

Sydney, 9 May 2001.

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

**Citation**

1. This plan may be cited as Yarrowlumla Local Environmental Plan 1993 (Amendment No. 35).

**Aims, objectives, etc.**

2. This plan aims to allow, with Yarrowlumla Council's consent, development for the purpose of a hydroelectricity generating station on the land to which the plan applies.

**Land to which plan applies**

3. This plan applies to certain land situated in the local government area of Yarrowlumla, being Lot 7, DP 592796, Parishes of Googong, Burra, Urialla, Yarrow and Carwoola, as shown edged heavy black on the map marked "Yarrowlumla Local Environmental Plan 1993 (Amendment No. 35)" deposited in the office of the Council of Yarrowlumla.

**Relationship to other environmental planning instruments**

4. This plan amends Yarrowlumla Local Environmental Plan 1993 in the manner set out in clause 5.

**Amendment of Yarrowlumla Local Environmental Plan 1993**

5. Yarrowlumla Local Environmental Plan 1993 is amended by inserting at the end of Schedule 5 the following matter:

Land being Lot 7, DP 592796, Parishes of Googong, Burra, Urialla, Yarrow and Carwoola, as shown edged heavy black on the map marked "Yarrowlumla Local Environmental Plan 1993 (Amendment No. 35)" – hydroelectricity generating station.



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## Roads and Traffic Authority

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### ROADS AND TRAFFIC AUTHORITY

Notice made under the Road Transport (Mass, Loading and Access) Regulation 1996

I, Paul Forward, Chief Executive of the Roads and Traffic Authority, pursuant to the Road Transport (Mass, Loading and Access) Regulation 1996, make this Notice set forth hereunder.

PAUL FORWARD  
Chief Executive  
Roads and Traffic Authority

Amendments

This Higher Mass Limits Notice 2001 published in *Government Gazette* No. 67 of 12 April 2001 at pages 1913 to 1919 is amended by omitting the definition of "Mass Management Accreditation Scheme" from Part 4 – Definitions and inserting instead the following definition:

"Mass Management Accreditation Scheme" means:

- a scheme under the Mass Management Module of the National Road Transport Commission's Heavy Vehicle Accreditation Scheme, or
- a non-national mass management accreditation scheme developed by a body or organisation other than the National Road Transport Commission that is approved by the Authority.

### ROADS ACT 1993

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

Notice of Compulsory Acquisition of Land at Gateshead in the Lake Macquarie City Council Area

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of His Excellency the Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act 1993.

D J Lorsch  
Manager, Statutory Processes  
Roads and Traffic Authority of New South Wales

#### SCHEDULE

All that piece or parcel of Crown land situated in the Lake Macquarie City Council area, Parish of Kahibah and County of Northumberland, shown as Lot 13 Deposited Plan 1014664, excluding from the compulsory acquisition the easements for water supply pipeline 3.05 metres wide notified in *Government Gazette* No 104 of 6 October, 1972 on page 3971 and *Government Gazette* No 48 of 28 April, 1961 on page 1216 and shown in Miscellaneous Plans 8406.3070 and 6767.3070 respectively.

(RTA Papers FPP 1M1072; RO 23/252.1285)

**ROADS ACT 1993**

Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation 1996

LAKE MACQUARIE City Council, in pursuance of Division 2 of Part 3 of the Road Transport (Mass, Loading and Access) Regulation 1996, by this Notice, specify the routes and areas on or in which B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

KEN HOLT  
General Manager  
Lake Macquarie City Council  
(by delegation from the Minister for Roads)

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**SCHEDULE**
**1. Citation**

This Notice may be cited as the Lake Macquarie City Council B-Doubles Notice No. 01TFC052.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force until 31 December 2005 unless it is amended or repealed earlier.

**4. Application**

4.1 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 Lake Macquarie City Council**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	000	Pendlebury Road, Cardiff	Nelson Road	Macquarie Road	None

**ROADS ACT 1993**

Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation 1996

TUMUT 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.

CHRIS ADAMS  
General Manager  
Tumut Shire Council  
(by delegation from the Minister for Roads)

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**SCHEDULE**
**1. Citation**

This Notice may be cited as the Tumut 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-Doubles routes within the Tumut Shire Council**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	000	Argalong Rd	Culbara Rd	Jumpers Still Rd	
25	278	Wee Jasper Rd	Unnamed private plantation access road 1.90kms east of Jerimiah Rd	Unnamed private plantation access road 3.87kms east of Jerimiah Rd	

**ROADS ACT 1993**

Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation, 1996

WELLINGTON 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.

DON RAMSLAND  
General Manager  
Wellington Council  
(by delegation from the Minister for Roads)

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**SCHEDULE**
**1. Citation**

This Notice may be cited as the Wellington B-Doubles Notice No. 1/2001.

**2. Commencement**

This Notice takes effect on the date of Gazettal.

**3. Effect**

This Notice remains in force until 6 February 2006 unless it is amended or repealed earlier.

**4. Application**

4.1 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 Wellington Council**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
B'Double	—	Quirk Street	Warne Street	Gisbourne St	Existing route from Mitchell Hwy via Arthur/Warne St
B'Double	—	Gisbourne St	Quirk Street	Lee Street	On to Mitchell Hwy

**ROADS ACT 1993**

Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation 1996

WAGGA WAGGA City Council, in pursuance of Division 2 of Part 3 of the Road Transport (Mass, Loading and Access) Regulation 1996, by this notice, specify routes and areas on or in which B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

GRAEME FAULKNER  
General Manager  
Wagga Wagga City Council  
(by delegation from the Minister for Roads)

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**SCHEDULE**
**1. Citation**

This notice may be cited as the Wagga Wagga City Council B-Double Notice No. 5, 2001

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This notice remains in force until 31 April 2006 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 Wagga Wagga City Council**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	000	Marrar Road, Wagga Wagga	MR240	June Shire Boundary	

**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)

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SCHEDULE

**1. Citation**

This Notice may be cited as the Wakool Shire Council B-Doubles Notice No. 4, 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	Paterson Street	Tallow Street	Tchelery Road	
25	000	Tchelery Road	MR319 (Barham-Maude Road)	Patterson Street	

## 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 connections.

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 WOLLONGONG, AT HELENSBURGH: Contract Number 970454S7, Project Number 3001944. Sideline 1 and its appurtenant junctions, sidelines and inlets serving PARKES STREET, HALLS ROAD.*

*CITY OF SHELLHARBOUR, AT FLINDERS: Contract Number 970354S0, Project Number 3001754. Sideline 1 and its appurtenant junctions, sidelines and inlets serving YARLE CRESCENT.*

*CITY OF SHELLHARBOUR, AT ALBION PARK (Rosa Estate Stage 2B): Contract Number 970220S3, Project Number 3001162. Lines 1 to 8, Inclusive and their appurtenant junctions, sidelines and inlets serving WARREGO STREET, ASHBURTON DRIVE and DAINTREE DRIVE (Lots 2001-2009 and 2110-2130).*

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.

MARGARET McTAINSH,  
Developer Activity Officer  
Illawarra Region

18 May 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 connections.

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 CARNES HILL: Contract Number 971774S0, Project Number 3001554. Lines 1 to 9, inclusive, and their appurtenant junctions, sidelines and inlets serving properties in COBBLE CIRCUIT, PROUT STREET and LYCETT AVENUE.*

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

10 May 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 connections.

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 ROOTY HILL: Contract Number 969067S3, Project Number 3001640. Line 1 and its appurtenant junctions, sidelines and inlets serving RUPERTSWOOD ROAD and JOHN STREET.*

*CITY OF BLACKTOWN, AT PLUMPTON: Contract Number 969188S3, Project Number 3001931. Line 1 and its appurtenant junctions, sidelines and inlets serving FIRETAIL GROVE and ROOTY HILL ROAD NORTH.*

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

18 May 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 connections.

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 DOONSIDE: Contract Number 968472W8/S4, Project Number 3001748. Lines 1 to 2 inclusive and their appurtenant junctions, sidelines and inlets serving KARUAH STREET and DELANEY 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.

VICKI MAWBY,  
Developer Activity Officer,  
Blacktown

18 May 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, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

*CITY OF SHELLHARBOUR, AT ALBION PARK (Rosa Estate Stage 2B): Contract Number 970220S3, Project Number 3001162. Water mains are now laid and capable of serving identified properties in WARREGO STREET, ASHBURTON DRIVE and DAINTREE DRIVE (Lots 2001-2009 and 2110-2130).*

*CITY OF SHELLHARBOUR, AT FLINDERS (Precinct 108 Site 7200): Contract Number 958633W6, Project Number 190181. Water mains are now laid and capable of serving identified properties in WILLUNGA ROAD, MUNMORAH ROAD, BURRINJUCK AVENUE, JINDABYNE ROAD, HUME CLOSE, MALACOOTA WAY, EUCUMBENE AVENUE, GARNETT GROVE, COWAL COURT and LAKEWOOD BOULEVARDE*

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.

MARGARET McTAINSH,  
Developer Activity Officer  
Illawarra Region

18 May 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, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

*CITY OF LIVERPOOL, AT PRESTONS: Contract Number 971744WA, Project Number 1000600. Water mains are now laid and capable of serving identified properties in JESICA 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.

KEVIN HASTIE,  
Developer Activity Officer,  
Liverpool Commercial Centre

14 May 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, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

*CITY OF PENRITH, AT GLENMORE PARK: Contract Number 964049W1, Project Number 161477. Water mains are now laid and capable of serving identified properties in WATERFORD CIRCUIT, THORTON AVENUE and RIDGETOP DRIVE.*

*CITY OF PENRITH, AT GLENMORE PARK: Contract Number 973502W2, Project Number 1000783. Water mains are now laid and capable of serving identified properties in SITELLA PLACE and LUTTRELL STREET.*

*CITY OF PENRITH, AT GLENMORE PARK: Contract Number 973513W1, Project Number 1000814. Water mains are now laid and capable of serving identified properties in GLENMORE PARKWAY and TOWN TERRACE.*

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

18 May 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, have been laid and are available for connections.



Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

*CITY OF LIVERPOOL, AT CHIPPING NORTON:  
Contract Number 956782WA, Project Number 170656.  
Water mains are now laid and capable of serving  
identified properties in CHILDS 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.

KATHY HANSEN,  
Developer Activity Officer,  
Liverpool Commercial Centre

18 May 2001.

## Other Notices

### ABORIGINAL LAND RIGHTS ACT 1983

#### Notification of Constitution of an Area as a Local Aboriginal Land Council Area

PURSUANT to the power vested in me by section 5(1) of the Aboriginal Land Rights Act 1983, I hereby constitute the area described in the text below as the Awabakal Local Aboriginal Land Council Area.

The Hon. ANDREW REFSHAUGE, M.P.,  
Minister for Aboriginal Affairs

#### AWABAKAL LOCAL ABORIGINAL LAND COUNCIL AREA

Commencing at the junction of the generally south-western boundary of the County of Gloucester with the low watermark of the shore of the South Pacific Ocean: and bounded thence by that boundary generally north-westerly to Hunter River; by that river upwards to the Pacific Highway; by that highway south-westerly and south-easterly and the western prolongation of Old Maitland Road (Hexham) westerly to the Richmond and Pelaw Main Colliery Railway; by that railway generally south-westerly to the road from Stockrington to Seahampton; by that road generally south-westerly to the generally southern boundary of the Parish of Stockrington, County of Northumberland; by part of that boundary generally westerly to George Booth Drive; by that drive generally north-westerly to its junction with the road from Mulbring to Maitland via Buchanan; by a line westerly to Wallis Creek; by that creek upwards to the road from Mulbring to Ellalong via Quorrobolong; by that road generally westerly, Wallaby Gully Road northerly, South Street westerly, Campbell Street northerly, Helena Street westerly, the road from Ellalong to Paxton generally westerly, Milfield Road generally north-westerly, Wollombi Road westerly and Mount View Road generally north-westerly and generally northerly to Cedar Creek; by that creek and Congewai Creek downwards and Narone Creek and a north-eastern tributary of that creek upwards to its source in Rocky Ridge; by that ridge generally northerly to Crumps Road; by that road generally easterly, Cabans Road generally south-easterly, the road through Portion 29, Parish of Coongewai to the road from Paxton to Congewai generally north-easterly and the road from Paxton to Congewai south-easterly to Congewai Creek; by that creek and Reedy Creek upwards to its source in the range forming the generally south-eastern boundary of the City of Cessnock; by that range generally north-easterly to the road from Mulbring to Cooronbong via Freemans Waterhole; by that road generally south-easterly, Palmers Road generally easterly, Wakefield Road and Northville Drive generally north-easterly, Main Road generally easterly, Macquarie Road generally southerly and King Street and its prolongation generally south-westerly to the shore of Lake Macquarie; by that shore generally southerly to the western prolongation of the generally southern side of Warners Bay Road; by that prolongation, side of that road, the generally south-eastern side of that road generally easterly and generally north-easterly, a line easterly, the generally south-eastern side of Pacific Highway generally north-easterly, a line easterly, the generally south-western side of Dudley Road generally south-easterly, the generally south-western and generally southern sides of Ocean Street generally south-easterly and

generally easterly, a line north-easterly, the generally south-eastern side of Albury Street generally north-easterly, a line easterly, the southern side of Debs Parade and its prolongation easterly to the low watermark of the shore of the South Pacific Ocean, aforesaid, and by that shore generally north easterly to the point of commencement.

### ABORIGINAL LAND RIGHTS ACT 1983

#### Notification of Constitution of an Area as a Local Aboriginal Land Council Area

PURSUANT to the power vested in me by section 14(1) of the Aboriginal Land Rights Act 1983, I hereby constitute the area described in the text below as the Karuah Local Aboriginal Land Council Area.

The Hon. ANDREW REFSHAUGE, M.P.,  
Minister for Aboriginal Affairs

#### KARUAH LOCAL 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 Began Began 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 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.

### ABORIGINAL LAND RIGHTS ACT 1983

#### Notification of Constitution of an Area as a Local Aboriginal Land Council Area

PURSUANT to the power vested in me by section 14(1) of the Aboriginal Land Rights Act 1983, I hereby constitute the area described in the text below as the Northern Tablelands Regional Aboriginal Land Council Area.

The Hon. ANDREW REFSHAUGE, M.P.,  
Minister for Aboriginal Affairs

#### NORTHERN TABLELANDS REGIONAL ABORIGINAL LAND COUNCIL AREA

Commencing at the junction of the generally northern boundary of the Parish of Carroll, County of Buller with the boundary between the States of New South Wales and Queensland: and bounded thence by that parish boundary generally easterly, part of the generally western and the generally southern boundaries of the Parish of Gilgurry generally southerly and generally easterly, the generally southern and part of the generally south-eastern boundaries of the Parish of Boorook generally easterly and generally north-easterly, the generally northern boundary of the Parish of Callanyn generally easterly, the western boundary of the Parish of Antimony southerly, part of the generally south-eastern boundary of the County of Buller generally north-easterly and part of the generally eastern boundary of the Parish of Fairfield, County of Drake generally southerly to the western boundary of Portion 6; by that boundary southerly and the southern boundary of that portion and its prolongation easterly to Timbarra River; by that river upwards to the generally southern boundary of the Parish of Bajimba, County of Clive; by that boundary generally easterly, part of the generally western, the generally northern and the generally eastern boundaries of the Parish of Albert, County of Drake, generally northerly, generally easterly and generally southerly, the north-eastern and part of the generally south-eastern boundaries of the Parish of Richmond, south-easterly and generally south-westerly, the

eastern boundary of the Parish of Cooraldooral southerly, the generally north-western boundary of the County of Gresham generally south-westerly, the generally southern boundaries of the Parishes of Newton Boyd and Henry generally easterly to Guy Fawkes River; by that river upwards to the generally south-western boundary of the County of Gresham; by part of that and part of the generally south-eastern boundary of that County, generally south-easterly and generally north-easterly, the northern and eastern boundaries of Portion 53, Parish of Shea, County of Fitzroy, easterly and southerly, part of the eastern boundary of Portion 70 southerly, the western prolongation of the northern boundary of Portion 22 and that boundary easterly, the generally northern boundary of Portion 65 generally easterly, the northern and eastern boundaries of Portion 42 easterly and southerly, the eastern boundary of Portion 41 southerly, the southern and generally south-eastern boundaries of Portion 57, easterly and generally north-easterly, part of the generally south-eastern boundary of Portion 55 generally north-easterly, the western prolongation of the northern boundary of Portion 6, Parish of Wiriri, that boundary and the northern boundaries of Portions 8, 9 and 10 easterly, the northern and eastern boundaries of Portion 11 easterly and southerly, the eastern boundaries of Portions 12 and 14 southerly, part of the generally southern boundary of the Parish of Wiriri generally easterly, the generally southern boundary of the Parish of Bobo generally easterly, part of the generally western boundary of the Parish of Gundar generally southerly, the generally western boundaries of the Parishes of Ucombe and Stewart generally southerly, part of the generally south-eastern boundary of the County of Fitzroy generally south-westerly, part of the generally eastern boundary of the County of Clarke generally southerly and part of the generally southern boundary of the Parish of Lookout generally westerly to Styx River; by that river and Chandler River downwards to the generally southern boundary of the County of Sandon; by that boundary generally westerly, part of the generally eastern, the generally southern and the generally western boundaries of the Parish of Tara, County of Inglis generally southerly, generally westerly and generally northerly, part of the generally southern and generally western boundaries of the Parish of Looanga generally westerly and generally northerly, part of the generally south-western boundary of the County of Hardinge generally north-westerly, the generally south-eastern, the generally south-western and the generally north-western boundaries of the County of Murchison generally south-westerly, generally north-westerly and generally north-easterly, the generally western boundary of the Parish of Gunnee, County of Burnett generally northerly, the generally western, and generally northern boundaries of the Parish of Gragin generally northerly and generally easterly the generally eastern boundary of the Parish of Gullungutta and part of the generally eastern boundary of the Parish of Ottley generally northerly, the generally eastern boundary of the Parish of Cucumber, County of Arrawatta generally northerly, the generally northern boundary of the Parish of Leslie generally easterly and part of the western and the northern boundaries of the Parish of Ashford northerly and easterly to the Severn River; by that river downwards to the generally southern boundary of the Parish of Ashby; by that boundary and part of the generally eastern boundary of that parish generally easterly and generally northerly, part of the generally northern boundary of the Parish of Lockerby generally easterly, and part of the generally south-western and the generally

northern boundaries of the Parish of Bowman generally north-westerly and generally easterly to the boundary between the States of New South Wales and Queensland, aforesaid, and by that boundary generally north-westerly to the point of commencement.

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### ABORIGINAL LAND RIGHTS ACT 1983

Notification of Constitution of an Area as a Local  
Aboriginal Land Council Area

PURSUANT to the power vested in me by section 5(1) of the Aboriginal Land Rights Act 1983, I hereby constitute the area described in the text below as the Worimi Local Aboriginal Land Council Area.

The Hon. ANDREW REFSHAUGE, M.P.,  
Minister for Aboriginal Affairs

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### 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, D.P. 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.

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### ABORIGINAL LAND RIGHTS ACT 1983

Notification of Constitution of an Area as a Local  
Aboriginal Land Council Area

PURSUANT to the power vested in me by section 5(1) of the Aboriginal Land Rights Act 1983, I hereby constitute the area described in the text below as the Bahtabah Local Aboriginal Land Council Area.

The Hon. ANDREW REFSHAUGE, M.P.,  
Minister for Aboriginal Affairs

### BAHTABAH LOCAL ABORIGINAL LAND COUNCIL AREA

Commencing at the junction of the generally southern boundary of the City of Lake Macquarie with the low watermark of the shore of the South Pacific Ocean: and bounded thence by that boundary generally westerly and part of the generally south-western boundary of that city generally north-westerly to the range dividing the waters of Morans Creek and Wye Creek from those of Buttonderry Creek and Mannering Creek; by that range generally south-easterly to the source of Wye Creek; by that creek downwards to Farm Road; by that road easterly, Old Maitland Road generally north-easterly and the road from Morisset to Wye generally northerly to Cobra Creek; by that creek downwards to the generally western shore of Lake Macquarie; by that shore and the generally northern shore of that lake generally northerly, generally easterly and generally southerly to the western prolongation of the generally southern side of Warners Bay Road; by that prolongation side of that road, the generally south-eastern side of that road generally easterly and generally north-easterly, a line easterly, the generally south-eastern side of Pacific Highway generally north-easterly, a line easterly, the generally south-western side of Dudley Road generally south-easterly, the generally south-western and generally southern sides of Ocean Street generally south-easterly, and generally easterly, a line north-easterly, the generally south-eastern side of Albury Street generally north-easterly, a line easterly, the southern side of Debs Parade and its prolongation easterly to the low watermark of the shore of the South Pacific Ocean, aforesaid and by that shore generally south-westerly to the point of commencement (exclusive of Pulbah Island).

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### ANTI-DISCRIMINATION ACT 1977

#### Exemption Order

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977 and on the recommendation of the Anti-Discrimination Board, an exemption is given from the provisions of sections 25 and 51 of the Anti-Discrimination Act 1977 to Horwath Recruitment & Training Pty Ltd in order to recruit women only for positions of sales consultants in the motor vehicle industry.

Under the provisions of section 126 of the Anti-Discrimination Act 1977 and on the recommendation of the Anti-Discrimination Board, an exemption is given from the provisions of sections 25 and 51 of the Anti-Discrimination Act 1977 to the franchisees of Mitsubishi Motors Australia Limited in order to recruit and employ women only, in conjunction with Horwath Recruitment & Training Pty Ltd, for positions of sales consultants in the motor vehicle industry.

The exemption will remain in force for a period of 2 years from the date given.

Dated this 8th day of May 2001.

BOB DEBUS, M.P.,  
Attorney General



**ANTI-DISCRIMINATION ACT 1977**

## Exemption Order

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977, and on the recommendation of the Anti-Discrimination Board, an exemption is given from the provisions of sections 8 and 51 of the Anti-Discrimination Act 1977 for the Wyong Shire Council to designate and recruit for the positions of Engineering Design Officer, Labourer: Water and Sewerage Operations and Child Care Assistant as positions for Indigenous people.

This exemption will remain in force for a period of four years from the date given.

Dated this 15th day of May 2001.

BOB DEBUS, M.P.,  
Attorney General

**CO-OPERATIVES ACT 1992**

## Change of Name

IT is hereby notified that on 14 May 2001, I registered a change of name for Catherine Hill Bay Bowling Club Co-operative Limited to Catherine Hill Bay Bowling Sporting and Social Club Co-operative Limited

Dated this fourteenth day of May 2001.

D. CHARTERS,  
Delegate of The Registrar of Co-operatives

**FORESTRY ACT 1916**

## Land Acquisition (Just Terms Compensation) Act 1991

## Notice of Compulsory Acquisition of Land

THE Minister for Forestry declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below exclusive of all mines and deposits of minerals therein contained being part of the land dedicated as Ben Bullen State Forest No. 434 are acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of giving effect to an Agreement entered into pursuant to Section 16A of the Forestry Act 1916.

Dated at Sydney this ninth day of May 2001.

KIM YEADON, M.P.,  
Minister for Forestry

## SCHEDULE

All that piece or parcel of land having an area of 71.59 hectares or thereabouts situate in the City of Greater Lithgow Council Area, Parish of Cullen Bullen, County of Roxburgh, being Lot 1 in Deposited Plan 1025909 and being part of Ben Bullen State Forest No. 434, No 1 Extension, dedicated 20 May 1938. (23085)

**GEOGRAPHICAL NAMES ACT 1966**

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to assign the name listed hereunder as a geographical name.

Any person objecting to this proposal may within one (1) month of the date of this notice give to the Secretary of the Board, notice in writing of that objection, setting out the grounds of the objection.

<b>Proposed Name:</b>	<b>Les Lambert Lookout</b>
Designation:	Lookout
L.G.A.:	Shoalhaven City Council
Parish:	Yarrawa
County:	Camden
Latitude:	34° 41' 46"
Longitude:	150° 34' 30"
L.P.I. Map:	Kangaroo Valley
1:100,000 Map:	Kiama 9028
Reference:	GNB: 4766

WARWICK WATKINS,  
Chairman

Geographical Names Board  
PO Box 143 BATHURST 2795

**GEOGRAPHICAL NAMES ACT 1966****ERRATUM**

IN the notice referring to Assignment of Geographical Names for Localities in the Tallaganda Council Area in the *Government Gazette* of 11 October 1996, folio 6913, the following sentence was omitted and should be added.

SUBSEQUENTLY the Locality name Tallaganda is Discontinued, being replaced by Berlang.

W. WATKINS,  
Chairperson

Geographical Names Board  
PO Box 143 BATHURST 2795

**HERITAGE ACT 1977**

## Interim Heritage Order No. 44

In pursuance of section 24 of the Heritage Act 1977, I, the Minister for Urban Affairs and Planning, do, by this my order:

- (i) make an interim heritage order in respect of the item of the environmental heritage specified or described in Schedule 'A'; and
- (ii) declare that the interim heritage order shall apply to the curtilage or site of such item, being the land described in Schedule 'B'.

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

Sydney, 16th May 2001.

## SCHEDULE 'A'

The property known as Combadello Homestead, Combadello via Moree, situated on the land described in Schedule 'B'.

## SCHEDULE 'B'

All those pieces or parcels of land as specified hereunder:

that part of lot A, DP 405872, which includes the house and gardens, to an extent of 100 metres in all directions from the house.

**HERITAGE ACT 1977**

Direction Pursuant to Section 34(1)(A)

To list an Item on the State Heritage Register

Former Burwood Post Office, 168A Burwood Road, Burwood

SHR No 1490

IN pursuance of section 34(1)(a) of the Heritage Act 1977, I, the Minister for Urban Affairs and Planning, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of the environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B".

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

Sydney, 10th May 2001.

## SCHEDULE "A"

The property known as the former Burwood Post Office, 168A Burwood Road, Burwood, situated on the land described in Schedule "B".

## SCHEDULE "B"

All those piece or parcels of land known as Lot 337, DP 752023.

**INCORPORATION OF PARENTS AND CITIZENS ASSOCIATIONS**

THE following associations are hereby incorporated under the Parents and Citizens Associations Incorporation Act, 1976.

1. Bathurst West Public School Parents and Citizens Association
2. Camden Public School Parents and Citizens Association
3. Winston Heights Public School Parents and Citizens Association

JOHN AQUILINA, M.P.,  
Minister for Education and Training

**PESTICIDES ACT 1999**

Notice under Section 48 (4)

NOTICE is hereby given, pursuant to section 48 (4) of the Pesticides Act 1999, that I have granted a Pilot (Pesticide Rating) Licence, particulars of which are stated in the Schedule.

ALAN RITCHIE,  
Manager Dangerous Goods  
Environment Protection Authority  
by delegation

## SCHEDULE

Pilot (Pesticide Rating) Licence

<i>Name and address of Licensee</i>	<i>Date of Granting of Licence</i>
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Mr Phillip Rhys LITTLE 12 Allambie Place MOREE NSW 2400	11 May 2001
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Mr Shaun David SINCLAIR Unit 2 Tandou Farm Road MENINDEE NSW 2879	11 May 2001
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**PIPELINES ACT 1967**

Notification of Grant of Variation No.2 to Licence Area

Young to Wagga Wagga Natural Gas Pipeline  
Licence No. 19

IT is hereby notified that Her Excellency the Governor, with the advice of the Executive Council, has pursuant to section 19 of the Pipelines Act 1967, approved of the grant to East Australian Pipeline Limited (ACN 064 629 009) of Variation No. 2 to Licence No 15. The grant varies the Licence Area to include the lands specified in the Schedule.

## SCHEDULE

All those pieces or parcels of land described in the instrument annexed to Deposited Plan 1020280 lodged at the Land and Property Information NSW Office, Sydney.

KIM YEADON, M.P.,  
Minister for Energy

**PIPELINES ACT 1967**

Notification of Vesting of Easements

Young to Wagga Wagga Natural Gas Pipeline  
Licence No. 19

HER Excellency the Governor with the advice of the Executive Council, pursuant to the provisions of sections 21 and 61 of the Pipelines Act 1967, hereby declares that the easements over the lands specified in the attached Schedule are vested in East Australian Pipeline Limited ACN 064 629 009.

## SCHEDULE

*Parishes of Botany, Liberty Plains and Bankstown;  
County of Cumberland*

All those pieces or parcels of land described in the instrument annexed to Deposited Plan 1020280 lodged at the Land and Property Information NSW Office, Sydney.

Her Excellency Professor MARIE BASHIR,  
Governor

**PIPELINES ACT 1967**

Notification of Grant of Renewal of Pipeline Licence No 7  
Plumpton to Killingworth Natural gas Pipeline

It is hereby notified that, Her Excellency the Governor, with the advice of the Executive Council, has pursuant to section 16 of the Pipelines Act 1967, approved of the renewal to AGL Gas Networks Limited (ACN 003 004 322) of Pipeline Licence No 7 for the period of twenty one (21) years effective from the Fifth day of July 1999.

KIM YEADON, M.P.,  
Minister for Energy

**PIPELINES ACT 1967**

Notification of Grant of Renewal of Pipeline Licence No 8  
Killingworth to Wickham Natural gas Pipeline

It is hereby notified that, Her Excellency the Governor, with the advice of the Executive Council, has pursuant to section 16 of the Pipelines Act 1967, approved of the renewal to AGL Gas Networks Limited (ACN 003 004 322) of Pipeline Licence No 8 for the period of twenty one (21) years effective from the Nineteenth day of December 2000.

KIM YEADON, M.P.,  
Minister for Energy

**POISONS AND THERAPEUTIC  
GOODS ACT 1966  
ORDER UNDER CLAUSE 151(1),  
POISONS AND THERAPEUTIC GOODS  
REGULATION 1994.**

**Withdrawal of Drug Authority**

IN accordance with the provisions of clause 151(1) of the Poisons and Therapeutic Goods Regulation 1994 an order has been made on Dr Douglas Ian McCloskey of 111 Milton Street, ASHFIELD 2131 prohibiting him, until further notice, as a medical practitioner from having possession of and supplying drugs of addiction as authorised by clause 103 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 79 of the Regulation.

This order is to take effect on and from Wednesday 16 May 2001.

MICHAEL REID,  
Director-General

Department of Health, New South Wales.  
Sydney, Thursday 10 May 2001.

**THE SCIENTIFIC COMMITTEE**

**Notice of Preliminary Determinations**

THE Scientific Committee, established by the Threatened Species Conservation Act, has made Preliminary Determinations to support proposals to list the following in Schedule 2 of the Act.

**Vulnerable Species (Schedule 2)**

Black-chinned Honeyeater (eastern subspecies),  
*Melithreptus gularis gularis* (Gould 1837)

Brown Treecreeper (eastern subspecies), *Climacteris picumnus victoriae* (Mathews 1912)

Diamond Firetail *Stagonopleura guttata* (Shaw 1796)

Grey-crowned Babbler (eastern subspecies),  
*Pomatostomus temporalis temporalis* (Vigors and Horsfield 1827)

Hooded Robin (south-eastern form), *Melanodryas cucullata cucullata* (Latham 1802)

Speckled Warbler, *Pyrholaemus sagittata* (Latham 1802)

The Committee is of the opinion that these species are likely to become endangered unless the circumstances and factors threatening their survival or evolutionary development cease to operate.

Any person may make a written submission, which should be forwarded to:

Director General  
National Parks & Wildlife Service  
PO Box 1967  
Hurstville NSW 2220

Attention: Suzanne Chate  
Executive Officer,  
Scientific Committee

Submissions must be received by 22nd June 2001.

**Extension of Public Exhibition Period**

The exhibition period for the following Preliminary Determination has been extended to 22nd June 2001:

*Pterostylis metcalfei* D.L Jones, a terrestrial orchid.

Copies of these Determinations may be inspected at the National Parks Centre 102 George Street, The Rocks, Sydney and at all National Parks and Wildlife Service Area Offices/Visitors Centres during business hours.

Associate Professor PAUL ADAM,  
Deputy Chairperson

**THE FAIR TRADING ACT 1987**

**Prohibition Order**

**Section 31**

I, John Arthur WATKINS, Minister for Fair Trading, agreeing with a recommendation made in a report submitted to me by the Products Safety Committee, pursuant to section 31 of the Fair Trading Act 1987, with effect after 22 May 2001:

1. revoke the Order specified in Schedule One;
2. prohibit the supply of goods described in Schedule Two except where those goods are supplied in accordance with the conditions specified in Schedule Three.

DATED this 15th day of May 2001.

JOHN WATKINS, M.P.,  
Minister for Fair Trading

**Interpretation**

In this Order:

- **anti-vortex cover** means a main drain fitting designed to prevent the circular or swirling motion of water that tends to form a vacuum or suction at the centre and draws or entraps any part of a person's body or hair into the drain pipe.
- **domestic in-ground swimming pool** means an in-ground swimming pool of a type commonly constructed or installed on premises on which a residential building, a moveable dwelling, a hotel or a motel is located.
- **main drain** means a plumbing fitting installed on the suction side of the pump in the deepest part of a swimming pool, functioning as a connection to the pump to allow for drawing water through an outlet.
- **moveable dwelling** means:
  - (a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
  - (b) a pre-fabricated home.
- **outlet** means an opening in a swimming pool wall or floor through which water leaves the pool.
- **swimming pool** means any excavation or structure containing water to a depth greater than 300 millimetres and used primarily for swimming, wading, paddling or the like, and includes a bathing or wading pool, but does not include a spa.

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**SCHEDULE ONE**

Order published in the New South Wales *Government Gazette* No. 41 dated 23 February 2001, p. 1055.

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**SCHEDULE TWO**

Covers designed or adapted for use as a domestic in-ground swimming pool outlet cover.

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**SCHEDULE THREE**

Covers designed or adapted for use as a domestic in-ground swimming pool main drain cover shall:

1. comply with clause 5.1(a) of Australian Standard AS1926.3 – 1993 titled *Swimming pool safety Part 3: Water reticulation and filtration systems*;
2. form a dome-shaped surface over the outlet when fitted; and
3. be designed so that they are anti-vortex covers.



# 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:

#### 22 May 2001

**ITS2317** SUPPORT SERVICES FOR THE IMPLEMENTATION OF ESS (PAYROLL AND PERSONNEL).  
DOCUMENTS: \$220.00 PER SET

#### 23 May 2001

**016/7173** CATEGORY 7 RURAL FIRE APPLIANCES. DOCUMENTS: \$55.00 PER SET

#### 24 May 2001

**ITS2323** RECORDS AND INFORMATION MANAGEMENT SYSTEMS – GSAS.  
DOCUMENTS: \$220.00 PER SET

**01/17169** CANTEENS TAFE AT CAMPBELLTOWN, GRANVILLE, MACQUARIE FIELDS AND MILLER.  
DOCUMENTS: \$110.00 PER SET

#### 29 May 2001

**015/436** PAPER, PHOTOCOPY AND SPECIALIST PRINTING. DOCUMENTS: \$110.00 PER SET

#### 30 May 2001

**ITS2100** COMPUTER MAINTENANCE SERVICES. DOCUMENTS: \$220.00 PER SET

**00/2739** ADMISSION SYSTEM. DOCUMENTS: \$220.00 PER SET

**01/7175** SCHOOL CERTIFICATE TEST PAPERS. DOCUMENTS: \$110.00 PER SET

**01/7177** HIGHER SCHOOL CERTIFICATE TEST PAPERS - 2001 HSC VOLUME 3M. DOCUMENTS: \$110.00 PER SET

**01/7176** HIGHER SCHOOL CERTIFICATE TEST PAPERS - 2001 HSC VOLUME 1E. DOCUMENTS: \$110.00 PER SET

#### 5 June 2001

**014/314** FENCING MATERIALS AND GATES - SUPPLY, HIRE AND INSTALLATION. DOCUMENTS: \$110.00 PER SET

**01/7163** MANAGEMENT DEVELOPMENT PROGRAM FOR ABORIGINAL PEOPLE. DOCUMENTS: \$110.00 PER SET

#### 12 June 2001

**015/278** MAJOR APPLIANCES. DOCUMENTS: \$275.00 PER SET

**0104/366** MOTOR SPIRIT & PETROLEUM PRODUCTS. DOCUMENTS: \$110.00 PER SET

#### 21 June 2001

**992/715b** GENERAL LINEN - SUPPLEMENTARY. DOCUMENTS: \$110.00 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

## Department of Housing

Tenderers are required to comply with the New South Wales Government's Code of Practice and Tendering for the Construction Industry.

### SOUTH WESTERN SYDNEY REGIONAL OFFICE

#### LAWNMOWING / CLEANING

- 1) HAMMONDVILLE / MOOREBANK (JOB NO. SCL 027)
- 2) WARWICK FARM (JOB NO. SCL 028)

Maintenance of Lawns / Grounds and Common Area Cleaning

Note: **CLOSING 10.00 AM TUESDAY MAY 29, 2001.**

- 1) CANLEY HEIGHTS (JOB NO. SCL029)
- 2) CABRAMATTA (JOB NO. SCL030)

Maintenance of Lawns / Gardens and Common Areas Cleaning

Note: **CLOSING 10.00AM TUESDAY JUNE 5, 2001.**

Tender Fee: \$55.00 (GST Included) per tender, **cheque only** to be made out to Department of Housing.

Phone: 9821 6336

Tender documents are available from South Western Sydney Regional Office, Level 8, 23-31 Moore Street Liverpool. The tender box is located on the ground floor.

### WESTERN SYDNEY REGIONAL OFFICE

#### LAWNMOWING / CLEANING

- 1) GUILDFORD / MERRYLANDS (JOB NO. WSG 063)

Lawns/Grounds Maintenance and Cleaning

12 Sites/Two Year Contract

#### MAINTENANCE / REPAIRS / PAINTING

- 1) BLACKTOWN / LALOR PARK / SEVEN HILLS (JOB NO WSR 1722)

External Repairs/External Painting to 406 Properties

Note: **CLOSING 10.00 AM TUESDAY MAY 29, 2001.**

- 1) EMU PLAINS (JOB NO. WSG 1744)

Restoration of Fire Damaged Unit

Note: **CLOSING 10.00 AM TUESDAY JUNE 5, 2001.**

Tender Fee: \$55.00 (GST Included) per tender payable by cheque or money order.

Phone: 9891 8402 / 9891 8180

Tender documents are available from Western Sydney Regional Office; 106-108 Church Street Parramatta and tenders close at that office.

**Government Printing Service****TENDERS FOR PRINTING**

TENDERS will be received up to 9.30 am on the date specified for the undermentioned printing. Envelopes containing tenders must be addressed to: Government Printer Unit 5 Block V 391 Park Road REGENTS PARK NSW 2143, and have legibly endorsed upon the face thereof the items and description of the printing for which the tender is submitted. Special envelopes are available for this purpose.

**Tender for 1 Week Closing 28th May 2001.**

Tender No.18254

Tenders are invited on behalf of Department of Community Services for the film, printing, binding of 4 of there magazines Tender documents will be available the 21st May 2001 in the main foyer of the Government Printing Service. Job consists of 4 magazines 32pp, 28pp, 40pp and 36pp self covers with quantities of 225,000. Further information contact Gavin Potter 9743 8777.

**Tenders for 2 Weeks Closing 4th June 2001**

Tender Number 17357A

Tenders are invited on the behalf of Q Stores for the design and artwork preparation of Q Stores marketing print material for the period of 12 months. Q Stores produce a quarterly magazine called Q Deals plus numerous brochures and flyersheets. Q Deals ranges from 12 to 16pp selfcover and is printed in 4 colour process throughout. The brochures and flyersheets will vary. For further information contact Kim Cooper on 9743 8777.

Tender Number 17357B

Tenders are invited on the behalf of Q Stores for the print production of Q Stores marketing print material for the period of 12 months. Q Stores produce a quarterly magazine called Q Deals plus numerous brochures and flyersheets. Q Deals ranges from 12 to 16pp selfcover and is printed in 4 colour process throughout. The brochures and flyersheets will vary. For further information contact Kim Cooper on 9743 8777.

# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### BYRON SHIRE COUNCIL

Rural Fires Act 1997

Bush Fire Danger Period

AS per the Rural Fires Act 1997 No. 65, section 82 (1) (B), the Byron Shire Council has changed the local bush fire danger period in that the requirement for the issue of fire permits has been brought forward to midnight 8th September, 2000 until midnight 31st March, 2001. R. KENT, General Manager, Byron Shire Council, PO Box 219, Mullumbimby, NSW 2482. [0423]

### COFFS HARBOUR CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Easements  
Over Land

THE Coffs Harbour City Council declares, with the approval of His Excellency the Governor, that the interests in and over land described in the Schedule below are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes identified in the Schedule. Dated at Coffs Harbour, 12th February, 2001. C. GREGG, Authorised Officer, Coffs Harbour City Council, Locked Bag 155, Coffs Harbour, NSW 2450.

#### SCHEDULE

Easement for sewer rising main 3 wide within Lot 295, DP 752817 and Lot 519, DP 726493 as shown in DP 1018386. Easement for sewer rising main and right of way variable width over Lot 264, DP 752817 as shown in DP 1018386. [0406]

### HASTINGS COUNCIL

Roads Act 1993

Notification of Closing of Public Road

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the land comprised therein ceases to be a temporary road and the right of passage and access that previously existed in relation to the road are extinguished. HASTINGS COUNCIL, PO Box 84, Port Macquarie, NSW 2444.

#### SCHEDULE

Road being Lot 1, DP 1025520, Parish Macquarie, County Macquarie, Land District Port Macquarie, Local Government Area Hastings. [0407]

### KYOGLE COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given by Kyogle Council that in pursuance of section 10 of the Roads Act 1993, the land as described in the Schedule below is hereby dedicated as public road. Dated at Kyogle, 9th May, 2001. K. DAVIES, General Manager, Kyogle Council, PO Box 11, Kyogle, NSW 2474.

#### SCHEDULE

Lot 1 in Deposited Plan 1005174. [0403]

### LAKE MACQUARIE CITY COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads – Stanley Lane and  
Redgum Close

NOTICE is hereby given by Council in pursuance of section 162 of the Roads Act No. 33 1993 that it has been resolved that the undermentioned roads in the City be named thus:

<i>Description</i>	<i>New Name</i>
Unnamed lane 3 metres wide and variable width at Cardiff. South of 61 Wansbeck Valley Road (Lot 13, DP 15792) and 15 Byron Street (Lot 17, DP 201861) and north of Cardiff North Public School (Part Lot 2, DP 228106).	Stanley Lane.
Road formerly known as part of Cessnock Road (Palmer's Road) at Freemans Waterhole. Starting at the south-western corner of Lot 263, DP 755207 and terminating at the north-eastern corner of Lot 1, DP 755207.	Redgum Close.

K. HOLT, General Manager, Lake Macquarie City Council, Box 1906 Hunter Region Mail Centre, NSW 2310. [0426]

**LEETON SHIRE COUNCIL**

Local Government Act 1993, Section 553  
Extension of Water Mains

NOTICE is hereby given pursuant to section 553 of the Local Government Act 1993 that Leeton Shire Council's water mains have been extended to service the lands described hereunder.

Leeton Shire Council:

Petersham Road: From existing main at Grevillia Street East, southwards to the southern boundary of Lot 647 on Almond Road.

Petersham Road: From existing main at Fivebough Road northwards and westwards to Brobenah Road.

Lillypilly Road: From existing main from Merungle Hill Road northwards to Lot 2, DP 1007906.

Errey Road: From existing main from Vance Road eastwards to Lot 87, DP 751735.

Brobenah Road: From existing main northwards to southern boundary of Lot 2, DP 843712.

Redgum Drive: All properties easterly from Brobenah Road.

Toorak Road: From existing main southwards to Lot 899, DP 725658.

Vance Road: From existing main at Lot 47, DP 262127 northwards to Lot 4, DP 1003433.

Boronia Road: From Vance Road to Portion 181, DP 751742 and northwards to Lonnie Road, then westwards to Lot 6, DP 1019446 and eastwards to Lot 8, DP 1019446.

Yeo Road: From Vance Road westwards to Lot 89, DP 751735.

Plan No. WT9

The owners of all lands within the prescribed distance will be liable for water supply charges as from the expiration of twenty-one (21) days after the publication of this notice, or the date of connection of the properties to the water main, whichever is the earlier date. R. C. PLUIS, General Manager, Leeton Shire Council, 23-25 Chelmsford Place, Leeton, NSW 2705. [0405]

**RIVERINA WATER COUNTY COUNCIL**

Local Government Act 1993, Section 553  
Extension of Water Mains

NOTICE is hereby given pursuant to section 553 of the Local Government Act 1993, that Riverina Water County Council's water mains have been extended to service the lands described hereunder:

City of Wagga Wagga:

Atherton Crescent: From existing main at Atherton Crescent, south-westward to southern boundary of Lot 9. Drawing No. 1/2716.

Stellway Close: From existing main at Stellway Close, south-westward to the northern boundary of Lot 10. Drawing No. 1/2632.

Depazzi Close: From existing main at Depazzi Close, south-westward and southwards to north-eastern boundary of Lot 96. Drawing No. 1/2497.

Veale Street: From existing main at Veale Street, southwards to southern boundary of Lot 5. Drawing No. 1/2644.

Glenoak Subdivision: From new Glenoak reservoir site, generally southwards through existing Lots described as Lot 1 on DP 601684, Lot 2 on DP 825384 and Lot 1 on DP 377975 to Dunns Road. Drawing No. 1/2854.

McLartys Lane: From existing water main Becks Lane, westwards along McLartys Lane to Lots 1, 2 and 3. Drawing No. 3/2180

The owners of all lands within the prescribed distance will be liable for water supply charges as from the expiration of twenty-one (21) days after the publication of this notice, or the date of connection of the properties to the water main, whichever is the earlier date. G. W. PIEPER, General Manager, Riverina Water County Council, PO Box 456, Wagga Wagga, NSW 2650. [0427]

**ROCKDALE CITY COUNCIL**

Roads Act 1993, Section 162

Renaming of Public Road – Brodie Spark Drive

IN pursuance of the above Act, Rockdale City Council has renamed the northern end of Arncliffe Street, Arncliffe between Lusty Street and Princes Highway "Brodie Spark Drive". ROCKDALE CITY COUNCIL, PO Box 21, Rockdale, NSW 2216. [0408]

**SHOALHAVEN CITY COUNCIL**

Notice of Amended Tree Preservation Order

NOTICE is hereby given that under the provision of Clause 8 of the Environmental Planning and Assessment Model Provisions 1980, as adopted by the City of Shoalhaven Local Environmental Plan 1985, the Council of the City of Shoalhaven resolved at its meeting of 24th April, 2001 to amend its Tree Preservation Order in the following manner: (1) Delete the Rural 1(c) zone from the land covered by the Tree Preservation Order, with the exception of land within thirty (30) metres of a road boundary. SHOALHAVEN CITY COUNCIL, PO Box 42, Nowra, NSW 2541. [0404]

**SOUTH SYDNEY CITY COUNCIL**

Roads Act 1993, Part 10, Division 2

Proposed Lease – Part of Goulburn Street, Surry Hills

PUBLIC Notice is hereby given that South Sydney City Council has received a request to renew the lease to the Owners Corporation of SP20211, an adjoining land owner, for a period of five (5) years part of the realigned portion of Goulburn Street adjacent to No. 251-263 Goulburn Street, Surry Hills for landscaping and access purposes. Full particulars of the proposal are shown on Plan S4-130/591 which is available at Tower B, 280 Elizabeth Street, Surry Hills. Any objections to the abovementioned proposal may be lodged with Council in writing within thirty (30) days of the date hereof. (Council Papers 2008147). J. W. BOURKE, General Manager, South Sydney City Council, Locked Bag 5000, Strawberry Hills, NSW 2012. [0428]



### ESTATE NOTICES

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of MYER GLICK, late of Montefiore Home, 120 High Street, Hunters Hill, in the State of New South Wales, retired medical practitioner, who died on 19th February, 2001, must send particulars of his claim to the executors, 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 8th May, 2001. DEACONS, Lawyers, 1 Alfred Street, Circular Quay (GPO Box 3872, Sydney, NSW 2001), Sydney, NSW 2000 (DX 368, Sydney), tel.: (02) 9330 8184. [0409]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of ELIZABETH WOOD HOLBORN, late of Summer Hill, in the State of New South Wales, stenographer, who died on 30th September, 2000, must send particulars of his claim to the executrices, Jane Elizabeth Baxter and Diana Margaret Bond, 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 executrices 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 7th May, 2001. MAKINSON & d'APICE, Solicitors, Level 18, 68 Pitt Street, Sydney, NSW 2000 (DX 296, Sydney), tel.: (02) 9233 7788. [0410]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of VINCENT JOSEPH BELLANTO, late of Meredith House Nursing Home, Homebush (previously of 9 Blake Street, Rose Bay), in the State of New South Wales, taxi owner, who died on 3rd March, 2001, must send particulars of his claim to the executors, c.o. Heaney Richardson & Nemes, Solicitors, Level 10, 45-47 York 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 4th May, 2001. HEANEY RICHARDSON & NEMES, Solicitors, Level 10, 45-47 York Street, Sydney, NSW 2000 (DX 367, Sydney), tel.: (02) 9262 3299. [0411]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of LINDSAY REGINALD HAWKINGS, late of Erina, in the State of New South Wales, retired laundry manager, who died on 15th December, 2000, must send particulars of his claim to the executrix, Gay Louise Folkard, c.o. John G. Burton & Associates, 16 Adelaide Street, East Gosford, 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 May, 2001. JOHN G. BURTON & ASSOCIATES, Solicitors, 16 Adelaide Street, East Gosford, NSW 2250 (DX 7263, Gosford), tel.: (02) 4323 4899. [0412]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of DUSAN BUGARIN, late of 13 Paul Street, Blacktown, in the State of New South Wales, process worker, who died on 2nd November, 1996, must send particulars of his claim to the administratrix, Rosa Varga, c.o. Low Doherty & Stratford, Solicitors, 9 Campbell Street, Blacktown, within one (1) calendar month from publication of this notice. After that time the administratrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Letters of Administration were granted in New South Wales on 2nd May, 2001. LOW DOHERTY & STRATFORD, Solicitors, 9 Campbell Street, Blacktown, NSW 2148 (DX 8109, Blacktown), tel.: (02) 9622 4644. [0413]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of ARTHUR STANLEY EYLES, late of 15 Lodge Street, Balgowlah, in the State of New South Wales, retired, who died on 23rd February, 2001, must send particulars of his claim to the executrix, Faye Mansfield, c.o. Abigails Solicitors, 400 Sydney Road, Balgowlah, 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 27th April, 2001. ABIGAILS SOLICITORS, 400 Sydney Road, Balgowlah, NSW 2093, tel.: (02) 9948 0264. [0414]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of NORA DAVIES, late of 7 Queen Street, Croydon, in the State of New South Wales, widow, who died on 27th January, 2001, must send particulars of his claim to the executors, Lewis Foster Davies and Philip Lewis Abigail, c.o. Abigails Solicitors, 400 Sydney Road, Balgowlah, 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 27th April, 2001. ABIGAILS SOLICITORS, 400 Sydney Road, Balgowlah, NSW 2093, tel.: (02) 9948 0264. [0415]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of MARGARET SHIRLEY WOOLF, late of 8 Derby Road, Hornsby, in the State of New South Wales, retired music teacher, who died on 2nd February, 2001, must send particulars of his claim to the executor, Eric J. Howse, Treasurer, Greater Sydney Conference of the Seventh-Day Adventist Church, c.o. Collins & Thompson, Solicitors, 189 Pacific Highway, Hornsby, 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 4th May, 2001. COLLINS & THOMPSON, Solicitors, 189 Pacific Highway, Hornsby, NSW 2077 (DX 9691, Hornsby), tel.: (02) 9476 2788. [0424]

NOTICE of intended distribution of estate. Any person having any claim upon the estate of MARJORIE MARY MASON, late of 9/35 Anzac Road, Long Jetty, in the State of New South Wales, married woman, who died on 1st August, 2000, must send particulars of his claim to the executor, Laurence Austin Mason, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, 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 4th May, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0429]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of KENNETH NORMAN WOODS, late of 66 Centenary Road, Merrylands, in the State of New South Wales, clerk, who died on 13th November, 2000, must send particulars of his claim to the executrix, Phyllis Mary Woods, 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 4th May, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0430]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of EILEEN ADA MATILDA McDONNELL, late of Balmain, in the State of New South Wales, widow, who died on 14th February, 1999, must send particulars of his claim to the executrix, Julianna Eileen Millar, c.o. Newnhams, Solicitors, Level 7, 122 Castlereagh 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 26th August, 1999. NEWNHAMS, Solicitors, Level 7, 122 Castlereagh Street, Sydney, NSW 2000 (DX 665, Sydney), tel.: (02) 9264 7788. [0431]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of PHILIP CHARLES FOX, late of 39 Moore Park Road, Paddington, in the State of New South Wales, who died on 12th December, 2000, must send particulars of his claim to the executrix, Christine Nancy Fox, c.o. Simpson & Co., Solicitors, 103A Anzac Parade, Kensington, 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 May, 2001. SIMPSON & CO., Solicitors, 103A Anzac Parade (PO Box 340, Kensington, NSW 1465), Kensington, NSW 2033, tel.: (02) 9662 4381. [0432]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of NORA ELLEN HILL, late of Wesley Gardens Nursing Home, Belrose, in the State of New South Wales, who died on 14th February, 2001, must send particulars of his claim to the executrix, Delores Margaret Johnston, c.o. Simpson & Co., Solicitors, 103A Anzac Parade, Kensington, 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 4th May, 2001. SIMPSON & CO., Solicitors, 103A Anzac Parade (PO Box 340, Kensington, NSW 1465), Kensington, NSW 2033, tel.: (02) 9662 4381. [0433]

## COMPANY NOTICES

NOTICE of winding up. – REGAL COURT PTY LIMITED, ACN 000 334 412. – On 8th May, 2001 a members' resolution was passed that the company be wound up voluntarily and that Brian Gallie be appointed liquidator. B. P. GALLIE, c.o. Hales Redden & Partners Pty Limited, 24 Bay Street, Rockdale, NSW 2216, tel.: (02) 9567 0545. [0416]

NOTICE of voluntary liquidation. – ARTINSKI PTY LIMITED (In liquidation), ACN 066 160 496. – Notice is hereby given in accordance with section 491 (2) of the Corporations Law that at an extraordinary general meeting of the members of Artinski Pty Limited, held on 11th May, 2001 the following special resolution was duly passed: "That the company be wound up as a members' voluntary liquidation and that the assets of the company may be distributed in whole or in part to the members in specie should the liquidator so desire" and Roger Duncan Ellinson, Chartered Accountant, c.o. Selingers, Level 11, 155 Castlereagh Street, Sydney, be appointed liquidator for the purpose of such winding up. Dated at Sydney, 11th May, 2001. R. D. ELLINSON, Liquidator, c.o. Selingers, Level 11, 155 Castlereagh Street, Sydney, NSW 2000, tel.: (02) 9283 2444. [0417]

NOTICE of voluntary winding up. – MAYTREE PTY LIMITED (In voluntary liquidation), ACN 003 813 741. – Notice is hereby given that at an extraordinary general meeting of the abovenamed company, duly convened and held at the offices of Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale on 24th April, 2001 the following special resolution was duly passed: "That the company be wound up voluntarily". On the same day pursuant to section 495 (1), it was resolved that Kevin John Pike of Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale be appointed liquidator of the company for the purposes of winding up the affairs and distributing the assets of the company. Dated 8th May, 2001. K. J. PIKE, Liquidator, c.o. Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale, NSW 2350, tel.: (02) 6774 8400. [0418]

NOTICE of voluntary winding up. – VOMORA PTY LIMITED (In voluntary liquidation), ACN 002 053 027. – Notice is hereby given that at an extraordinary general meeting of the abovenamed company, duly convened and held at the offices of Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale on 24th April, 2001 the following special resolution was duly passed: “That the company be wound up voluntarily”. On the same day pursuant to section 495 (1), it was resolved that Kevin John Pike of Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale be appointed liquidator of the company for the purposes of winding up the affairs and distributing the assets of the company. Dated 8th May, 2001. K. J. PIKE, Liquidator, c.o. Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale, NSW 2350, tel.: (02) 6774 8400. [0419]

NOTICE of voluntary winding up. – MORTIMER SCIENTIFIC CONSULTING PTY LIMITED, ACN 053 189 950. – At a general meeting of Mortimer Scientific Consulting Pty Limited convened and held at Level 8, 36 Carrington Street, Sydney on 9th May, 2001 the following was duly passed as a special resolution in accordance with a recommendation by the Directors: “That the company be wound up voluntarily and that Matthew McNamara of 92 Cooper Street, Cootamundra be appointed liquidator”. Dated 9th May, 2001. M. McNAMARA, Liquidator, c.o. Dawson & Partners, Chartered Accountants, 92 Cooper Street, Cootamundra, NSW 2590, tel.: (02) 6942 1711. [0420]

NOTICE of application relating to APPLIED TECHNOLOGY & PLANNING PTY LIMITED, ACN 065 794 194. – In respect of proceedings commenced on 11th May, 2001. – Application will be made by Austin Australia Pty Limited, ACN 000 363 020 to the Supreme Court of New South Wales, at Sydney, at 11.00 a.m., on 12th June, 2001 at the Registrars Court, Court 7A, Level 7, Supreme Court Building, Queens Square, Sydney, for an Order that the company be wound up. Copies of documents filed may be obtained from the plaintiff’s address for service. Any person intending to appear at the hearing must file a notice of appearance in the prescribed form, together with any affidavit upon which the person intends to rely and serve a copy of the notice and any affidavit on the plaintiff at the plaintiff’s address for service at least three (3) days before the date fixed for the hearing. Dated 14th May, 2001. J. TOWNSHEND, Plaintiff’s Legal Practitioner, c.o. James Townshend, Solicitors, Suite 2, 113 Willoughby Road, Crows Nest, NSW 2065, tel.: (02) 9906 1606. [0421]

NOTICE of voluntary winding up. – JEFREN PTY LIMITED (In voluntary liquidation), ACN 000 512 069. – Notice is hereby given that at an extraordinary general meeting of members of the abovenamed company, duly convened and held at 33 Pacific Street, Manly, NSW 2095 on 15th May, 2001 the following special resolution was duly passed: “That the company be wound up voluntarily”. It was further resolved that Arthur Duffield be appointed liquidator of the company for the purposes of winding up the affairs and distributing the assets of the company. Dated 15th May, 2001. A. DUFFIELD, Liquidator, c.o. Brooks, Deane & Powne, Chartered Accountants, Level 6, 72 Pitt Street, Sydney, NSW 2000, tel.: (02) 9233 6111. [0425]

NOTICE of voluntary winding up. – HARDI PUMPS & SPRAYERS NSW PTY LIMITED, ACN 000 958 118. – Notice is hereby given that by a special resolution passed at a meeting of the shareholders of Hardi Pumps & Sprayers NSW Pty Limited, duly convened and held on 14th May, 2001 it was resolved that the company be wound up voluntarily and that Frank Larosa be appointed liquidator. Notice is also given that creditors having claim against the company should furnish particulars of that claim to the liquidator within twenty-one (21) days of this date, otherwise distribution of the assets will take place without regard to such claims. Dated 14th May, 2001. F. LAROSA, Liquidator, Suite 5, 46-48 Urunga Parade, Miranda, NSW 2228, tel.: (02) 9526 2770. [0434]

NOTICE of final meeting of members. – KAMELAK PTY LIMITED (In liquidation), ACN 056 822 381. – Notice is hereby given in pursuance of section 509 of the Corporations Law that a general meeting of the company will be held at 24 Bay Street, Rockdale on Friday, 22nd June, 2001 at 10.00 a.m., for the purpose of laying before the members the final accounts of the winding up of the company and to give any explanation thereof. B. P. GALLIE, Liquidator, c.o. Hales Redden, Registered Company Auditors, 24 Bay Street, Rockdale, NSW 2216, tel.: (02) 9567 0545. [0435]

NOTICE of final meeting of members. – KILLIMICAT PTY LIMITED (In liquidation), ACN 000 747 526. – Notice is hereby given in pursuance of section 509 of the Corporations Law that a general meeting of the company will be held at 24 Bay Street, Rockdale on Friday, 22nd June, 2001 at 10.00 a.m., for the purpose of laying before the members the final accounts of the winding up of the company and to give any explanation thereof. B. P. GALLIE, Liquidator, c.o. Hales Redden, Registered Company Auditors, 24 Bay Street, Rockdale, NSW 2216, tel.: (02) 9567 0545. [0436]

NOTICE of voluntary liquidation pursuant to section 491 (2) of the Corporations Law. – NORCASTLE PTY LIMITED (In liquidation), ACN 008 426 980. – At a general meeting of the abovenamed company, duly convened and held at 13 National Avenue, Orange on 11th May, 2001 the following special resolution was passed: “That the company be wound up as a members’ voluntary liquidation and that the assets of the company be distributed in whole or in part to the members in specie should the liquidator so desire”. Dated 14th May, 2001. J. C. BOWRING, Liquidator, c.o. Tester Porter Services, Certified Practising Accountants, 24 Cloete Street, Young, NSW 2594, tel.: (02) 6382 1700. [0437]



NOTICE of voluntary liquidation pursuant to section 491 (2) of the Corporations Law. – C.L.C. INVESTMENTS PTY LIMITED, ACN 000 535 071. – At a general meeting of the abovenamed company duly convened and held at 200 Milperra Road, Revesby, NSW 2212 on 16th May, 2001 the following special resolution was passed: “That the company be wound up voluntarily”. At the abovementioned meeting Colin L. Cefai of 200 Milperra Road, Revesby was appointed as liquidator for the purpose of winding up. Notice is also given that after twenty-one (21) days from this date I will proceed to distribute the assets. All creditors having any claim against the company should furnish particulars of same by that date otherwise I shall proceed to distribute the assets without regard to their claim. Dated 16th May, 2001.  
C. L. CEFAl, Liquidator. [0438]

## OTHER NOTICES

NOTICE of dissolution of partnership. – RONALD W. and DENISE M. MULVILLE. – Notice is hereby given that the partnership previously existing between Ronald William Mulville and Denise Margaret Mulville carrying on business as Moteliers at Plantation Motel, Tyndale under the name “Ronald W. and Denise M. Mulville” has been dissolved by mutual consent as and from 28th March, 2001. All debts due to and owing by the said late firm will be received and paid by Ronald William Mulville who will continue to carry on the business at the same place. FOOTT, LAW & CO., Solicitors, 56 Victoria Street, Grafton, NSW 2460. [0422]

