



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 93
Friday, 1 June 2001

Published under authority by the Government Printing Service

LEGISLATION

Proclamations

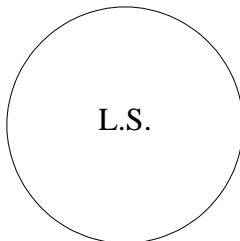
Conveyancing Amendment (Building Management Statements) Act 2001 No 9—Proclamation

JAMES JACOB SPIGELMAN,
By Deputation from Her Excellency the Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Conveyancing Amendment (Building Management Statements) Act 2001*, do, by this my Proclamation, appoint 1 June 2001 as the day on which that Act commences.

Signed and sealed at Sydney, this 30th day of May 2001.

By Her Excellency's Command,



KIM YEADON, M.P.,
Minister for Information Technology

GOD SAVE THE QUEEN!

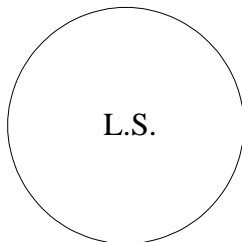
Public Finance and Audit Act 1983—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 45B (1) of the *Public Finance and Audit Act 1983*, do, by this my Proclamation, amend Schedule 3 to that Act (Departments):

- (a) by inserting in alphabetical order of departments the following matter:
- | | |
|---|------------------------------------|
| Department of Ageing, Disability and
Home Care | Director-General of the Department |
|---|------------------------------------|
- (b) by omitting the matter relating to the Ageing and Disability Department.

Signed and sealed at Sydney, this 23rd day of May 2001.



By Her Excellency's Command,

MICHAEL EGAN, M.L.C.,
Treasurer

GOD SAVE THE QUEEN!

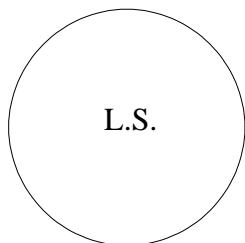
Strata Schemes Legislation Amendment Act 2001 No 13—Proclamation

JAMES JACOB SPIGELMAN,

By Deputation from Her Excellency the Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Strata Schemes Legislation Amendment Act 2001*, do, by this my Proclamation, appoint 1 June 2001 as the day on which that Act commences.

Signed and sealed at Sydney, this 30th day of May 2001.



By Her Excellency's Command,

KIM YEADON, M.P.,
Minister for Information Technology

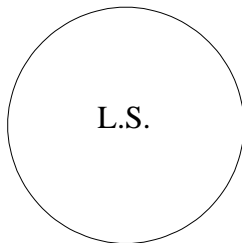
GOD SAVE THE QUEEN!

Workplace (Occupants Protection) Act 2001 No 6—Proclamation

JAMES JACOB SPIGELMAN,
By Deputation from Her Excellency the Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Workplace (Occupants Protection) Act 2001*, do, by this my Proclamation, appoint 15 June 2001 as the day on which that Act commences.

Signed and sealed at Sydney, this 30th day of May 2001.



By Her Excellency's Command,

BOB DEBUS, M.P.,
Attorney General

GOD SAVE THE QUEEN!

Regulations

Electricity Supply (General) Amendment (Transitional) Regulation 2001

under the

Electricity Supply Act 1995

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Electricity Supply Act 1995*.

KIM YEADON, M.P.,
Minister for Energy

Explanatory note

The objects of this Regulation are as follows:

- (a) to enable the Minister to delegate functions under the *Electricity Supply Act 1995* to the Director of the Market Implementation Group in the Treasury,
- (b) to extend the operation of certain transitional provisions, pending the commencement of the remaining uncommenced provisions of the *Electricity Supply Amendment Act 2000*. Currently, the period during which the transitional arrangements operate is to end on 1 June 2001. The Regulation extends the period so that it will end when those uncommenced amendments commence,
- (c) to enable market operations rules to be made by the Minister to support the implementation of full retail contestability in the electricity industry.

This Regulation is made under the *Electricity Supply Act 1995*, including sections 63C, 100 (2) (b), and 106 (the general regulation-making power) and clause 1 (1) of Schedule 6.

Clause 1 Electricity Supply (General) Amendment (Transitional) Regulation 2001

Electricity Supply (General) Amendment (Transitional) Regulation 2001

1 Name of Regulation

This Regulation is the *Electricity Supply (General) Amendment (Transitional) Regulation 2001*.

2 Commencement

This Regulation commences on 1 June 2001.

3 Amendment of Electricity Supply (General) Regulation 1996

The *Electricity Supply (General) Regulation 1996* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Electricity Supply (General) Amendment (Transitional) Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 4B

Insert after clause 4A:

4B Delegation of Minister's functions

For the purposes of section 100 (2) (b) of the Act, the Director of the Market Implementation Group in the Treasury is an eligible person.

[2] Clause 51 Definitions

Omit "or 1 June 2001, whichever is the earlier" from the definition of *transitional period*.

[3] Clause 56 Existing approved electricity industry ombudsman schemes

Omit "1 June 2001".

Insert instead "on the date of commencement of Schedule 1 [10] to the amending Act".

[4] Clause 60

Insert after clause 59:

60 Market operations rules

For the purposes of section 63C of the Act, rules may be made with respect to obligations and procedures relating to the building, testing and implementation of systems by standard retail suppliers and distribution network service providers to support full retail contestability.

Law and Justice Foundation (Transitional) Amendment Regulation 2001

under the

Law and Justice Foundation Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Law and Justice Foundation Act 2000*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The *Law and Justice Foundation Act 2000* repealed the *Law Foundation Act 1979* and reconstituted the Law Foundation as the Law and Justice Foundation. The members of the Board of Governors of the Law Foundation and the Director of that Foundation ceased to hold office on the commencement of the Act (see Schedule 3 to the Act). The Act commenced on 22 December 2000.

The *Law and Justice Foundation (Transitional) Regulation 2001*, which also commenced on 22 December 2000, provides for an interim Board and an interim Director for the Law and Justice Foundation during the *transition period*. Clause 3 of that Regulation defines the transition period as “the period commencing on the commencement of the Act and ending on the day that is 6 months after that day, or ending on such earlier day as the Minister may determine by order published in the Gazette”.

The object of this Regulation is to extend, from 6 months to 8 months, the maximum duration of the transition period.

Clause 1 Law and Justice Foundation (Transitional) Amendment Regulation 2001

Law and Justice Foundation (Transitional) Amendment Regulation 2001

1 Name of Regulation

This Regulation is the *Law and Justice Foundation (Transitional) Amendment Regulation 2001*.

2 Notes

The explanatory note does not form part of this Regulation.

3 Amendment of Law and Justice Foundation (Transitional) Regulation 2001

The *Law and Justice Foundation (Transitional) Regulation 2001* is amended by omitting the matter “6 months” from the definition of *transition period* in clause 3 and by inserting instead the matter “8 months”.

Local Government (Rates and Charges) Amendment (Minimum Amounts of Rates) Regulation 2001

under the

Local Government Act 1993

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

HARRY WOODS, M.P.,
Minister for Local Government

Explanatory note

The object of this Regulation is to amend the *Local Government (Rates and Charges) Regulation 1999* to increase, from \$310 to \$319, the maximum that a council may specify as the minimum amount of an ordinary rate without obtaining special Ministerial approval.

This Regulation is made under the *Local Government Act 1993*, including sections 548 (Minimum amounts) and 748 (the general regulation-making power) and clause 20 of Schedule 6.

Clause 1 Local Government (Rates and Charges) Amendment (Minimum Amounts of Rates) Regulation 2001

Local Government (Rates and Charges) Amendment (Minimum Amounts of Rates) Regulation 2001

1 Name of Regulation

This Regulation is the *Local Government (Rates and Charges) Amendment (Minimum Amounts of Rates) Regulation 2001*.

2 Amendment of Local Government (Rates and Charges) Regulation 1999

The *Local Government (Rates and Charges) Regulation 1999* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 2)

Clause 10 Minimum amounts of rates

Omit "\$310". Insert instead "\$319".

Protection of the Environment Operations (General) Amendment (Load Reduction Agreements) Regulation 2001

under the

Protection of the Environment Operations Act 1997

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

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

Explanatory note

The object of this Regulation is to make the following changes relating to load reduction agreements, that is, agreements that result in licence fee reductions for environment protection licences:

- (a) to enable applicants for licences to apply to enter into the agreements,
- (b) to provide for the load limits for pollutants to be imposed on termination or expiration of agreements,
- (c) to extend the maximum term of an agreement from 3 years to 4 years,
- (d) to make it clear that the transferee of an environment protection licence is also subject to an existing agreement but may terminate it on transfer,
- (e) to enable requirements to provide financial assurances to be included in agreements,
- (f) to enable licensees to terminate agreements,

Protection of the Environment Operations (General) Amendment (Load Reduction Agreements)
Regulation 2001

Explanatory note

- (g) to provide for the amounts to be paid to the EPA by a transferee or licensee who terminates an agreement or whose agreement is terminated, or on expiry of an agreement, having regard to targets reached under the agreement and future limits for emission of pollutants,
- (h) to terminate an agreement if the relevant licence is surrendered, suspended or revoked,
- (i) to correct references to certain abbreviations and to make other minor and consequential amendments.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including section 323 (the general regulation-making power) and Schedule 2.

Protection of the Environment Operations (General) Amendment (Load Reduction Agreements) Regulation 2001

Clause 1

Protection of the Environment Operations (General) Amendment (Load Reduction Agreements) Regulation 2001

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (General) Amendment (Load Reduction Agreements) Regulation 2001*.

2 Commencement

This Regulation commences on 1 June 2001.

3 Amendment of Protection of the Environment Operations (General) Regulation 1998

The *Protection of the Environment Operations (General) Regulation 1998* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Protection of the Environment Operations (General) Amendment (Load Reduction Agreements) Regulation 2001

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 3)

[1] Part 2.1, Division 5, heading

Omit “and rebates”. Insert instead “and fee reductions”.

[2] Clause 24A

Insert before clause 25:

24A Definitions

In this Division:

agreed load means the agreed load, in respect of a licence fee period, for an assessable pollutant under a load reduction agreement applicable to that pollutant.

load reduction agreement means a load reduction agreement entered into under this Division.

reported actual load means the actual load reported to the EPA by a licensee for an assessable pollutant for a licence fee period.

[3] Clause 25 Load reduction agreements and fee reductions

Insert “or applicant for a licence” after “licensee” where firstly occurring in clause 25 (1).

[4] Clause 25 (1)

Omit “rebate”. Insert instead “reduction”.

[5] Clause 25 (1)

Omit “by the licensee”. Insert instead “for a licence”.

[6] Clause 25 (4) (a)

Omit “rebate”. Insert instead “fee reduction”.

Protection of the Environment Operations (General) Amendment (Load Reduction Agreements) Regulation 2001

Amendments

Schedule 1

[7] Clause 25 (4) (b)

Insert “or applicant” after “licensee” wherever occurring.

[8] Clause 25 (6)

Omit “3”. Insert instead “4”.

[9] Clause 25A

Insert after clause 25:

25A Effect of transfer of licences on load reduction agreements

- (1) If a person who has entered into a load reduction agreement transfers the relevant licence, the transferee is, for the purposes of the agreement and this Regulation, taken to be a person who has entered into the agreement with the EPA.
- (2) A transferee may elect, on the transfer of the licence, to terminate the load reduction agreement and clauses 28, 28B and 28C apply to that termination.

[10] Clause 26

Omit the clause. Insert instead:

26 Content of load reduction agreements

- (1) A load reduction agreement must:
 - (a) specify the agreed load for an assessable pollutant for each licence fee period of the agreement, and
 - (b) specify the program proposed to be undertaken in order to attain the agreed load, and
 - (c) require the licensee to notify the EPA if the licensee becomes aware that it is likely that the licensee will not be able to attain the agreed load under the agreement, and
 - (d) set out the circumstances in which amounts are to be paid to the EPA on termination or expiry of the agreement, and

Protection of the Environment Operations (General) Amendment (Load Reduction Agreements) Regulation 2001

Schedule 1 Amendments

-
- (e) provide that the agreement has no effect unless the licensee's licence is subject to a condition that, on termination or expiration of the agreement, the total load that may be emitted in respect of a licence fee period for an assessable pollutant that was covered by the agreement is to be:
- (i) the same as the agreed load under the agreement, if the reported actual load for the pollutant for the licence fee period immediately preceding the termination or expiration did not exceed the agreed load, or
 - (ii) an amount determined by the EPA, after consultation with the licensee, that is higher than the agreed load, if the reported actual load for that period exceeded the agreed load.
- (2) A load reduction agreement may require a financial assurance to be supplied by the licensee to secure obligations in the event of termination or expiration of the agreement and must, in any such case, provide for the following matters:
- (a) the circumstances in which the EPA may make a claim on or realise the financial assurance or part of it,
 - (b) that the calling on and use of a financial assurance does not affect any liability of the licensee,
 - (c) the effect of failure to provide a financial assurance.
- (3) A financial assurance may be in one or more of the following forms:
- (a) a bank guarantee,
 - (b) a bond,
 - (c) another form of security that the EPA considers appropriate and specifies in the load reduction agreement.

[11] Clause 27 Calculation of reduction

Omit "The rebate" from clause 27 (1).

Insert instead "For the purposes of this Division, the reduction of a licence fee".

Protection of the Environment Operations (General) Amendment (Load Reduction Agreements) Regulation 2001

Amendments

Schedule 1

[12] Clause 27 (2) (a)

Omit “agreed load goal”. Insert instead “agreed load”.

[13] Clause 27 (2) (b)

Omit the paragraph. Insert instead:

- (b) must pay to the EPA the amounts of all reductions of licence fees under the agreement and the amount of simple interest on each amount calculated weekly at the rate of 20% per annum from the date on which the reduced amount was payable.

[14] Clauses 28, 28A, 28B and 28C

Omit clause 28. Insert instead:

28 Termination of agreement

- (1) The licensee may terminate the load reduction agreement before the end of the term of the agreement in accordance with the agreement.
- (2) If a licence is surrendered by the licensee or suspended or revoked, any load reduction agreement relating to licence fees for the licence is taken to have been terminated by the licensee.
- (3) The EPA may terminate a load reduction agreement if:
 - (a) the EPA is of the opinion that the licensee is unlikely to attain the agreed load before the end of the agreement, or that the licensee is unlikely to meet the costs of repayment on termination or expiration of the agreement, or both, or
 - (b) the licensee fails to comply with a condition of the agreement.
- (4) A licensee that terminates a load reduction agreement, or whose agreement is terminated, is not liable to pay an amount on termination in respect of an assessable pollutant if the reported actual load for the immediately preceding licence fee period did not exceed the agreed load for the pollutant under the agreement.

Protection of the Environment Operations (General) Amendment (Load Reduction Agreements) Regulation 2001

Schedule 1 Amendments

- (5) A licensee that terminates a load reduction agreement, or whose agreement is terminated, must pay to the EPA the amounts calculated in accordance with clause 28B if the reported actual load for the immediately preceding licence fee period exceeded the agreed load for the pollutant under the agreement.

28A Liability of licensee on expiration of agreement

- (1) On the expiration of a load reduction agreement the licensee must pay to the EPA, in respect of an assessable pollutant covered by the agreement, the amounts required under this clause.
- (2) No amount is payable in respect of an assessable pollutant under this clause if the reported actual load for the immediately preceding licence fee period did not exceed the agreed load for the pollutant under the agreement.
- (3) If the reported actual load for the immediately preceding licence fee period exceeded the agreed load for the pollutant under the agreement, the licensee must pay to the EPA the amounts calculated in accordance with clause 28B.

28B Amounts payable on termination or expiration

- (1) The amounts payable on termination or expiration are as follows:
- (a) for any licence fee period during the agreement in which the reported actual load exceeded the maximum load, the difference between the fee that would have been payable for that period if the load had been equal to the agreed load under the agreement and the fee that would have been payable if the load had been equal to the maximum load,
- (b) for any licence fee period during the agreement in which the reported actual load for the pollutant did not exceed the maximum load, no amount is payable,
- (c) the amount of simple interest on an amount payable under this subclause calculated at the rate of 20% per annum from the date that is 60 days after the end of each licence fee period.

Protection of the Environment Operations (General) Amendment (Load Reduction Agreements) Regulation 2001

Amendments

Schedule 1

(2) In this clause:

maximum load means the total load limit for an assessable pollutant that is imposed as a condition of a licence on the termination or expiration of a load reduction agreement.

28C When amounts must be paid

- (1) An amount payable under clause 28 or 28A must be paid not later than 60 days after a written request for payment of the amount is given to the licensee by the EPA.
- (2) If the amount is not paid (or not fully paid) by the due date for its payment, the amount is to be increased by the amount of simple interest calculated at the rate of 5% per fortnight on the amount unpaid for each whole fortnight that elapses after the due date and before the date of payment.

[15] Schedule 1 Licensing fees—activities and assessable pollutants

Omit “Gwh” wherever occurring. Insert instead “GWh”.

[16] Schedule 1

Omit “MT” wherever occurring. Insert instead “Mt”.

[17] Schedule 1

Omit “kT” wherever occurring. Insert instead “kt”.

Road Transport (Driver Licensing) Amendment (Long Weekend Demerit Points) Regulation 2001

under the

Road Transport (Driver Licensing) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Driver Licensing) Act 1998*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The objects of this Regulation are as follows:

- (a) to specifically set out in the *Road Transport (Driver Licensing) Regulation 1999* the number of demerit points that are incurred in respect of road and traffic offences committed over long weekends,
- (b) to extend the double demerit points regime to include certain offences relating to the responsibility of drivers and motor bike riders and their passengers to wear seatbelts or helmets.

This Regulation is made under the *Road Transport (Driver Licensing) Act 1998*, including sections 15 and 19 (the general regulation-making power).

Clause 1 Road Transport (Driver Licensing) Amendment (Long Weekend Demerit Points) Regulation 2001

Road Transport (Driver Licensing) Amendment (Long Weekend Demerit Points) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (Long Weekend Demerit Points) Regulation 2001*.

2 Commencement

This Regulation commences on 8 June 2001.

3 Amendment of Road Transport (Driver Licensing) Regulation 1999

The *Road Transport (Driver Licensing) Regulation 1999* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Road Transport (Driver Licensing) Amendment (Long Weekend Demerit Points) Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 36 Demerit points and offences

Omit clause 36 (3). Insert instead:

- (3) Despite subclauses (1) and (2), the number of demerit points to be allocated to an offence to which this clause applies (other than an offence under a law of another jurisdiction) committed over a long weekend is the number specified in Column 3 of Schedule 1 in respect of the offence.

[2] Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Demerit points offences and penalties

(Clause 36)

Part 1

Column 1 Offences	Column 2 Demerit Points	Column 3 Long weekend demerit points	Column 4 Provisions where offences created, except where indicated
Exceeding speed limit by more than 45 km/h	6	12	Rule 20 of <i>Australian Road Rules</i> or clause 38 (1), (5) or (6) or 39 of <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i>

Road Transport (Driver Licensing) Amendment (Long Weekend Demerit Points) Regulation 2001

Schedule 1 Amendments

Column 1 Offences	Column 2 Demerit Points	Column 3 Long weekend demerit points	Column 4 Provisions where offences created, except where indicated
Exceeding speed limit by more than 30 km/h but not more than 45 km/h	4	8	Rule 20 of <i>Australian Road Rules</i> or clause 38 (1), (5) or (6) or 39 of <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i>
Exceeding speed limit by more than 15 km/h but not more than 30 km/h	3	6	Rule 20 of <i>Australian Road Rules</i> or clause 38 (1), (5) or (6) or 39 of <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i>
Exceeding speed limit by not more than 15 km/h	1	2	Rule 20 of <i>Australian Road Rules</i> or clause 38 (1), (5) or (6) or 39 of <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i>
Disobeying traffic light	3	4	Rule 57, 60, 61 or Part 17 of <i>Australian Road Rules</i> , but only at traffic lights other than traffic lights at toll booths
Disobeying stop or give way sign or line, or police directing traffic	3	4	Rule 67, 68, 69, 70, 71 or 101 of <i>Australian Road Rules</i>
Failing to give way	3	4	Rule 62, 63, 64, 73, 74, 75, 87, 148 or 149 of <i>Australian Road Rules</i> Rule 72 (1) of <i>Australian Road Rules</i> , but only in the circumstances referred to in rule 72 (2), (3) (a) or (4) (a)

Road Transport (Driver Licensing) Amendment (Long Weekend Demerit Points) Regulation 2001

Amendments

Schedule 1

Column 1 Offences	Column 2 Demerit Points	Column 3 Long weekend demerit points	Column 4 Provisions where offences created, except where indicated
Failing to stop or give way at pedestrian, children's or level crossing	3	4	Rule 65 (2) (a), 80, 81 (2), 121 or 122 of <i>Australian Road Rules</i>
Driving with unrestrained passengers under the age of 16 years	3	6	Rule 266 of <i>Australian Road Rules</i>
Using vehicle contrary to defect notice:			Clause 84 (2) of <i>Road Transport (Vehicle Registration) Regulation 1998</i>
(a) in the case of a major defect	3	4	
(b) in the case of a minor defect	1	2	
Driving on wrong side of dividing lines	3	4	Rule 132 (2) of <i>Australian Road Rules</i>
Driver not wearing seat belt (no unrestrained passengers)	3	6	Rule 264 of <i>Australian Road Rules</i>
Ride motor bike without helmet (rider alone)	3	6	Rule 270 (1) (a) of <i>Australian Road Rules</i>
Unlawfully driving past safety zone or tram or failing to give way to pedestrian crossing near stopped tram	3	4	Rule 162, 163 or 164 of <i>Australian Road Rules</i>
Negligent driving	3	4	Section 42 (1) (c) of <i>Road Transport (Safety and Traffic Management) Act 1999</i>
Improper passing or overtaking	2	3	Rule 140, 141, 142 or 144 of <i>Australian Road Rules</i>

Road Transport (Driver Licensing) Amendment (Long Weekend Demerit Points) Regulation 2001

Schedule 1 Amendments

Column 1 Offences	Column 2 Demerit Points	Column 3 Long weekend demerit points	Column 4 Provisions where offences created, except where indicated
Changing direction or stopping without signalling	2	3	Rule 46 (1) or 48 (1) of <i>Australian Road Rules</i> , but only in the circumstances referred to in rule 46 (2) or 48 (2) respectively or rule 53, 112, 113, 117 or 118 (1) of those Rules
Turning improperly	2	3	Rule 27, 28, 31, 32, 33 or 43 of <i>Australian Road Rules</i>
Failing to keep left	2	3	Rule 129, 130, 131, 132 (1), 135 or 137 of <i>Australian Road Rules</i>
Failure to dip headlights	1	2	Rule 218 of <i>Australian Road Rules</i>
Following too closely	1	2	Rule 126 of <i>Australian Road Rules</i>
Driving at night/dark without headlight alight	1	2	Clause 53 (1) of <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i>

Road Transport (Driver Licensing) Amendment (Long Weekend Demerit Points) Regulation 2001

Amendments

Schedule 1

Part 2

Column 1 Offence	Column 2 Demerit points	Column 3 Long weekend demerit points	Column 4 Provision where offence created, except where indicated
Conduct associated with street racing	3	4	Section 41 (1) or (2) of <i>Road Transport (Safety and Traffic Management) Act 1999</i>
Not stop and supply required particulars at scene of crash	3	4	Rule 287 of <i>Australian Road Rules</i>
Drive vehicle towing excess weight	2	3	Clause 15 (6) (a) of <i>Road Transport (Driver Licensing) Regulation 1999</i>
Ride motor bike or motor trike towing other vehicle	2	3	Clause 15 (6) (b) of <i>Road Transport (Driver Licensing) Regulation 1999</i>
Not comply with conditions of licence	2	3	Clause 56 of <i>Road Transport (Driver Licensing) Regulation 1999</i>
Use vehicle when child is in child restraint in front seat position where airbag fitted	3	6	Clause 46 of <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i>
Drive vehicle with one unrestrained passenger	3	6	Clause 47B of <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i>

Road Transport (Driver Licensing) Amendment (Long Weekend Demerit Points) Regulation 2001

Schedule 1 Amendments

Column 1 Offence	Column 2 Demerit points	Column 3 Long weekend demerit points	Column 4 Provision where offence created, except where indicated
Drive vehicle with 2 or more unrestrained passengers	6	12	Clause 47B of <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i>
Drive vehicle not wearing seatbelt and with one unrestrained passenger only	6	12	Clause 47B of <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i>
Drive vehicle not wearing seatbelt and with 2 or more unrestrained passengers	9	18	Clause 47B of <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i>
Ride motor bike with one passenger not wearing helmet	3	6	Rule 270 (1) (b) of <i>Australian Road Rules</i>
Ride motor bike with 2 or more passengers not wearing helmet	6	12	Rule 270 (1) (b) of <i>Australian Road Rules</i>
Ride motor bike without helmet and with one passenger only not wearing helmet	6	12	Rule 270 (1) (a) and (b) of <i>Australian Road Rules</i>
Ride motor bike without helmet and with 2 or more passengers not wearing helmet	9	18	Rule 270 (1) (a) and (b) of <i>Australian Road Rules</i>
Disobey "Trucks and buses low gear" sign	3	4	Rule 108 of <i>Australian Road Rules</i>
Drive contrary to roundabout road rules	3	4	Part 9 (except rules 112, 113, 117 and 118 (1)) of <i>Australian Road Rules</i>

Road Transport (Driver Licensing) Amendment (Long Weekend Demerit Points) Regulation 2001

Amendments

Schedule 1

Column 1 Offence	Column 2 Demerit points	Column 3 Long weekend demerit points	Column 4 Provision where offence created, except where indicated
Fail to drive in bus lane or in truck lane where required	3	4	Rule 159 of <i>Australian Road Rules</i>
Disobey overhead lane control device	3	4	Rule 152 of <i>Australian Road Rules</i>
Cross continuous line separating marked lanes	3	4	Rules 147 of <i>Australian Road Rules</i>
Not drive within single marked lane or line of traffic	3	4	Rule 146 of <i>Australian Road Rules</i>
Overtake or pass stationary vehicle at pedestrian crossing or children's crossing	3	4	Rule 82 of <i>Australian Road Rules</i>
Increase speed while being overtaken	3	4	Rule 145 of <i>Australian Road Rules</i>
Long vehicle following other long vehicle too closely	3	4	Rule 127 of <i>Australian Road Rules</i>
Make unlawful U turn	2	3	Rule 38, 40 or 42 of <i>Australian Road Rules</i>
Not give out proper signal when drawing out from side of road	3	4	Rule 46 (1) or 48 (1) of <i>Australian Road Rules</i> , but only in the circumstances referred to in rule 46 (3) or 48 (3) respectively
Not have proper control of vehicle	3	4	Rule 297 of <i>Australian Road Rules</i>

Road Transport (Driver Licensing) Amendment (Long Weekend Demerit Points) Regulation 2001

Schedule 1 Amendments

Column 1 Offence	Column 2 Demerit points	Column 3 Long weekend demerit points	Column 4 Provision where offence created, except where indicated
Unauthorised carriage of pillion passenger on motor bike or motor trike	2	3	Clause 12 (2) of the <i>Road Transport (Driver Licensing) Regulation 1999</i> , clause 47A (1) of the <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i> or rule 271 (4) of the <i>Australian Road Rules</i>
Pass bus at speed in excess of 40 km/h:			Clause 40 of <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i>
(a) where the motor vehicle is driven at a speed that exceeds 85 km/h	6	12	
(b) where the motor vehicle is driven at a speed that exceeds 70 km/h but does not exceed 85 km/h	4	8	
(c) where the motor vehicle is driven at a speed that exceeds 55 km/h but does not exceed 70 km/h	3	6	
(d) where the motor vehicle is driven at a speed that exceeds 40 km/h but does not exceed 55 km/h	1	2	

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Driver and Passenger Safety) Regulation 2001

under the

Road Transport (General) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 1999*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The objects of this Regulation are as follows:

- (a) to increase, from \$115 to \$220, the amount of the penalty for certain offences when dealt with by way of a penalty notice under section 15 of the *Road Transport (General) Act 1999* (the offences concerned are mainly under the *Australian Road Rules*, and generally relate to the wearing of seatbelts by drivers and passengers, the wearing of motor bike helmets by riders and passengers and the fitting of child restraints),
- (b) to provide for an increased penalty in those cases where a number of passengers are conveyed by the driver of a motor vehicle, or by the rider of a motor bike, and the relevant passenger safety requirements are not being complied with.

This Regulation is made under the *Road Transport (General) Act 1999*, including sections 15 and 71 (the general regulation-making power).

Clause 1 Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Driver and Passenger Safety) Regulation 2001

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Driver and Passenger Safety) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Driver and Passenger Safety) Regulation 2001*.

2 Commencement

This Regulation commences on 8 June 2001.

3 Amendment of Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999

The *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Driver and Passenger Safety) Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Schedule 2 Penalty notice offences

Omit the matter relating to rules 264, 265 and 266 of the *Australian Road Rules*.

Insert instead:

Rule 264	3164	driver not wearing seatbelt	1	220
Rule 265 (1) and (2)	3165	passenger 16 yrs or older not in seat with seatbelt	1	220
Rule 265 (1) and (3)	3166	passenger 16 yrs or older not wearing seatbelt	1	220
Rule 265 (1) and (4)	3167	passenger 16 yrs or older in front seat when not permitted	1	220
Rule 266 (1) and (2)	3168	drive with passenger under 1 yr not in restraint	1	220
Rule 266 (1) and (3)	3169	drive with passenger (over 1 yr but under 16 yrs) not restrained	1	220
Rule 266 (1) and (4)	3170	drive with passenger (under 16 yrs) in front seat not restrained	1	220

Road Transport (General) (Short Descriptions and Penalty Notice
Offences) Amendment (Driver and Passenger Safety) Regulation 2001

Schedule 1 Amendments

[2] Schedule 2

Omit the matter relating to rule 270 of the *Australian Road Rules*.

Insert instead:

Rule 270 (1) (a)	3178	ride motor bike with no helmet (rider alone)	1	220
Rule 270 (1) (b) (where helmeted rider rides bike with one unhelmeted passenger only)	1421	ride motor bike with one unhelmeted passenger	1	220
Rule 270 (1) (b) (where helmeted rider rides bike with 2 unhelmeted passengers)	1422	ride motor bike with 2 unhelmeted passengers	1	440
Rule 270 (1) (b) (where helmeted rider rides bike with 3 unhelmeted passengers)	1424	ride motor bike with 3 unhelmeted passengers	1	660
Rule 270 (1) (b) (where helmeted rider rides bike with 4 or more unhelmeted passengers)	1426	ride motor bike with 4 or more unhelmeted passengers	1	880
Rule 270 (1) (a) and (b) (where unhelmeted rider rides bike with one unhelmeted passenger only)	1427	ride motor bike with one unhelmeted passenger (rider not helmeted)	1	440
Rule 270 (1) (a) and (b) (where unhelmeted rider rides bike with 2 unhelmeted passengers)	1428	ride motor bike with 2 unhelmeted passengers (rider not helmeted)	1	660
Rule 270 (1) (a) and (b) (where unhelmeted rider rides bike with 3 unhelmeted passengers)	1429	ride motor bike with 3 unhelmeted passengers (rider not helmeted)	1	880

Road Transport (General) (Short Descriptions and Penalty Notice
Offences) Amendment (Driver and Passenger Safety) Regulation 2001

Amendments

Schedule 1

Rule 270 (1) (a) and (b) (where unhelmeted rider rides bike with 4 or more unhelmeted passengers)	1430	ride motor bike with 4 or more unhelmeted passengers (rider not helmeted)	1	1,100
Rule 270 (2)	3180	motor bike passenger not wearing helmet	1	220

[3] Schedule 2

Omit the matter relating to clause 46 (1) of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*.

Insert instead:

Clause 46 (1)	2057	front seat child restraint where airbag fitted	1	220
---------------	------	--	---	-----

[4] Schedule 2

Insert after the matter relating to clause 47A of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*:

Clause 47B (where driver wearing seatbelt drives with one unrestrained passenger only)	1431	drive with one unrestrained passenger	1	220
Clause 47B (where driver wearing seatbelt drives with 2 unrestrained passengers)	1432	drive with 2 unrestrained passengers	1	440
Clause 47B (where driver wearing seatbelt drives with 3 unrestrained passengers)	1433	drive with 3 unrestrained passengers	1	660
Clause 47B (where driver wearing seatbelt drives with 4 or more unrestrained passengers)	1434	drive with 4 or more unrestrained passengers	1	880

Road Transport (General) (Short Descriptions and Penalty Notice
Offences) Amendment (Driver and Passenger Safety) Regulation 2001

Schedule 1 Amendments

Clause 47B (where driver not wearing seatbelt drives with one unrestrained passenger only)	1435	drive with one unrestrained passenger (driver not wearing seatbelt)	1	440
Clause 47B (where driver not wearing seatbelt drives with 2 unrestrained passengers)	1436	drive with 2 unrestrained passengers (driver not wearing seatbelt)	1	660
Clause 47B (where driver not wearing seatbelt drives with 3 unrestrained passengers)	1437	drive with 3 unrestrained passengers (driver not wearing seatbelt)	1	880
Clause 47B (where driver not wearing seatbelt drives with 4 or more unrestrained passengers)	1440	drive with 4 or more unrestrained passengers (driver not wearing seatbelt)	1	1,110

Road Transport (Mass, Loading and Access) Amendment (Flexible Warning Signs) Regulation 2001

under the

Roads Act 1993

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

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The *Road Transport (Mass, Loading and Access) Regulation 1996* provides for certain oversize and overmass vehicles to carry a warning sign that must be made of material that is stiff. The object of this Regulation is to allow these warning signs to be made of flexible material as long as the sign is held taut, is unlikely to furl, become dislodged from its position or otherwise become difficult to read by other road users.

This Regulation also requires warning signs to display the brand and class of retro-reflective material used in the sign, as well as the sign manufacturer's name or logo.

This Regulation is made under the *Roads Act 1993*, including section 264A.

Clause 1 Road Transport (Mass, Loading and Access) Amendment (Flexible Warning Signs) Regulation 2001

Road Transport (Mass, Loading and Access) Amendment (Flexible Warning Signs) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Mass, Loading and Access) Amendment (Flexible Warning Signs) Regulation 2001*.

2 Amendment of Road Transport (Mass, Loading and Access) Regulation 1996

The *Road Transport (Mass, Loading and Access) Regulation 1996* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Road Transport (Mass, Loading and Access) Amendment (Flexible Warning Signs) Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Schedule 2 Oversize and overmass vehicles

Omit clause 42 (4). Insert instead:

- (4) The warning sign must display the sign manufacturer's name or logo, and the brand and class of retro-reflective material used, in block letters not more than 10 mm high.

[2] Schedule 2, clause 43

Omit clause 43 (2). Insert instead:

- (2) Despite subclause (1), a warning sign may be made of a flexible material if the sign is mounted in such a way that it is held taut and unlikely to furl, become dislodged from its position or otherwise become difficult to read by other road users.
- (3) A flexible warning sign must comply with all other requirements of this Part as if it were a stiff sign.
- (4) A warning sign must be kept in such a condition that its message can be easily read by other road users.

Road Transport (Safety and Traffic Management) (Driver Fatigue) Amendment Regulation 2001

under the

Road Transport (Safety and Traffic Management) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Safety and Traffic Management) Act 1999*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The objects of this Regulation are as follows:

- (a) to require persons who employ drivers to drive heavy trucks or commercial buses to obtain a copy of the drivers' driving records for non-local area work,
- (b) to reduce the fee for issuing a replacement driver certification manual from \$51 to \$11,
- (c) to exempt drivers of motor homes from the application of the *Road Transport (Safety and Traffic Management) (Driver Fatigue) Regulation 1999*.

This Regulation is made under the *Road Transport (Safety and Traffic Management) Act 1999*, including sections 71 (the general regulation-making power) and 72, and Schedule 1.

Clause 1 Road Transport (Safety and Traffic Management) (Driver Fatigue)
Amendment Regulation 2001

Road Transport (Safety and Traffic Management) (Driver Fatigue) Amendment Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Safety and Traffic Management) (Driver Fatigue) Amendment Regulation 2001*.

2 Amendment of Road Transport (Safety and Traffic Management) (Driver Fatigue) Regulation 1999

The *Road Transport (Safety and Traffic Management) (Driver Fatigue) Regulation 1999* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Road Transport (Safety and Traffic Management) (Driver Fatigue)
Amendment Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 8 What is a heavy truck, bus and commercial bus

Insert “, motor home” after “bus” in clause 8 (1) (a).

[2] Clause 60 Driving records made by employed drivers—non-local area work

Insert at the end of clause 60:

- (2) An employer must obtain a copy of a driver’s driving records referred to in subclause (1) within the period by which the driver must give a copy of those records to the employer under that subclause.

Maximum penalty: 20 penalty units.

[3] Clause 61 Driving records for non-local area work to be kept

Insert “or obtained by” after “given to” in clause 61 (1).

[4] Schedule 1 Fees

Omit “\$51” from the matter relating to the issue of a replacement driver certification manual under clause 88.

Insert instead “\$11”.

[5] Dictionary

Insert in alphabetical order:

motor home means a motor vehicle constructed or adapted to operate principally as self-propelled living quarters containing permanent sleeping and cooking facilities.

Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Driver and Passenger Safety) Regulation 2001

under the

Road Transport (Safety and Traffic Management) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Safety and Traffic Management) Act 1999*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to create a new offence under the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* for the driver of a motor vehicle to drive the vehicle if any person who is travelling in the vehicle is not wearing a seatbelt, or is not otherwise restrained, in accordance with the requirements applying to the person under the principal Regulation or the *Australian Road Rules*.

This Regulation is made under the *Road Transport (Safety and Traffic Management) Act 1999*, including section 71 (the general regulation-making power) and clause 1 (i) of Schedule 1.

Clause 1 Road Transport (Safety and Traffic Management) (Road Rules)
 Amendment (Driver and Passenger Safety) Regulation 2001

Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Driver and Passenger Safety) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Driver and Passenger Safety) Regulation 2001*.

2 Commencement

This Regulation commences on 8 June 2001.

3 Amendment of Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999

The *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Road Transport (Safety and Traffic Management) (Road Rules)
Amendment (Driver and Passenger Safety) Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 47B

Insert after clause 47A:

47B Driving with unrestrained passengers

- (1) The driver of a motor vehicle must not drive the vehicle on a road if any person (including the driver when there is more than one person in the vehicle) travelling in the vehicle is not wearing a seatbelt, or is not otherwise restrained, in accordance with the requirements (if any) applying to the person under this Regulation or Part 16 of the *Australian Road Rules*.

Maximum penalty: 20 penalty units.

Note. Rule 264 of the Australian Road Rules requires the driver of a motor vehicle to wear a seatbelt, but that offence will only apply to the driver when the driver alone is not wearing a seatbelt.

- (2) Subclause (1) does not apply to the driver of a taxi or bus.

[2] Schedule 1 Qualifications on application of Australian Road Rules

Insert after clause 11:

11A Driver not wearing seatbelt in motor vehicle with unrestrained passenger

If rule 264 of the *Australian Road Rules* requires the driver of a motor vehicle to wear a seatbelt, the driver does not commit an offence under that rule if the following circumstances apply:

- (a) the driver is not wearing a seatbelt,
- (b) there is one or more other persons travelling in the vehicle,

Road Transport (Safety and Traffic Management) (Road Rules)
Amendment (Driver and Passenger Safety) Regulation 2001

Schedule 1 Amendments

- (c) any such other person is not wearing a seatbelt, or is not otherwise restrained, in accordance with the requirements applying to the person under this Regulation or Part 16 of the *Australian Road Rules*.

Note. If the driver is unrestrained along with any one or more unrestrained passengers, then the driver will be committing an offence under clause 47B of this Regulation. Rule 264 will apply only when the driver alone is not wearing a seatbelt.

Rules

Corporations Law Amendment (No 2) Rules 2001

under the

Supreme Court Act 1970

The Supreme Court Rule Committee made the following rules of court under the *Supreme Court Act 1970* on 21 May 2001.

STEVEN JUPP

Secretary to the Rule Committee

Explanatory note

The object of these Rules is to amend the *Corporations Law Rules* so as:

- (a) to provide that a plaintiff company seeking the setting aside of a statutory demand under section 459G of the *Corporations Law (the Law)* is to obtain a record of a company search in relation to the company from the Australian Securities and Investments Commission and either annex the search record to the affidavit in support of the originating process seeking the order, or file the search record before, or tender it on, the hearing of the application, and
- (b) to allow a plaintiff company seeking the setting aside of a statutory demand under section 459G of the Law to file a copy of the statutory demand and any accompanying affidavit with the originating process seeking the order, and
- (c) to make further provision for the manner in which a meeting of members or of holders of convertible securities ordered under section 411 (Administration of compromises etc) of the Law is to be convened, held and conducted, and
- (d) to make it clear that an affidavit accompanying a statutory demand under section 459E of the Law may be sworn before the proposed statutory demand is signed, and

Corporations Law Amendment (No 2) Rules 2001

Explanatory note

- (e) to make it clear that an application for the examination or investigation of a person under section 411 (9) (b), 423 or 536 (3) of the Law, or an application for the issue of an examination summons under section 596A or 596B of the Law, may be made without notice to any person.

Corporations Law Amendment (No 2) Rules 2001

Rule 1

Corporations Law Amendment (No 2) Rules 2001

1 Name of Rules

These Rules are the *Corporations Law Amendment (No 2) Rules 2001*.

2 Commencement

These Rules commence on 30 June 2001.

3 Amendment of Corporations Law Rules

The *Corporations Law Rules* are amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of these Rules.

Corporations Law Amendment (No 2) Rules 2001

Schedule 1 Amendments

Schedule 1 Amendments

(Rule 3)

[1] Rule 2.4

Omit "An affidavit" from rule 2.4 (2).

Insert instead "Subject to rule 2.4A, an affidavit".

[2] Rule 2.4A

Insert after rule 2.4:

2.4A Application for order setting aside statutory demand

- (1) This rule applies, and subrule 2.4 (2) does not apply, to an application by a company under section 459G of the Law for an order setting aside a statutory demand served on the company.
- (2) The plaintiff may file with the originating process seeking the order a copy of the statutory demand and a copy of any affidavit that accompanied the statutory demand.
- (3) The plaintiff must:
 - (a) no earlier than 7 days before the originating process is filed, and not later than the day before the hearing of the application, carry out a search of the records maintained by the Commission in relation to the plaintiff, and
 - (b) either:
 - (i) annex the record of the search to the affidavit in support of the originating process, or
 - (ii) file the record of the search before, or tender it on, the hearing of the application.

Corporations Law Amendment (No 2) Rules 2001

Amendments

Schedule 1

[3] Rule 3.3

Insert at the end of rule 3.3:

- (2) Unless the Court otherwise orders, a meeting of members ordered under section 411 of the Law must be convened, held and conducted in accordance with:
 - (a) the provisions of Part 2G.2 of the Law that apply to the members of a company, and
 - (b) the provisions of the plaintiff's constitution that apply in relation to meetings of members and are not inconsistent with Part 2G.2 of the Law.
- (3) Unless the Court otherwise orders, a meeting of a class of holders of convertible securities ordered under section 411 of the Law must be convened, held and conducted as if:
 - (a) the holders were a separate class of members, and
 - (b) the meeting were a meeting of members convened, held and conducted under subrule (2),but in accordance with, and subject to, the applicable provisions of the instrument under which the securities were issued.

[4] Rule 11.2 (2)

Omit the subrule. Insert instead:

- (2) The application may be made without notice to any person.

[5] Rule 11.3 (2)

Omit the subrule. Insert instead:

- (2) The application may be made without notice to any person.

Corporations Law Amendment (No 2) Rules 2001

Schedule 1 Amendments

[6] Form 7

Omit paragraph 1 from the form of affidavit. Insert instead:

- 1 I am [*state deponent's relationship to the creditor(s), eg, 'the creditor', '(name), one of the creditors', 'a director of the creditor', 'a director of (name), one of the creditors'*] in respect of * a debt of \$ [*amount*]/ *debts totalling \$ [*amount*] owed by [*name of debtor company*] to *me/ *us/ *it/ *them relating to [*state nature of debt or debts, ensuring that what is stated corresponds with the description of the debt or debts, to be given in the proposed statutory demand, with which this affidavit is to be served on the debtor company*].

[7] Form 7

Omit paragraph 4 from the form of affidavit. Insert instead:

- 4 *The debt/ *The total of the amounts of the debts mentioned in paragraph 1 of this affidavit is due and payable by the debtor company.

PUBLIC LOTTERIES ACT 1996

**AMENDMENT OF RULES FOR LOTTO, OZ LOTTO, POWERBALL
AND LOTTO STRIKE**

I, THE HONOURABLE JACK RICHARD FACE, MP, Minister for Gaming and Racing and the Minister Assisting the Premier on Hunter Development, being the Minister for the time being administering the Public Lotteries Act 1996 (hereinafter referred to as "the Act") pursuant to section 23 of the Act **DO HEREBY APPROVE** the amendments to the Rules for the conduct by New South Wales Lotteries Corporation, a Corporation constituted under section 5 of the New South Wales Lotteries Corporatisation Act 1996, of Games of Lotto, Oz Lotto, Lotto Strike, and Powerball as contained in the annexure to this notice.

DATED this 22nd day of May 2001.

SIGNED by

The Honourable JACK RICHARD FACE, MP)
Minister for Gaming and Racing and)
Minister Assisting the Premier on)
Hunter Development)

PUBLIC LOTTERIES ACT 1996

SCHEDULE TO NOTICE OF AMENDMENT TO LOTTO RULES

IT is hereby notified that the Minister administering the Public Lotteries Act 1996, has approved of the following Rules for the conduct of the Game of Lotto and Promotional Lotto. In accordance with Section 23(3)(a) of the Act, these rules take effect on and from the date of gazettal.

RULE 2. Conduct and Drawings of Games of Lotto and Conduct of Games of Promotional Lotto

- Delete existing Rule 2(d)(i) and insert new Rule 2(d)(i) as follows:

"Only the Number/s drawn before a Malfunction has commenced shall be Winning Numbers and/or Supplementary Number/s;"

PUBLIC LOTTERIES ACT 1996**SCHEDULE TO NOTICE OF AMENDMENT TO OZ LOTTO RULES**

It is hereby notified that the Minister administering the Public Lotteries Act 1996, has approved of the following Rules for the conduct of the Game of Oz Lotto and Promotional Oz Lotto. In accordance with Section 23(3)(a) of the Act, these Rules take effect on and from the date of gazettal.

RULE 1. Definitions

- Definition of "Drawing"

Delete existing definition and insert new definition as follows:

(xiv) "Drawing" means:

- (1) in relation to a Game of Oz Lotto (but not including a Second Drawing) the selection by lot using a Drawing Device of the Winning Numbers and the two Supplementary Numbers;
- (2) in relation to a Second Drawing the selection by lot using a Drawing Device of the Winning Numbers; and
- (3) in relation to a game of Promotional Oz Lotto the selection by lot of the Prize Numbers;

- Definition of "Drawing Device"

Insert following new definition and renumber subsequent clauses accordingly:

(xvi) "Drawing Device" means equipment as Approved by the Minister from time to time used to conduct a Drawing;

- Definition of "Malfunction"

Insert following new definition and renumber subsequent clauses accordingly:

(xxviii) "Malfunction" means a failure of the Drawing Device to operate in the manner in which it is designed to operate;

RULE 2.

- Delete existing Rule 2 and insert new Rule 2 as follows:

RULE 2. Conduct and Drawings of Games of Oz Lotto and Conduct of Games of Promotional Oz Lotto

- (a) These Rules are to be read subject to the Act and shall apply, where the context permits, to every Game of Oz Lotto and Game of Promotional Oz Lotto.
- (b) All decisions made by the Chief Executive Officer concerning the Prize Fund and the declaration and payment of Prizes shall be final and binding on all Players.

- (c) Games of Oz Lotto will be drawn on Tuesday of each week unless the Minister directs otherwise.
- (d) Drawings undertaken in the State of New South Wales shall be conducted in such manner as approved by the Licensee.

Where a Malfunction occurs:

- (i) Only the Number/s drawn before a Malfunction has commenced shall be Winning Number/s and/or Supplementary Number/s;
 - (ii) In the event that any Winning Number/s and/or Supplementary Number/s are still to be selected after the Malfunction;
- (1) The Drawing shall commence or re-commence, as the case may be, as soon as practicable after the rectification of the Malfunction; or
 - (2) Where the Malfunction cannot be rectified, the Drawing shall commence or re-commence, as the case may be, using a substitute Drawing Device as soon as practicable after the commencement of the Malfunction.
- (e) Drawings conducted outside the State of New South Wales shall be conducted and supervised in accordance with the requirements of the relevant regulatory body for the State or Territory in which the Drawings are conducted.

PUBLIC LOTTERIES ACT 1996**SCHEDULE TO NOTICE OF AMENDMENT TO POWERBALL RULES**

It is hereby notified that the Minister administering the Public Lotteries Act 1996 has approved of the following Rules for the conduct of the Game of Powerball and Promotional Powerball. In accordance with Section 23(3)(a) of the Act, these rules take effect on and from the date of gazettal.

RULE 1. Definitions

- Definition of "Drawing"

Delete existing definition and insert following new definition:

(xiv) "Drawing" means:

- (1) in relation to a Game of Powerball (but not including a Second Drawing) the selection by lot using Drawing Devices of the Winning Numbers;
- (2) in relation to a Second Drawing the selection by lot using Drawing Devices of the Winning Numbers; and
- (3) in relation to a Game of Promotional Powerball the selection by lot of the Prize Numbers;

- Definition of "Drawing Devices"

Insert following new definition and renumber subsequent clauses accordingly:

(xvi) "Drawing Devices" means equipment as Approved by the Minister from time to time used to conduct a Drawing;

- Definition of "Malfunction"

Insert following new definition and renumber subsequent clauses accordingly:

(xxviii) "Malfunction" means a failure of the Drawing Device/s to operate in the manner in which they are designed to operate.

- Definition of "Winning Numbers"

Delete existing definition and insert following new definition:

(liv) "Winning Numbers" in relation to a Game of Powerball (including a Second Drawing) means the five numbers drawn from the first barrel plus the Powerball Number;

RULE 2.

- Delete existing rule 2 and insert following new Rule 2:

RULE 2. Conduct and Drawings of Games of Powerball and Conduct of Games of Promotional Powerball

- (a) These Rules are to be read subject to the Act and shall apply, where the context permits, to every Game of Powerball and Game of Promotional Powerball.
- (b) All decisions made by the Chief Executive Officer concerning the Prize Fund and the declaration and payment of Prizes shall be final and binding on all Players.
- (c) Games of Powerball will be drawn on Thursday of each week unless the Minister directs otherwise.
- (d) Drawings undertaken in the State of New South Wales shall be conducted in such manner as approved by the Licensee.

Where a Malfunction occurs:

- (i) Only the Number/s drawn before a Malfunction has commenced shall be Winning Number/s;
- (ii) In the event that any Winning Number/s is still to be selected after the Malfunction;
 - (1) The Drawing shall commence or re-commence, as the case may be, as soon as practicable after the rectification of the Malfunction; or
 - (2) Where the Malfunction cannot be rectified, the Drawing shall commence or re-commence, as the case may be, using substitute Drawing Devices as soon as practicable after the commencement of the Malfunction.
- (e) Drawings conducted outside the State of New South Wales shall be conducted and supervised in accordance with the requirements of the relevant regulatory body for the State or Territory in which the Drawing is conducted.

PUBLIC LOTTERIES ACT 1996**SCHEDULE TO NOTICE OF AMENDMENT TO LOTTO STRIKE RULES**

It is hereby notified that the Minister administering the Public Lotteries Act 1996, has approved of the following Rules for the conduct of the Game of Lotto Strike and Promotional Lotto Strike. In accordance with Section 23(3)(a) of the Act, these Rules take effect on and from the date of gazettal.

RULE 1. Definitions

- Definition of "Drawing"

Delete existing definition and insert new definition as follows:

(xvii) "Drawing" means:

- (1) in relation to a Game of Lotto Strike (but not including a Second Drawing) the selection by lot using a Drawing Device of the Winning Numbers;
- (2) in relation to a Second Drawing the selection by lot using a Drawing Device of the Winning Numbers; and
- (3) in relation to a Game of Promotional Lotto Strike the selection by lot of the Prize Numbers;

- Definition of "Drawing Device"

Insert following new definition and renumber subsequent clauses accordingly:

(xix) "Drawing Device" means equipment as Approved by the Minister from time to time used to conduct a Drawing;

- Definition of "Malfunction"

Insert following new definition and renumber subsequent clauses accordingly:

(xxxiii) "Malfunction" means a failure of the Drawing Device to operate in the manner in which it is designed to operate.

RULE 2.

- Delete existing Rule 2 and insert new Rule 2 as follows:

RULE 2. Conduct and Drawings of Games of Lotto Strike and Conduct of Games of Promotional Lotto Strike

- (a) These Rules are to be read subject to the Act and shall apply, where the context permits, to every Game of Lotto Strike and Game of Promotional Lotto Strike.
- (b) All decisions made by the Chief Executive Officer concerning the Prize Fund and the declaration and payment of Prizes shall be final and binding on all Players.
- (c) Games of Lotto Strike will be drawn on Monday and Wednesday of each week unless the Minister directs otherwise.

- (d) Drawings undertaken in the State of New South Wales shall be conducted in such manner as approved by the Licensee.

Where a Malfunction occurs:

- (i) Only the Number/s drawn before a Malfunction has commenced shall be Winning Number/s;
 - (ii) In the event that any Winning Number/s are still to be selected after the Malfunction;
 - (1) The Drawing shall commence or re-commence, as the case may be, as soon as practicable after the rectification of the Malfunction; or
 - (2) Where the Malfunction cannot be rectified, the Drawing shall commence or re-commence, as the case may be, using a substitute Drawing Device as soon as practicable after the commencement of the Malfunction.
- (e) Drawings conducted outside the State of New South Wales shall be conducted and supervised in accordance with the requirements of the relevant regulatory body for the State or Territory in which the Drawings are conducted.

Supreme Court Rules (Amendment No 349) 2001

under the

Supreme Court Act 1970

The Supreme Court Rule Committee made the following rules of court under the *Supreme Court Act 1970* on 21 May 2001.

STEVEN JUPP

Secretary of the Rule Committee

Explanatory note

The object of these Rules is:

- (a) to amend rule 1 of Part 14D of the *Supreme Court Rules* to update the list of proceedings that are to be entered in the Administrative Law List of the Common Law Division, and
- (b) to amend rule 13CA of Part 36 to provide that when expert witnesses have conferred and provided a joint report agreeing on a matter, a party to the proceedings may not adduce expert evidence that is inconsistent with the matter agreed, except with the leave of the Court.

Part 14D provides for Administrative Law proceedings to be entered in the Administrative Law List in the Common Law Division of the Supreme Court. The term ***Administrative Law proceedings*** is defined in rule 1 of Part 14D.

These Rules amend the definition of ***Administrative Law proceedings*** in rule 1, removing some obsolete references from the definition and making it clear that certain proceedings under the *Residential Tribunal Act 1998* and the *Fair Trading Tribunal Act 1998* are Administrative Law proceedings. Some consequential changes are made to Part 12 (Distribution of Business) of the *Supreme Court Rules*.

Supreme Court Rules (Amendment No 349) 2001

Explanatory note

Rule 13CA of Part 36 of the *Supreme Court Rules 1970* provides for the Court to direct expert witnesses to confer, endeavour to reach agreement on outstanding matters and provide the Court with a joint report. These Rules amend rule 13CA as referred to in paragraph (b) above.

Page 2

Supreme Court Rules (Amendment No 349) 2001

Rule 1

Supreme Court Rules (Amendment No 349) 2001

1 Name of Rules

These Rules are the *Supreme Court Rules (Amendment No 349) 2001*.

2 Amendment of Supreme Court Rules 1970

The *Supreme Court Rules 1970* are amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of these Rules.

Supreme Court Rules (Amendment No 349) 2001

Schedule 1 Amendments

Schedule 1 Amendments

(Rule 2)

[1] Part 12, rule 4 (1)

Omit “section 61 or section 62 of the *Residential Tribunal Act 1998* on a referral or an appeal” from rule 4 (1) (x).

Insert instead “sections 60–62 of the *Residential Tribunal Act 1998* on a matter, referral or appeal”.

[2] Part 12, rule 4 (1)

Insert at the end of rule 4 (1):

- ,
- (bb) sections 60–62 of the *Fair Trading Tribunal Act 1998*, other than proceedings on a matter, referral or appeal relating to the *Retirement Villages Act 1999*.

[3] Part 12, rule 5 (a)

Omit “section 61 or section 62 of the *Residential Tribunal Act 1998* on a referral or an appeal” from rule 5 (a) (xxxvii).

Insert instead “sections 60–62 of the *Residential Tribunal Act 1998* on a matter, referral or appeal”.

[4] Part 12, rule 5 (a)

Omit “section 61 or section 62 of the *Fair Trading Tribunal Act 1998* on an appeal or a referral” from rule 5 (a) (xlii).

Insert instead “sections 60–62 of the *Fair Trading Tribunal Act 1998* on a matter, referral or appeal”.

[5] Part 14D, rule 1 (a)

Omit rule 1 (a) (ii) (B). Insert instead:

- (B) Part 77 rule 84 (3), 99, 100, 114 or 116,

Supreme Court Rules (Amendment No 349) 2001

Amendments

Schedule 1

[6] Part 14D, rule 1 (a)

Omit rule 1 (a) (iv). Insert instead:

- (iv) proceedings under sections 60–62 of the *Fair Trading Tribunal Act 1998*, other than proceedings on a matter, referral or appeal relating to the *Retirement Villages Act 1999*, and
- (v) proceedings under sections 60–62 of the *Residential Tribunal Act 1998* on a matter, referral or appeal relating to:
 - (i) the *Residential Tenancies Act 1987*, or
 - (ii) the *Retirement Villages Act 1989*, or
 - (iii) the *Residential Parks Act 1998*.

[7] Part 36, rule 13CA

Insert after rule 13CA (5):

- (6) Where, pursuant to this rule, expert witnesses have conferred and have provided a joint report agreeing on any matter, a party affected may not, without leave of the Court, adduce expert evidence inconsistent with the matter agreed.

Orders

Duties Act 1997 No 123—Bendigo Stock Exchange Order 2001

I, Michael Rueben Egan, Treasurer, in pursuance of the definition of *recognised stock exchange* in the Dictionary to the *Duties Act 1997*, declare the Bendigo Stock Exchange to be a recognised stock exchange, with effect from 1 July 2001.

Dated, this 22nd day of May 2001.

MICHAEL EGAN, M.L.C.,
Treasurer

By-Law

University of Sydney Amendment By-law 2001

under the

University of Sydney Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has approved of the following By-law made by the Senate of the University of Sydney under the *University of Sydney Act 1989*.

JOHN AQUILINA, M.P.,
Minister for Education and Training

Explanatory note

The object of this By-law is to provide that the Chancellor and the Deputy Chancellor of the University of Sydney hold office on condition that they retain the confidence of the Senate of the University. The By-law extends to the persons holding those offices on the commencement of the By-law.

This By-law is made under the *University of Sydney Act 1989*, including sections 10 (2), 11 (2) and 36 (1).

Clause 1 University of Sydney Amendment By-law 2001

University of Sydney Amendment By-law 2001

The Senate of the University of Sydney, in pursuance of the *University of Sydney Act 1989*, makes the following By-law:

1 Name of By-law

This By-law is the *University of Sydney Amendment By-law 2001*.

2 Amendment of University of Sydney By-law 1999

The *University of Sydney By-law 1999* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this By-law.

University of Sydney Amendment By-law 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 9 Term of office and election procedure

Insert after clause 9 (2):

- (2A) It is a condition on which the Chancellor holds office that he or she retains the confidence of the Senate and the Chancellor shall cease to hold office if the Senate decides, by resolution passed at two consecutive ordinary meetings of the Senate, that the Chancellor does not have the confidence of the Senate.
- (2B) Subclause (2A) applies to:
 - (a) the Chancellor holding office at the date on which that subclause comes into effect, and
 - (b) all subsequent holders of that office.

[2] Clause 11 Term of office and election procedure

Insert after clause 11 (2):

- (2A) It is a condition on which the Deputy Chancellor holds office that he or she retains the confidence of the Senate and the Deputy Chancellor shall cease to hold office if the Senate decides, by resolution passed at two consecutive ordinary meetings of the Senate, that the Deputy Chancellor does not have the confidence of the Senate.
- (2B) Subclause (2A) applies to:
 - (a) the Deputy Chancellor holding office at the date on which that subclause comes into effect, and
 - (b) all subsequent holders of that office.

Other Legislation

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

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

Endangered ecological communities

Kurri Sand Swamp Woodland in the Sydney Basin Bioregion (as described in the final determination of the Scientific Committee to list the ecological community)

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

Copies of the final determination may be inspected at:

The National Parks Centre
102 George St
The Rocks
Sydney

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

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

Dr CHRIS DICKMAN

Chairperson
Scientific Committee

Threatened Species Conservation Act 1995 No 101—Final Determination

Annexure “A”

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

Kurri Sand Swamp Woodland in the Sydney Basin Bioregion (as described in the final determination of the Scientific Committee to list the ecological community)

NSW SCIENTIFIC COMMITTEE

Final Determination

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

The Scientific Committee has found that:

1. Kurri Sand Swamp Woodland is the name given to the ecological community that occurs on soils developed over poorly-drained Tertiary sand deposits that blanket Permian sediments around Kurri Kurri. All sites are within the Sydney Basin Bioregion.
2. Kurri Sand Swamp Woodland generally ranges from low open-woodland to low woodland and open scrub. There is generally a low open canopy rarely exceeding 15 m in height, with *Eucalyptus parramattensis* subsp. *decadens*, *Angophora bakeri* and occasionally *Eucalyptus signata* and *Eucalyptus sparsifolia*. The shrubby stratum is typified by *Melaleuca nodosa*, *Banksia spinulosa*, *Dillwynia retorta*, *Jacksonia scoparia*, *Hakea dactyloides*, *Acacia ulicifolia* and *Lambertia formosa* and merges into the ground layer. The ground layer has grasses and low shrubs such as *Entolasia stricta*, *Pimelea linifolia*, *Lissanthe strigosa* and *Melaleuca thymifolia*. A considerable number of ground orchid species have been recorded in the area.
3. Kurri Sand Swamp Woodland is a low open-woodland to low woodland and open scrub characterised by the assemblage of species listed below. While some of the species listed below may be widespread and may occur elsewhere, it is the following distinct assemblage that is recognised as the Kurri Sand Swamp Woodland ecological community.

The total species flora and fauna list for the community is considerably larger than the assemblage of species shown below, with many species present in only one or two sites or in very small quantity. In any particular site not all of the assemblage listed may be present. At any one time, seeds of some species may only be present in the soil seed bank with no above-ground individuals present. The species composition of the site will be influenced by the size of the site, recent rainfall or drought conditions and by its recent disturbance history. The community includes vertebrates and invertebrates in both soil and vegetation, many of which are poorly known.

<i>Acacia elongata</i>	<i>Acacia myrtifolia</i>
<i>Acacia ulicifolia</i>	<i>Angophora bakeri</i>
<i>Anisopogon avenaceus</i>	<i>Aristida vagans</i>
<i>Baeckea diosmifolia</i>	<i>Banksia spinulosa</i>
<i>Bossiaea rhombifolia</i>	<i>Conospermum ericifolium</i>
<i>Cyathochaeta diandra</i>	<i>Dampiera stricta</i>
<i>Dianella revoluta</i> var <i>revoluta</i>	<i>Dillwynia retorta</i>
<i>Entolasia stricta</i>	<i>Eucalyptus agglomerata</i>
<i>Eucalyptus capitellata</i>	<i>Eucalyptus fibrosa</i>
<i>Eucalyptus parramattensis</i> subsp <i>decadens</i>	<i>Eucalyptus signata</i>
<i>Eucalyptus sparsifolia</i>	<i>Grevillea linearifolia</i>
<i>Grevillea montana</i>	<i>Haemodorum planifolium</i>

<i>Hakea dactyloides</i>	<i>Hovea linearis</i>
<i>Jacksonia scoparia</i>	<i>Lambertia formosa</i>
<i>Leptospermum polygalifolium</i>	<i>Leucopogon ericoides</i>
<i>Leucopogon virgatus</i>	<i>Lissanthe strigosa</i>
<i>Lomandra longifolia</i>	<i>Macrozamia flexuosa</i>
<i>Melaleuca decora</i>	<i>Melaleuca nodosa</i>
<i>Melaleuca sieberi</i>	<i>Melaleuca thymifolia</i>
<i>Patersonia sericea</i>	<i>Persoonia levis</i>
<i>Persoonia linearis</i>	<i>Phebalium squamulosum</i>
<i>Pimelea linifolia</i>	<i>Ptilothrix deusta</i>
<i>Themeda australis</i>	<i>Xanthorrhoea glauca</i>

4. Kurri Sand Swamp Woodland is or has been known to occur in the Kurri Kurri – Cessnock area in the lower Hunter Valley, in the local government area of Cessnock, but may occur elsewhere.
5. Kurri Sand Swamp Woodland includes vegetation described in NSW National Parks and Wildlife Service – (2000)
6. Disturbed remnants are considered to form part of the community including remnants where the vegetation would respond to assisted natural regeneration such as where the natural soil and associated seedbank is still at least partially intact.
7. Kurri Sand Swamp Woodland has been fragmented and is subject to weed invasion and ongoing disturbances. Threats include increased urbanisation, transport and utility corridors, industrial development, changes to drainage conditions, weed invasion, rubbish dumping and inappropriate fire regimes.
8. The only known occurrence of Kurri Sand Swamp Woodland reported from conservation areas is in the Lower Hunter National Park.
9. Plant species of conservation significance occurring in Kurri Sand Swamp Woodland are *Eucalyptus parramattensis* subsp. *decadens* and *Grevillea parviflora* subsp. *parviflora*, both listed as Vulnerable under Schedule 2.
10. In view of the small size of existing remnants, and the threat of further clearing, disturbance and degradation, the Scientific Committee is of the opinion that Kurri Sand Swamp Woodland in the Sydney Basin Bioregion is likely to become extinct in nature unless factors threatening its survival or evolutionary development cease to operate and that listing as an endangered ecological community is warranted.

Associate Professor Paul Adam
Deputy Chairperson
Scientific Committee

References

NSW National Parks and Wildlife Service (2000). Vegetation Survey, Classification and Mapping. Lower Hunter and Central Coast Region. National Parks and Wildlife Service, Sydney

Department of Land and Water Conservation

Land Conservation

ARMIDALE OFFICE

Department of Land and Water Conservation
108 Faulkner Street, Armidale, NSW 2350
Phone: (02) 6772 5488 Fax (02) 6771 5348

APPOINTMENT OF TRUST BOARD MEMBERS

PURSUANT to section 93 of the Crown Lands Act 1989, the person whose name is specified in Column 1 of the Schedule hereunder is appointed, for the term of office specified thereunder, as a member of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Brian Douglas ABBOTT (re-appointment), William Menzies CARSON (re-appointment), Ronald James PIDDINGTON (re-appointment), Robert Edwin TABER (re-appointment).	Armidale Showground Reserve Trust.	Reserve No.: 110029. Public Purpose: Showground. Notified: 22 December 1989. Locality: Armidale Airport.
The person for the time being holding the office of DESIGNATED EXECUTIVE MEMBER, Armidale and New England Show Society (ex-officio member).		Dedication No.: 510024. Public Purpose: Showground. Notified: 30 November 1877. Locality: Armidale. File No.: AE81 R 5.

COLUMN 1 COLUMN 2 COLUMN 3

The person for the time being
holding the office of
DESIGNATED COMMITTEE
MEMBER, Armidale and New
England Show Society
(ex-officio member).

The person for the time being
holding the office of PRESIDENT,
Armidale Campdraft Club Incorporated
(ex-officio member).

The person for the time being
holding the office of
DESIGNATED COUNCIL
STAFF REPRESENTATIVE,
Armidale Dumaresq Council
(ex-officio member).

The person for the time being
holding the office of
DESIGNATED COUNCIL
REPRESENTATIVE, Armidale
Dumaresq Council
(ex-officio member).

The person for the time being
holding the office of LAND
ACCESS MANAGER, North
Coast Region, Department of
Land and Water Conservation
(ex-officio member).

Term of Office

For a term commencing the date of this notice and
expiring 31 December 2005.

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 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 thereunder, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Garry John BROWN (re-appointment), Rita MULA (re-appointment), Julienne Marjorie SKINNER (re-appointment).	New Italy Community (R.140090) Reseve Trust.	Reserve No.: 140090. Public Purpose: Environmental protection and community purposes. Notified: 22 September 1995. Locality: New Italy. File No.: GF95 R 68.

Term of Office

For a term commencing this day and expiring 24 May 2006.

NOTIFICATION OF ALTERATION TO COMMONERS BOUNDARY

PURSUANT to Clause 5 (2) of Schedule 5 of the Commons Management Act 1989, the commoners boundary of the common specified in Column 1 of the Schedule hereunder being the reserve specified in Column 2 of the Schedule, is hereby altered to the boundary specified in Column 3 of the Schedule.

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Brushgrove Common.	Reserve No.: 770. Public Purpose: Commonage. Notified: 1 August 1881.	The Village Boundary of Cowper, notified 11 November 1870, the Village Boundary of Brushgrove, notified 20 March 1885, the extension to the Village Boundary of Brushgrove, notified 18 June 1904, and Lots 6, 7, 8, 9 and 10, DP 262171.

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

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 4.00 p.m. on 29 June 2001.

Richard Amery, M.P.,
 Minister for Agriculture
 and Minister for Land and Water Conservation

Description

Draft Assessment of Crown Land below the high water mark at Araluen Drive, Hardys Bay, being Lot 495, DP 822113 and 31 metre by 7 metre wide strip adjacent to the seaward boundary, about 2134 square metres, Parish Kincumber, County Northumberland.

Land Assessment No.: 46.

File No.: MD99 H 37.

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

NOTIFICATION OF CLOSING OF A ROAD

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

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

Description

Land District — Moree;
Council — Moree Plains.

Lots 13, 14 and Part 15 in DP 1021626 (not being land under the Real Property Act) and Part Lot 15 in DP 1021626 (being land formerly in Certificate of Title Vol. 3628, Folio 101), Parish Meero, County Benarba.

File No.: ME97 H 229.

Note: 1. Upon closure the land in Lots 13, 14 and Part 15, DP 1021626, remains vested in the Crown as Crown Land and land in Part Lot 15, DP 1021626, vests in the Crown as Crown Land.

2. The land in Lots 13 and 14 will be used in compensation for the purposes of the Roads Act.

NOWRA OFFICE

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

NOTIFICATION OF CLOSING OF ROADS

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

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

Land District — Moruya;
L.G.A. — Eurobodalla.

Lot 1, DP 1028189 at Sanctuary Point, Parishes of Bherwerre and Wandrawandian and County St. Vincent (not being land under the Real Property Act).

File No.: NA99 H 256.

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

Descriptions

Land District — Moruya;
L.G.A. — Eurobodalla.

Lot 1, DP 1028176 at Congo, Parish Moruya and County Dampier (not being land under the Real Property Act).

File No.: NA01 H 4.

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

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

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 public purpose of residential sites.

Dated at Sydney, this 12th day of May 2001.

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

SCHEDULE

The land situated at Orange in the State of New South Wales, Parish of March, County of Wellington, Land District and Local Government Area of Orange, which is surveyed as Lots 247 and 248 in Deposited Plan 823420, registered at Land and Property Information, 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.: OE91 R 10.

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

SCHEDULE

The land situated at Orange in the State of New South Wales, Parish of March, County of Wellington, Land District and Local Government Area of Orange, which is surveyed as Lots 247 and 248 in Deposited Plan 823420, registered at Land and Property Information NSW, Sydney.

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

ERRATUM

IN the notice which appeared in the *Government Gazette* No. 86 of 18 May 2001, Folio 2604, under the heading of Crown Lands Act 1989 Land Acquisition (Just Terms Compensation) Act 1991 “Notice of Compulsory Acquisition of Land (including any Native Title Rights and Interests)” the notice is corrected by inserting “Lot 411 in Deposited Plan 728359” in lieu of “Lot 411 in Deposited Plan 728539”. File No.: TH80 H 121.

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

ERRATUM

IN the notice which appeared in the *Government Gazette* No. 86 of 18 May 2001, Folio 2604, under the heading of Crown Lands Act 1989 “Declaration of Land to be Crown Land” the notice is corrected by inserting “Lot 411 in Deposited Plan 728359” in lieu of “Lot 411 in Deposited Plan 728539”. File No.: TH80 H 121.

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

WAGGA WAGGA REGIONAL OFFICE
Department of Land and Water Conservation
Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga, NSW 2650
Phone: (02) 6921 2503 Fax: (02) 6921 1851

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance of the provisions of the Roads Act 1993, the road hereunder specified is closed, the road 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 — South Gundagai;
County — Wynyard;
Land District — Gundagai;
Shire — Gundagai.

Lots 6 and 7 in DP 1025782 at South Gundagai (not being land under the Real Property Act 1900).

File No.: WA93 H 80.

Note: On closing, the land within the former Crown public road will vest in the Council of the Shire of Gundagai as operational land.

REVOCATION OF RESERVATION OF CROWN LAND

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

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

—————
 SCHEDULE

COLUMN 1

Land District: Wagga Wagga.
 Local Government Area:
 Wagga Wagga City Council.
 Parish: Mangoplah.
 County: Mitchell.
 Locality: Mangoplah.
 Reserve No.: 93838.
 Purpose: Future public requirements.
 Date of Notification: 17 October 1980.
 File No.: WA01 H 5.

COLUMN 2

The part being Lot 1, section
 *, DP No. 125395, Parish
 Mangoplah, County Mitchell, of
 an area of 2.155 hectares.

APPOINTMENT OF RESERVE TRUST AS TRUSTEE OF A RESERVE

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

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

—————
 SCHEDULE

COLUMN 1

Tumut Shire Council Crown
 Reserves Reserve Trust.
 Established 25th November
 1994.

COLUMN 2

Reserve No.: 43960.
 Public Purpose: Reservoir.
 Notified: 2 June 1909.
 Parish: Tumut.
 County: Wynyard.
 Lot: 7028.
 DP No.: 94610#.
 File No.: WA01 R 3.

Please note that the above Lot number marked # is for Departmental use only.

Water Conservation

WATER ACT 1912

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

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

Murray River Valley

Anthony John GOREY and Francine Elizabeth GOREY for a pump on the Billabong Creek, on Lot 4, DP 756527, Parish of Colvin, County of Wakool, for water supply for stock and irrigation of 316 hectares (wheat, rice and pasture) (replacement licence — no increase in entitlement or area) (Reference: 57SL80030) (GA2:504503).

Any enquiries regarding the above should be directed to the undersigned (tel.: [03] 5881 9200).

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

L. J. HOLDEN,
A/Senior Natural Resource Officer,
Murray Region.

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

WATER ACT 1912

AN application for an authority under Part 2 of the Water Act 1912, being within a proclaimed (declared) local area under section 5 (4) of the Act.

An application for an authority under section 20 of Part 2 of the Water Act 1912, has been received as follows:

Lachlan River Valley

Wayne Anthony FOSTER and Nola Yvonne FOSTER and OTHERS for a pump on the Lachlan River on Lots 10/133181 and 15/755189, Parish of Redbank, County of Nicholson, for water supply for irrigation 263.50 hectares (cereals and improved pastures) (new authority — amending existing licence entitlement into several holdings) (Reference: 70SA009575) (GA2:495889).

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

DAVID THOMAS,
Natural Resource Project Officer,
Central West Region.

Department of Land and Water Conservation,
PO Box 136, Forbes, NSW 2871, tel.: (02) 6852 1222.

WATER ACT 1912

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

An application for a licence under section 10 for works within a proclaimed (declared) local area as generally described hereunder has been received from:

Murrumbidgee Valley

SNOWY MOUNTAINS HYDRO-ELECTRIC AUTHORITY for a bywash dam and two pumps on Eight Mile Creek (Part of Kosciusko National Park), Parish of Table Top, County of Selwyn, for a water supply for Cabramurra Town Water Supply Purposes (new licence) (Reference: 40SL70662).

These applications are duly advertised as a necessary procedure to enable refusal, as required by the Water Act 1912.

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

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

S. F. WEBB,
Resource Access Manager,
Murrumbidgee Region.

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

WATER ACT 1912

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

Murrumbidgee Valley

Rodney James ATTWOOD and Diana Mary ATTWOOD for a bore on Lot 42, DP 881983, Parish of Nelanglo, County of King, for a water supply for the irrigation of approximately 20 hectares (walnuts and grapes) (new licence) (Reference: 40BL188285).

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 29 June 2001, as prescribed by the Act.

S. F. WEBB,
Resource Access Manager,
Murrumbidgee Region.

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

WATER ACT 1912

THE Local Land Board for the Land District of Bega will sit on Wednesday, 20 June 2001 and Thursday, 21 June 2001, at the Merimbula Big Game and Lakes Angling Club, Main Street, Merimbula, commencing at 10.00 a.m. each day. The matter being heard is a (re-listed matter); Public inquiry into the desirability of granting an application for a licence under Part 2 of the Water Act 1912, by Geoffrey HALL and Dianne HALL for an earthen bywash dam and pump on an unnamed watercourse on Lot 4/603247, Parish of Cadjangarry, County of Dampier, for stock and domestic purposes and the irrigation of 4 hectares.

BRUCE WATT,
Regional Licensing Officer,
Sydney/South Coast Region.

Department of Land and Water Conservation,
PO Box 3935, Parramatta, NSW 2124.

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.

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

MacIntyre - Dumaresq River Valley

Max William LUCHT for a pump on the Dumaresq River on Part Lot 4/750070, Parish of Bebo, County of Arrawatta, for water supply for stock and domestic purposes and irrigation of 16.5 hectares (fodder, grains) (to replace an existing entitlement due to property subdivision and split of entitlement and to authorise additional pump and lands for benefit) (L.O. Papers: 90SL100557) (GA2:345896).

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.

Department of Mineral Resources

MUTUAL RECOGNITION ACT 1992 – S.32

Ministerial Declaration

WHEREAS no underground coal mines exist in South Australia, we jointly declare that:

I

- (a) the occupation which may be carried on only by a person granted a South Australian Certificate Item A in Schedule 1; and
 - (b) the occupation which may be carried on only by a person granted a New South Wales Certificate Item F in Schedule 1.
- are equivalent; and

II

- (a) the occupations which may be carried on only by a person granted a South Australian Certificate Item B in Schedule 1; and
 - (b) the occupations which may be carried on only by a person granted both New South Wales Certificates Items D and F in Schedule 1
- are equivalent; and

III

- (c) the occupation which may be carried on only by a person granted a South Australian Certificate Item C in Schedule 1; and
 - (d) the occupation which may be carried on only by a person granted a New South Wales Certificate Item E in Schedule 1
- are equivalent.

Dated this 25th day of May 2001.

The Honourable WAYNE MATTHEW M.P.,
South Australian Minister for Minerals and Energy
and Minister Assisting the Deputy Premier

Dated this 25th day of May 2001.

The Honourable EDWARD OBEID OAM MLC,
New South Wales Minister for Mineral Resources

SCHEDULE 1

DOMAINS OF MINING BEING LEGALLY APPLICABLE TO THE STATUTORY CERTIFICATES OF MINE MANAGEMENT COMPETENCY HEREUNDER, FOR SOUTH AUSTRALIA AND NEW SOUTH WALES

The hatched domain indicates there are no underground coal mines in South Australia.

The table only depicts those certificates referenced in Ministerial Declarations.

DOMAIN	METALLIFEROUS	COAL
Open-cut	South Australia: Item B New South Wales: Item D	South Australia: Items A, B New South Wales: Item F
Underground	South Australia: Items B, C New South Wales: Item E	South Australia: Items A, B

Item	State	Certificate	Statute
A	SA	First class mine manager's certificate of competency restricted to coal mines.	<i>Mines and Works Inspection Act 1920</i> as amended, and the <i>Mines and Works Inspection Regulations 1966</i> as amended.
B	SA	First class mine manager's certificate of competency.	<i>Mines and Works Inspection Act 1920</i> as amended, and the <i>Mines and Works Inspection Regulations 1966</i> as amended.
C	SA	First class underground mine manager's certificate of competency.	<i>Mines and Works Inspection Act 1920</i> as amended, and the <i>Mines and Works Inspection Regulations 1966</i> as amended.
D	NSW	Above ground mine manager's certificate of competency (metalliferous mines).	Part 2, Divisions 1, 2A and 3 of the <i>Mines Inspection Act 1901</i> No. 75 as amended.
E	NSW	Below ground mine manager's certificate of competency (underground metalliferous mines).	Part 2, Divisions 1, 2A and 3 of the <i>Mines Inspection Act 1901</i> No. 75 as amended.
F	NSW	Open cut mine manager's certificate of competency (open cut coal mines).	Part 2, Divisions 2, 3 and 4 of the <i>Coal Mines Regulation Act 1982</i> No. 67 as amended.

DEPARTMENT OF MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T01-0129)

No. 1768, PLATSEARCH NL (ACN 003 254 395) and EAGLEHAWK GEOLOGICAL CONSULTING PTY LTD (ACN 061 324 454), area of 14 units, for Group 1, dated 23 May, 2001. (Broken Hill Mining Division).

(T01-0130)

No. 1769, NEWCREST OPERATIONS LIMITED (ACN 009 221 505), area of 174 units, for Group 1, dated 25 May, 2001. (Broken Hill Mining Division).

MINING LEASE APPLICATION

(C01-0285)

No. 175, POWERCOAL PTY LTD (ACN 052 533 070), area of about 400 square metres, for the purpose of ventilation shaft, dated 17 May, 2001. (Singleton Mining Division).

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

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(T00-0164)

No. 1701, now Exploration Licence No. 5857, TAMAS KAPITANY, County of Gough, Map Sheet (9238, 9239), area of 4 units, for Group 1 and Group 3, dated 11 May, 2001, for a term until 10 May, 2003.

(T00-0165)

No. 1702, now Exploration Licence No. 5858, TAMAS KAPITANY, County of Gough, Map Sheet (9238), area of 9 units, for Group 1 and Group 3, dated 11 May, 2001, for a term until 10 May, 2003.

(T01-0094)

No. 1736, now Exploration Licence No. 5855, ALPHADALE PTY LIMITED (ACN 050 409 008), County of Buckland, Map Sheet (9035), area of 16 units, for Group 1, dated 10 May, 2001, for a term until 9 May, 2003. As a result of the grant of this title, Exploration Licence No. 3522 and Exploration Licence No. 5610 have partly ceased to have effect.

MINERAL CLAIM APPLICATION

(T94-0346)

Orange No. 22, now Mineral Claim No. 266 (Act 1992) TUNDI PTY LTD, Parish of Rockley, County of Georgiana, area of about 1.851 hectares, to mine for limestone, dated 30 March, 2001, for a term until 29 March, 2006.

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

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

(T00-0603)

Mineral Lease No. 4635 (Act 1906), EROLPO PTY LIMITED (ACN 003 774 365), area of 16.19 hectares. Application for renewal received 24 May, 2001.

(T00-0604)

Mineral Lease No. 4636 (Act 1906), EROLPO PTY LIMITED (ACN 003 774 365), area of 4.047 hectares. Application for renewal received 24 May, 2001.

(T00-0605)

Mineral Lease No. 6388 (Act 1906), EROLPO PTY LIMITED (ACN 003 774 365), area of 1.69 hectares. Application for renewal received 24 May, 2001.

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

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(T92-0565)

Exploration Licence No. 4619, PROVIDENCE GOLD AND MINERALS PTY LTD (ACN 004 881 789), County of Sandon, Map Sheet (9236), area of 4 units, for a further term until 9 October, 2002. Renewal effective on and from 18 May, 2001.

(T93-0667)

Exploration Licence No. 4715, BARNU PTY LIMITED (ACN 003 430 215), County of Harden, Map Sheet (8628), area of 4 units, for a further term until 8 November, 2002. Renewal effective on and from 15 May, 2001.

(T94-0003)

Exploration Licence No. 4752, METALLIC RESOURCES PTY LIMITED (ACN 001 867 296), Counties of Ashburnham and Kennedy, Map Sheet (8532), area of 15 units, for a further term until 11 December, 2002. Renewal effective on and from 22 May, 2001.

(T97-1240)

Exploration Licence No. 5495, DIAMOND ROSE NL (ACN 075 860 472), County of Roxburgh, Map Sheet (8931, 8932), area of 27 units, for a further term until 21 July, 2002. Renewal effective on and from 21 May, 2001.

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

WITHDRAWAL OF APPLICATIONS FOR RENEWAL

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

(T94-0473)

Exploration Licence No. 4991, DELTA GOLD EXPLORATION PTY LTD (ACN 002 504 501) and TRI ORIGIN AUSTRALIA NI (ACN 062 002 475), County of Ashburnham, Map Sheet (8431, 8531), area of 37 units. The authority ceased to have effect on 21 May, 2001.

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

**CANCELLATION OF AUTHORITIES
AT REQUEST OF HOLDERS**

NOTICE is given that the following authorities have been cancelled:

(T94-0631)

Exploration Licence No. 5053, STRAITS EXPLORATION (AUSTRALIA) PTY LTD (ACN 061 614 695), County of Cowper and County of Yanda, Map Sheet (8036), area of 21 units. Cancellation took effect on 23 May, 2001.

(T97-1314)

Exploration Licence No. 5429, STRAITS EXPLORATION (AUSTRALIA) PTY LTD (ACN 061 614 695), County of Yanda, Map Sheet (8036), area of 1 unit. Cancellation took effect on 23 May, 2001.

(T99-0607)

Mineral Lease No. 5737 (Act 1906), MLOP PTY LTD (ACN 000 015 172), Parish of Bouverie, County of Westmoreland, Map Sheet (8829-2-N), area of 8.09 hectares. Cancellation took effect on 21 May, 2001.

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

PART CANCELLATIONS

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

(C01-0092)

Consolidated Coal Lease No. 723 (Act 1973), PACIFIC POWER, Parish of Ravensworth, County of Durham; and Parish of Vane, County of Durham, Map Sheet (9133-3-S).

Description of area cancelled:

An area of 18.4 hectares. For further information contact Titles Branch.

Part cancellation took effect on 10 April, 2001.

The authority now embraces an area of 706.6 hectares.

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

TRANSFER OF PART OF AN AUTHORITY

(C99-0494)

Mining Lease No. 1415 (Act 1992), held by CNA RESOURCES LIMITED (ACN 004 447 938) has been transferred in part to HUNTER VALLEY COAL CORPORATION PTY. LIMITED (ACN 003 827 361). The transfer was registered on 8 May, 2001.

Pursuant to Section 123 of the Mining Act 1992:

(1) Mining Lease No. 1415 (Act 1992) has been cancelled as to the area transferred; and

(2) Mining Lease No. 1453 (Act 1992) has been granted to HUNTER VALLEY COAL CORPORATION PTY. LIMITED (ACN 003 827 361) over the area transferred for a period until 4 July, 2020.

Description of area part transferred

An area of about 140.3 hectares, Parish of Liddell, County of Durham. For further information contact Titles Branch.

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

Department of Urban Affairs and Planning

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – DECLARATION

I, the Minister for Urban Affairs and Planning, in pursuance of section 76A(7) of the Environmental Planning and Assessment Act 1979, having formed the opinion that development as set out in Schedule 1 to this Declaration within land as described in Schedule 2 to this Declaration is of State and regional environmental planning significance, declare such development to be State significant development.

Andrew Refshauge, MP
**Minister for Urban Affairs and
Planning**

Sydney, 23 May 2001

Schedule 1

All development except alterations and additions to existing development which, in the opinion of the Minister in consultation with Council, are of a minor nature and do not to any significant extent, change the scale, size, design or environmental impact of the existing development.

Schedule 2

The following pieces or parcels of land in the Shoalhaven Local Government Area.

<u>REF</u> <u>No.</u>	<u>LOT</u>	<u>PLAN</u>	<u>AREA</u>
1.	A	DP334511	0.250 ha
2.	B	DP334511	0.293 ha
3.	B	DP376494	0.075 ha
4.	1	DP385145	1.72 ha
5.	1	DP838753	3.53 ha
7.	6	DP567683	6.165 ha
<u>TOTAL</u>			<u>12.033 ha</u>

<u>REF</u> <u>No.</u>	<u>LOT</u>	<u>PLAN</u>	<u>AREA</u>
1.	42	DP838125	17.14 ha
2.	1	DP131008	13.97 ha
3.	4	DP610696	25.41 ha
4.	1	DP842231	20 ha
5.	2	DP842231	55.43 ha
6.	3	DP235705	0.714 ha
7.	1	DP235705	27.70 ha
8.	2	DP235705	0.990 ha
9.	PT 2	DP854837	(See 22)
10.	2	DP594555	76.67 ha
11.	23	DP811233	63.68 ha
12.	164	DP4469	27.589 ha
13.	2	DP854764	107.5 ha
14.	210	DP6131	27.41 ha
15.	211	DP6131	13.38 ha
16.	PT 212	DP6131	10.504 ha
17.	213	DP6131	40.418 ha
18.	214	DP6131	22.258 ha
19.	248	DP6131	8.498 ha
20.	2	DP955009	10.162 ha
21.	42	DP751268	91.20 ha
22.	PT 2	DP854837	88.57 ha
23.	2	DP551704	30.384 ha
24.	B	DP386356	2.337 ha
25.	102	DP854799	78.78 ha
26.	22	DP856928	35.37 ha
27.	1	DP922911	41.16 ha
28.	2	DP833181	33.97 ha
29.	5	DP825808	4.825 ha
30.	2	DP538289	1.556 ha
<u>TOTAL</u>			<u>977.58 ha</u>

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**BANKSTOWN LOCAL ENVIRONMENTAL PLAN No. 218**

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. (R91/00749/S69)

ANDREW REFSHAUGE MP

Minister for Urban Affairs and Planning.

Sydney, 22 May 2001.

Citation

1. This plan may be cited as Bankstown Local Environmental Plan No. 218.

Aims, objectives etc.

2. This plan aims to rezone part lot 14 Sec A DP 8855, No 107 Rex Road, Georges Hall, and part lot 2 DP 564985, No 113 Rex Road, Georges Hall, from Zone No 6(b) Recreation Proposed to Zone No 2(b2) Residential "B2" (Restricted) under the Bankstown Planning Scheme Ordinance, in order to allow the residential development of the subject land.

Land to which plan applies

3. This plan applies to land situated in the City of Bankstown, being part lot 14 Sec A DP 8855, No 107 Rex Road, Georges Hall, and part lot 2 DP 564985, No 113 Rex Road, Georges Hall, as shown edged heavy black on the map marked "Bankstown Local Environmental Plan No. 218" deposited in the office of the Council of the City of Bankstown.

Relationship to other environmental planning instruments

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

Amendment of Bankstown Planning Scheme Ordinance

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

Bankstown Local Environmental Plan No. 218

Baulkham Hills Local Environmental Plan 1991 (Amendment No 94)

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*.
(P00/00487/PC)

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

Clause 1 Baulkham Hills Local Environmental Plan 1991 (Amendment No 94)

Baulkham Hills Local Environmental Plan 1991 (Amendment No 94)

1 Name of plan

This plan is *Baulkham Hills Local Environmental Plan 1991 (Amendment No 94)*.

2 Aims of plan

This plan aims:

- (a) to rezone part of the land to which this plan applies from the Rural 1 (a) Zone to the Open Space 6 (a) (Existing and Proposed Public Recreation) Zone under *Baulkham Hill Local Environmental Plan 1991*, and
- (b) to rezone the remainder of the land from the Open Space 6 (a) (Existing and Proposed Public Recreation) Zone to the Open Space 6 (b) (Private Recreation) Zone under that plan.

3 Land to which plan applies

- (1) To the extent that this plan rezones land to the Open Space 6 (a) (Existing and Proposed Public Recreation) Zone, it applies to Lot 5, DP 231945, Banks Road, Castle Hill, as shown edged heavy black on the map marked "Baulkham Hills Local Environmental Plan 1991 (Amendment No 94)" deposited in the office of the Baulkham Hills Council.
- (2) To the extent that this plan rezones land to the Open Space 6 (b) (Private Recreation) Zone, it applies to part of Lot 502, DP 857370, Palisander Place, Castle Hill and part of Lot 12, DP 814612, Highs Road, West Pennant Hills, as shown edged heavy black on that map.

4 Amendment of Baulkham Hills Local Environmental Plan 1991

Baulkham Hills Local Environmental Plan 1991 is amended by inserting in appropriate order in the definition of *the map* in clause 5 (1) the following words:

Baulkham Hills Local Environmental Plan 1991 (Amendment No 94)

Blue Mountains Local Environmental Plan No 142

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*.
(P00/00260/S69 Pt 1)

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

Clause 1 Blue Mountains Local Environmental Plan No 142

Blue Mountains Local Environmental Plan No 142

1 Name of plan

This plan is the *Blue Mountains Local Environmental Plan No 142*.

2 Aims of plan

This plan aims:

- (a) to rezone land to which this plan applies to Business Special under Blue Mountains Local Environmental Plan No 4, and
- (b) to allow, with the consent of the Council of the City of Blue Mountains, the carrying out of development on that land for certain additional purposes subject to specified conditions.

3 Land to which plan applies

This plan applies to Lot 1, DP 773302, on the corner of Whitton Street and Camp Street, Katoomba, as shown edged dark red on the map marked "Blue Mountains Local Environmental Plan No 142" deposited in the office of the Council of the City of Blue Mountains.

4 Amendment of Blue Mountains Local Environmental Plan No 4

The *Blue Mountains Local Environmental Plan No 4* is amended as set out in Schedule 1.

Blue Mountains Local Environmental Plan No 142

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Interpretation

Insert at the end of the definition of *the map* in clause 6 (1):

Blue Mountains Local Environmental Plan No 142

[2] Schedule 7 Development for certain additional purposes

Insert at the end of the Schedule:

Lot 1, DP 773302, corner of Whitton Street and Camp Street, Katoomba, as shown edged dark red on the map marked “Blue Mountains Local Environmental Plan No 142”—bulk store, bulky goods showroom, child care centre, club, community centre, educational establishment, place of assembly, place of public worship, recreation area, recreation facility, retail plant nursery, telecommunications facility, transport terminal, veterinary establishment, subject to the following conditions:

- (a) the council must not consent to a development application for a child care centre, club, community centre, educational establishment, place of assembly, place of public worship, recreation area, recreation facility or retail plant nursery unless it has considered a detailed site contamination investigation report prepared by an accredited site auditor in accordance with *Contaminated Land: Planning guidelines for contaminated land* issued by the Department of Urban Affairs and Planning and the Environment Protection Authority,
- (b) the council must not consent to a development application for a transport terminal unless it has considered the following reports prepared by persons with appropriate qualifications in the relevant field of expertise:
 - (i) a traffic impact report detailing proposed travel routes to and from the site, the impact of the proposed development on the Great Western Highway and the local road system, and the

Page 3

Blue Mountains Local Environmental Plan No 142

Schedule 1 Amendments

- (ii) capacity of the local road system to accommodate the proposed traffic movements, a noise (acoustic) report detailing the impact of the proposed development on properties along proposed travel routes and surrounding the site.

Cobar 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*.
(S98/00378/PC)

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

Cobar Local Environmental Plan 2001

Contents

Contents

	Page
Part 1 Preliminary	
1 Name of plan	4
2 What are the aims of the plan?	4
3 Where does this plan apply?	4
4 Does this plan affect other plans?	5
5 Definitions	5
6 Consent authority	22
7 Classification and reclassification of public land as operational	23
Part 2 General controls for zoned land	
8 What zones apply?	24
9 Zone objectives and development control table	25
10 What is exempt and complying development?	25
Part 3 Special considerations relating to development of land	
11 Development within the General Rural Zone	37
12 Development within the Rural Living Zone and Airport and Industrial Zone	37
13 Development in the Cobar Airport environs	38
14 Development on land within the Open Space (Existing Recreation) Zone	38
15 Development along arterial roads	39
Part 4 Subdivision of land	
16 Subdivision of land generally	40
17 Subdivision within the General Rural Zone	40
18 Subdivision within the Rural Living and Rural Residential Zones	41
19 Dwellings in the General Rural Zone	41

Page 2

Cobar Local Environmental Plan 2001

Contents

		Page
Part 5	Heritage provisions	
20	Objectives	43
21	Protection of heritage items	43
22	Notification of demolition to the Heritage Council	45
23	Development of places of Aboriginal heritage significance or of known or potential archaeological sites of Aboriginal cultural significance	45
24	Development of other known or potential archaeological sites	46
25	Development in the vicinity of a heritage item	46
26	Conservation incentives	47
Part 6	Special environmental considerations	
27	Environmentally sensitive land	48
28	Flood prone land	48
29	Land subject to bushfire hazards	49
Part 7	Miscellaneous special provisions	
30	What development must be advertised?	50
31	Community use of school sites etc	50
32	Roads, drainage, recreational areas and parking	50
33	Storm water drainage	51
34	Irrigated development	51
Schedules		
1	Items of environmental heritage	52
2	Land classified as operational	54
3	Development that does not require consent	77
4	Shops not prohibited in General Industrial Zone	80
5	Environmentally sensitive land	81
6	Development to be advertised	82

Clause 1 Cobar Local Environmental Plan 2001

Part 1 Preliminary

Cobar Local Environmental Plan 2001

Part 1 Preliminary

1 Name of plan

This plan is *Cobar Local Environmental Plan 2001*.

2 What are the aims of the plan?

The aims of this plan are to:

- (a) repeal all the existing local environmental plans and planning instruments which apply to land within the local government area of Cobar and to consolidate and update the Council's planning controls in a new local environmental plan, and
- (b) to provide for exempt and complying development and thereby provide exemption from *State Environmental Planning Policy No 60—Exempt and Complying Development* while preserving exemption from clauses 6–10 of *State Environmental Planning Policy No 4—Development Without Consent*, and
- (c) outline planning controls which are clear and explicit but also provide flexibility in their application, and
- (d) conserve and protect Aboriginal heritage, and
- (e) conserve and protect the environmental heritage and natural resources of Cobar, and
- (f) promote and encourage ecologically sustainable development, and
- (g) provide a framework for more detailed controls to be contained within development control plans, and
- (h) provide opportunities for public participation in the environmental planning and development process.

3 Where does this plan apply?

This plan applies to all land within the Cobar local government area, as shown on the map with boundaries as indicated on the map.

Cobar Local Environmental Plan 2001

Clause 4

Preliminary

Part 1

4 Does this plan affect other plans?

- (1) This plan repeals:
 - (a) *Interim Development Order No 1—Shire of Cobar*,
 - (b) *Cobar Local Environmental Plan 1986*,
 - (c) *Cobar Local Environmental Plan 1997*, and
 - (d) all other local environmental plans and deemed environmental planning instruments, which applied to the area immediately before the day this plan took effect.
- (2) This plan amends Schedule 1 to *Western Division Regional Environmental Plan No 1—Extractive Industries* by deleting “Interim Development Order No 1—Shire of Cobar” and “Cobar Local Environmental Plan 1986” and inserting instead “Cobar Local Environmental Plan 2001”.
- (3) This plan amends *State Environmental Planning Policy No 60—Exempt and Complying Development* by deleting from Part 2 of Schedule 1 the word “Cobar”.

5 Definitions

- (1) In this plan:

abattoir means a building or place used for the slaughter of animals, whether or not also for the processing, manufacture or distribution of animal by-products, and includes a knackery.

advertisement means a display of symbols, messages, or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display includes the erection of a structure or the carrying out of a work. Advertisements include those exhibited on A frame signs, business identification signs, real estate exhibition signs, real estate sale or letting signs, temporary signs and signs advertising tourist facilities and places of scientific, historic or scenic interest.

agriculture means the use of land for any purpose of husbandry, including the keeping or breeding of livestock, poultry or bees, and for the growing of crops, fruit or vegetables and includes horticulture and the like. However, in the Table to Part 2, it does not include a land use elsewhere specifically defined in this clause.

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

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 aerodrome.

animal boarding, breeding or training establishment means a building or place where cats, dogs or horses are bred, trained, nurtured, or accommodated for gain or reward and includes a riding school.

appointed day means 13 November 1970.

aquaculture means the commercial production, including breeding, hatching, rearing or cultivation, of water organisms, including aquatic plants or animals.

archaeological site means a place that has heritage significance and contains one or more relics.

arterial road means:

- (a) a road shown on the map as such, or
- (b) a classified road within the meaning of the *Roads Act 1993*.

automotive business means a building or place used as or for any one or more of the following:

- (a) an auto-electrician's workshop,
- (b) auto spare parts sales,
- (c) a car repair station,
- (d) tyre and car battery sales,
- (e) a tyre retreading workshop.

boarding house means a building:

- (a) at which accommodation, meals and laundry facilities are provided to the residents of the building, and
- (b) which is not licensed to sell liquor within the meaning of the *Liquor Act 1982*.

brothel means premises in or at which a sexual service comprising vaginal, anal or oral intercourse or masturbation is provided for a fee or another reward.

building line means the minimum offset, from a front, rear or side boundary (if any), fixed by the Council.

Cobar Local Environmental Plan 2001

Clause 5

Preliminary

Part 1

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.

bus depot means a building or place used for the servicing, repair and garaging of buses and other vehicles used for a bus transport undertaking.

bushfire hazard reduction means a reduction or modification (by controlled burning or mechanical or manual means), of material that constitutes a bushfire hazard.

car repair station means a building or place used for 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.

caravan park means land used as a site for moveable dwellings, including tents, caravans or other vehicles, that are used for temporary or permanent accommodation.

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

- (a) the children number 6 or more, are under 6 years of age, and do not attend a government school, or a registered non government school, within the meaning of the *Education Act 1990*, and
- (b) the building or place does not provide residential care for any of the children (other than those related to the owner or operator).

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 different kind and whether or not the whole or part of the building is the premises of a club registered under the *Registered Clubs Act 1976*.

commercial premises means a building or place used as an office or for other business or commercial purposes, but (in the Table to Part 2) does not include a building or place elsewhere specifically defined in this clause or a building or place used for a land use elsewhere specifically defined in this clause.

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

commercial sign class A means a sign, notice, device or representation in the nature of an advertisement, whether illuminated or not, which:

- (a) has a length not greater than 2.4 metres and a depth not greater than 0.6 metre with a maximum area of 0.72 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 the 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 there, or
 - (v) particulars or notifications required or permitted to be displayed by or under any State or Commonwealth Act, or
 - (vi) particulars relating to the goods, commodities or services dealt with or provided at the place or premises, or
 - (vii) a notice that the place or premises is or are for sale or letting together with particulars of the sale or letting, or
 - (viii) particulars of any activities held or to be held at the place or premises, or
 - (ix) a reference to an affiliation with a trade, professional or other association relevant to the business conducted at the place or premises.

commercial sign class B means a sign, notice, device or representation in the nature of an advertisement, whether illuminated or not, which:

- (a) has a length greater than 2.4 metres or a depth greater than 0.6 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

Cobar Local Environmental Plan 2001

Clause 5

Preliminary

Part 1

-
- (ii) a reference to the identity or a description of any person residing or carrying on an occupation at the 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 there, or
 - (v) particulars or notifications required or permitted to be displayed by or under any State or Commonwealth Act, or
 - (vi) particulars relating to the goods, commodities or services dealt with or provided at the place or premises, or
 - (vii) a notice that the place or premises is or are for sale or letting together with particulars of the sale or letting, or
 - (viii) particulars of any activities held or to be held at the place or premises, or
 - (ix) a reference to an affiliation with a trade, professional or other association relevant to the business conducted at the place or premises.

community facility means a building or place owned or controlled by the Council, a public authority or a body of persons which may be used for the physical, social, cultural, economic or intellectual welfare of the local community, including:

- (a) a public library, a rest room, meeting rooms, recreation areas and child minding facilities (including those with an ancillary use as educational facilities, or for cultural activities and social functions), information centres, museums, galleries and the like, and
- (b) a local community club, being a building or place used by persons sharing like interests, but not including a registered club,

whether or not that building or place is also used for another purpose.

conservation management plan means a document prepared in accordance with the requirements of the NSW Heritage Office that establishes the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

contaminated land means land in, on or under which any substance is present at a concentration above that naturally 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 and to which the requirements of *State Environmental Planning Policy No 55—Remediation of Land* apply.

Council means the Cobar Shire Council.

demolish a heritage item or a building, work, archaeological site, tree or place within a heritage conservation area means wholly or partly destroy or dismantle the heritage item or the building, work, archaeological site, tree or place.

drive-in take-away food shop means a shop having its own exclusive off-street parking and selling food for immediate consumption but operated in such a way that a proportion of the food sold is to be consumed elsewhere.

dual occupancy means 2 dwellings on a single allotment of land.

dwelling means a room or a number 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 containing one, but not more than one, dwelling.

educational establishment means a building used as a school, college, technical college, TAFE establishment or museum, but does not include a building used wholly or principally as an institution or child care centre.

exhibition home means a dwelling house used for display purposes initially, but intended for eventual permanent occupation as a dwelling.

existing holding means:

- (a) the area of a lot, portion or parcel of land as it was at the appointed day, or
- (b) if, at the appointed day, a person owned two or more adjoining or adjacent lots, portions or parcels of land, the combined area of those lots, portions or parcels as they were at that day.

extractive industry means:

- (a) the winning of extractive material, or

Cobar Local Environmental Plan 2001

Clause 5

Preliminary

Part 1

-
- (b) an 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, and includes any washing, crushing, grinding, milling or separating into different sizes of that extractive material on that land.

extractive material means sand, gravel, turf, soil, rock, stone or similar substance.

flood prone land means land at or below the level of the one percent probability flood event or liable to be flooded or inundated by a flood at the same level as the highest past flood level (being for the Darling River at Tilpa—13.35 metres on 7 March 1976 and for the Lachlan River at Euabalong—7.52 metres on 26 June 1952).

floor means the 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 a building means the ratio of the gross floor area of the building to the area of the allotment on which the building is situated.

forestry includes arboriculture, silviculture, forest protection, the cutting, dressing and 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 and for forest protection.

general store means a shop used for the sale by retail of general merchandise and which may include the facilities of a post office.

generating works means a building or place used for making or generating gas, electricity or other forms of energy.

greenhouse effect means the extra warming of the earth due to absorption of the earth's emitted infra red radiation by greenhouse gases.

greenhouse gases means the following gases—carbon dioxide, chlorofluorocarbons, methane, nitrous oxide, tropospheric ozone and any other compound or component the breakdown of which could form any of those gases and lead to ozone depletion.

gross floor area means the sum of the areas of each floor of a 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:

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

-
- (a) columns, fin walls, sun control devices, awnings and any other 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 designated vehicular or pedestrian access to it, and
 - (d) space for the loading and unloading of goods, and
 - (e) internal public arcades and thoroughfares, terraces and balconies with outer walls less than 1,400 millimetres high.

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*.

habitable room means a living or working area, such as a lounge room, dining room, rumpus room, kitchen, bedroom or workroom or, in an industrial or commercial building, an area used for offices.

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 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.

helipad means an area or place not open to public use which is authorised by the Commonwealth Department of Transport and which is set apart for the taking off and landing of helicopters.

Cobar Local Environmental Plan 2001

Clause 5

Preliminary

Part 1

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 impact statement means a statement demonstrating the significance of an item, a property, an archaeological site or a place, an assessment of the impact that proposed development will have on that significance and the measures that are proposed to minimise that impact.

heritage item means:

- (a) a place, building, work or archaeological site described in Schedule 1, or
- (b) a place of Aboriginal heritage significance, as identified by the National Parks and Wildlife Service, and recorded as such a place at the office of the Council.

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 does not occupy a floor space exceeding 50 square metres and is erected within the curtilage of the dwelling house or residential flat building occupied by the person carrying out the industry or on adjoining land owned by that person, and
- (b) the industry does not involve:
 - (i) interference 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) exposure to view from any adjacent premises or from any public place of any unsightly matter, or
 - (iii) the provision of any essential service main of a greater capacity than that available in the locality, or
 - (iv) 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).

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 been required to be registered under the *Factories, Shops and*

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

Industries Act 1962 immediately before the repeal of sections 10–13 of that Act, and which does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference 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
- (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 resident), or
- (e) 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:

- (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 an hotelier's licence granted under the *Liquor Act 1982* relates.

housing for aged or disabled persons means residential accommodation which may take any building form and which is, or is intended to be, erected and used as housing for permanent accommodation by persons of or above the age of 55 years or disabled persons in accordance with *State Environmental Planning Policy No 5—Housing for Older People or People with a Disability*.

Cobar Local Environmental Plan 2001

Clause 5

Preliminary

Part 1

industry means the manufacturing, assembling, altering, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, processing or adapting of any goods or articles, but (in the Table to Part 2) does not include a land use elsewhere defined in this clause.

institution means a penal or reformative establishment.

intensive livestock keeping establishment means a building or place used to accommodate, in a confined area, and to rear or fatten (wholly or substantially) on prepared or manufactured feed, cattle, sheep, horses, goats, pigs, poultry or other livestock and exotic species and, without limiting the generality of that, includes:

- (a) feed lots, and
- (b) piggeries, and
- (c) poultry farms, and
- (d) places used for fish farming (including the farming of crustaceans),

but does not include animal boarding, breeding or training establishments, land used for the keeping of livestock or poultry intended solely for personal consumption or enjoyment by the owner or occupier of the land or emergency feeding as a result of a natural disaster, such as flood or bushfire.

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 used for the collecting, dismantling, storage, salvaging or abandonment of automobiles or other vehicles or machinery or for the sale of their parts.

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 area 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.

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

maintenance means the ongoing protective care of a heritage item or a building, work, tree, archaeological site or place within a heritage conservation area. It does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

manufactured home means a self contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area, and that also includes toilet and laundry facilities), being a dwelling:

- (a) that comprises one or more major sections that are each constructed and assembled away from any manufactured home estate on which it is situated, and
- (b) that is not capable of being registered under the *Road Transport (Vehicle Registration) Act 1997*, and
- (c) that, if it is to be installed on a manufactured home estate, must be transported to the estate for installation,

and includes any associated structures that form part of the dwelling.

medical centre means a building or place other than a dwelling house used for the purpose of providing professional health services (such as preventative care, diagnosis, medical or surgical treatment or counselling) to out-patients only.

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 obtaining any metal or mineral by any mode or method and 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 their vehicles, whether or not the building or buildings are also used in 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.

Cobar Local Environmental Plan 2001

Clause 5

Preliminary

Part 1

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 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 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, for example, noise) in a manner which would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.

parking space includes any garage or court available for use by vehicles.

place of Aboriginal heritage significance means:

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

place of assembly means a public hall, theatre, cinema, music hall, concert hall, dance hall, open air theatre, drive-in theatre, music bowl or any other building of a like character used as such, whether used for the purpose 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 church, chapel or other place of public worship or religious instruction or a place used for the purpose of religious training.

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

potential archaeological site means a site that in the opinion of the Council has the potential to have archaeological significance.

potential place of Aboriginal heritage significance means a place that in the opinion of the Council has the potential to have Aboriginal cultural heritage significance.

professional consulting rooms means a room or a number of rooms forming either the whole or part of, attached to or within the curtilage of, a dwelling house (whether or not the building is used for residential purposes) and used by not more than five professionally qualified consultants, and their support staff.

professionally qualified consultant means a person who holds appropriate tertiary educational qualifications and who provides services within the profession of law, medicine, dentistry, health care, accountancy, engineering, architecture, science, town planning, surveying, sociology, agriculture or agricultural economics or another discipline recognised within the community as a profession.

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 of the following undertakings carried on or permitted or suffered to be carried on by or by authority of any government department or agency or under the authority of or in pursuance of any Commonwealth or State Act:

- (a) railway, road transport, air transport or river undertakings,
- (b) undertakings for the supply of water, electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking includes a reference to a council, public authority, government department, corporation, firm or other authority carrying on the undertaking.

recreation area means:

- (a) a children's playground, or
- (b) 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:
 - (i) a public authority, or

Cobar Local Environmental Plan 2001

Clause 5

Preliminary

Part 1

-
- (ii) a body of persons associated for the purposes of the physical, cultural or intellectual welfare of persons within the community, but does not include a racecourse or a showground.

recreation establishment means health farms, religious retreat houses, rest homes, youth camps and the like, but (in the Table to Part 2) does not include a building or place elsewhere specifically defined in this clause or a building or place used or intended for use for a land use elsewhere specifically defined in this clause.

recreation facility means a building or place used for indoor recreation, a billiard saloon, table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley, fun parlour or any other building of a like character used for recreation, whether used for the purpose of gain or not, but does not include a place of assembly.

refreshment room means a restaurant, cafe, tearoom, eating house or the like.

relic means:

- (a) any deposit, object or material evidence (which may consist of human remains) that is more than 80 years old relating to the use or settlement of the local government area of Cobar and is attached to or within the ground, not being Aboriginal habitation, or
- (b) any deposit, object or material evidence (which may consist of human remains) of any age relating to Aboriginal habitation of the local government area of Cobar.

renovation of a building or work means:

- (a) the making of structural changes to the inside or outside of the building or work, or
- (b) the making of non structural changes to the fabric or appearance of the outside of the building or work, including changes that involve the repair or the painting, plastering, or other decoration of the outside of the building or work.

residential flats means three or more dwellings in a group or cluster and includes group homes, villa homes, town houses, terrace buildings and the like.

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

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 depot means a building or place used for the servicing, repair or parking of vehicles used for the purpose of a road transport undertaking, but does not include a road transport terminal.

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.

roadside stall means a building or place not exceeding 20 square metres in floor space or area respectively where only primary products produced on the property on which the building or place is situated are exposed or offered for sale or sold by retail.

rural entertainment facility means a building or place used for the purpose of sport and entertainment, such as paint ball, go-carts, golf driving practise, bicycle motor cross, horse trail rides, polo or polo cross and the like.

rural industry means handling, treating, processing or packing of primary products and includes the servicing in a workshop of plant or equipment used for rural purposes in the locality and also includes the processing, manufacture and distribution of products directly related to rural activities in the locality.

rural worker's dwelling means a dwelling which is on land on which there is already erected a dwelling and which is occupied by persons engaged in a rural occupation on that land.

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

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:

- (a) the sale by retail of spare parts and accessories for motor vehicles,
- (b) washing and greasing of motor vehicles,
- (c) installation of accessories for motor vehicles,

Cobar Local Environmental Plan 2001

Clause 5

Preliminary

Part 1

-
- (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 beating, spray painting or suspension, transmission or chassis restoration).

shop means a building or place used for selling, exposing or offering for sale by retail, goods, merchandise or materials, but (in the Table to Part 2) does not include a building or place elsewhere specifically defined in this clause, or a building or place used for a land use elsewhere specifically defined in this clause.

site area means the area of land to which an application for consent under the Act relates, but does not include any land on which the development to which the application relates is not allowed by this plan or such a consent.

stock and sale yard means a building or place used for the purpose of offering animals for sale and includes a public cattle market.

take-away food shop means a shop selling food for immediate consumption but operated in such a way that a proportion of the food sold is to be consumed elsewhere.

tavern means any premises specified in an hotelier's licence endorsed as a tavern granted under the *Liquor Act 1982*, which does not provide accommodation.

telecommunication facility means a building, structure, work or place (such as a radio mast, tower, earth station, cable, satellite dish or the like) used specifically for transmitting, receiving or passing on signals, but does not include a domestic structure.

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

the map means the set of maps marked "Cobar Local Environmental Plan 2001" as amended by the maps (or the 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, caravan park, holiday cabins, hotel, house boat, marina, motel, playground, refreshment room, water sport facilities, farm-stay accommodation or a club used in conjunction with any such facilities.

transport terminal means a building or place used as an airline terminal, a road transport terminal or a bus depot.

Clause 5 Cobar Local Environmental Plan 2001

Part 1 Preliminary

tree means any tree with a height exceeding 3 metres, with a trunk girth exceeding 0.5 metre at a height of 1 metre above the ground or with a branch spread exceeding 3 metres in diameter.

urban entertainment facility means a building or place used for the purpose of sport, entertainment, exhibitions or displays, and includes:

- (a) showgrounds, racecourses and the like, and
- (b) theatres, cinemas, music halls, concert halls, open air theatres, drive-in theatres and the like, and may include an educational function.

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.

veterinary clinic means a building or place used by a veterinary surgeon for the purpose of dealing with the prevention, care, treatment or alleviation of disease or injury in animals.

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.

- (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
 - (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 clause 8 is a reference to land shown on the map in the manner indicated in clause 8 as a means of identifying land of the zone so specified.
- (3) The list of contents of this plan is not part of this plan.
- (4) The notes in this plan are not part of this plan.

6 Consent authority

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

Cobar Local Environmental Plan 2001

Clause 7

Preliminary

Part 1

7 Classification and reclassification of public land as operational

The public land described in Schedule 2 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.

Clause 8 Cobar Local Environmental Plan 2001

Part 2 General controls for zoned land

Part 2 General controls for zoned land

8 What zones apply?

For the purposes of this plan, land to which this plan applies is within a zone specified below if the land is shown on the map in the manner specified below in relation to that zone:

Zone No 1 (a)—General Rural Zone—edged heavy black and lettered 1 (a)

Zone No 1 (b)—Rural Living Zone—edged heavy black and lettered 1 (b)

Zone No 1 (c)—Rural Residential Zone—edged heavy black and lettered 1 (c)

Zone No 1 (d)—Forests Zone—edged heavy black and lettered 1 (d)

Zone No 2 (a)—Residential A Zone—edged heavy black and lettered 2 (a)

Zone No 2 (b)—Residential B Zone—edged heavy black and lettered 2 (b)

Zone No 2 (e)—Village Zone—edged heavy black and lettered 2 (e)

Zone No 3 (a)—General Business Zone—edged heavy black and lettered 3 (a)

Zone No 4 (a)—General Industrial Zone—edged heavy black and lettered 4 (a)

Zone No 4 (b)—Airport and Industrial Zone—edged heavy black and lettered 4 (b)

Zone No 5 (a)—Special Use (Common) Zone—edged heavy black and lettered 5 (a)

Zone No 6 (a)—Open Space (Existing Recreation) Zone—edged heavy black and lettered 6 (a)

Zone No 7 (a)—Environment Protection (Regeneration) Zone—edged heavy black and lettered 7 (a)

Zone No 8 (a)—National Park and Nature Reserves Zone—edged heavy black and lettered 8 (a)

Cobar Local Environmental Plan 2001

Clause 9

General controls for zoned land

Part 2

9 Zone objectives and development control table

- (1) The objectives of a zone are set out in the Table to this Part under the heading "Objectives of zone" appearing in the matter relating to the zone.
- (2) Except as otherwise provided by this plan, in relation to land within a zone specified in the Table to this Part, the development that:
 - (a) may be carried out without development consent, or
 - (b) may be carried out only with development consent, or
 - (c) is prohibited,
 is specified under the headings "Without development consent", "Only with development consent" and "Prohibited", respectively, appearing in the matter relating to the zone.
- (3) Except as otherwise provided by this plan, consent must not be granted to the carrying out of development on land to which this plan applies unless the consent authority has considered the objectives of the zone applying to that land and the extent to which the proposed development is consistent with those objectives.
- (4) Despite subclause (3), nothing in this plan prohibits, restricts or requires development consent for, or allows the consent authority to prohibit or restrict, the use of existing buildings of the Crown by the Crown or the carrying out by public authorities of any development described in Schedule 3.
- (5) Despite any other provision of this plan (except subclause (4)), designated development may be carried out within a zone only with development consent. This subclause is subject to the provisions of any State environmental planning policy or regional environmental plan.

10 What is exempt and complying development?

- (1) Development of minimal environmental impact listed as exempt development in *Cobar Development Control Plan No 2*, as adopted by the Council on 14 December 2000, is exempt development, despite any other provision of this plan.
- (2) Development listed as complying development in *Cobar Development Plan Control No 2*, as adopted by the Council on 14 December 2000, is complying development if:

Clause 10 Cobar Local Environmental Plan 2001

Part 2 General controls for zoned land

- (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) it is not an existing use, as defined in section 106 of the Act.
- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by *Cobar Development Control Plan No 2*, as adopted by the Council on 14 December 2000.
- (4) A complying development certificate issued for any development is to be subject to the conditions for the development specified in *Cobar Development Control Plan No 2* adopted by the Council, as in force when the certificate is issued.

Table

Zone No 1 (a)—General Rural Zone

1 Objectives of zone

- (1) To promote the conservation of productive land for agricultural and grazing purposes.
- (2) To permit the development of appropriate agricultural land uses and prevent development of inappropriate non-agricultural land uses such as small lot rural residential subdivision.
- (3) To permit the development of mines, extractive, offensive and hazardous industries, but only in an environmentally and sustainable manner.
- (4) To permit some non-agricultural land uses and agricultural support facilities, such as rural supply industries, tourist facilities, farm stay facilities, and the like which are in keeping with other zone objectives and which will not have an adverse effect on agricultural productivity.

2 Without development consent

Development, except development within 50 metres, in a horizontal line, of the normal water level of the Lachlan River or Darling River, for the purpose of

Cobar Local Environmental Plan 2001

Clause 10

General controls for zoned land

Part 2

agriculture (other than use of intensive livestock keeping establishments); forestry; open space; rural buildings with a floor area less than 500m².

Exempt development.

3 Only with development consent

Any development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of boarding houses (other than in camps associated with mines, extractive industries or construction work); motor showrooms; residential flats; shops (other than general stores); warehouses.

Zone No 1 (b)—Rural Living Zone

1 Objectives of zone

- (1) To allow the development of rural residential allotments with a minimum area of 2 hectares.
- (2) To allow rural-residential development that will maintain the rural character of the land within the zone.
- (3) To provide for the creation of rural-orientated living areas by allowing the subdivision of land into a variety of small allotment sizes.
- (4) To ensure that the type and intensity of development is appropriate, having regard to the characteristics of the land and the rural environment so as to protect the environment and allow development in a sustainable manner.
- (5) To provide for a style of rural living which is not appropriate to urban areas.

2 Without development consent

Development for the purpose of forestry; livestock grazing; open space.

Exempt development.

Clause 10 Cobar Local Environmental Plan 2001

Part 2 General controls for zoned land

3 Only with development consent

Any development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of boarding houses; brothels; commercial premises; cropping; hotels; institutions; intensive livestock keeping establishments; junk yards; liquid fuel depots; motels; motor showrooms; offensive or hazardous industries; refreshment rooms; residential flats; sawmills; shops; stock and sale yards.

Zone No 1 (c)—Rural Residential Zone

1 Objectives of zone

- (1) To allow the development of rural residential allotments with a minimum size of 1 hectare.
- (2) To provide for development of a residential nature.
- (3) To provide for development having a rural character.
- (4) To provide for a style of residential living that complements the urban areas.

2 Without development consent

Exempt development.

3 Only with development consent

Any development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of boarding houses; brothels; commercial premises; cropping; hotels; institutions; intensive livestock keeping establishments; junk yards; liquid fuel depots; motels; motor showrooms; offensive or hazardous industries; refreshment rooms; residential flats; sawmills; shops; stock and sale yards.

Cobar Local Environmental Plan 2001

Clause 10

General controls for zoned land

Part 2

Zone No 1 (d)—Forests Zone

1 Objectives of zone

- (1) To recognise and define the boundaries of existing State forests.
- (2) To permit the continued use of State forests for forestry purposes and other uses authorised by the *Forestry Act 1916*.

2 Without development consent

Any development authorised under the *Forestry Act 1916*, and any development ordinarily incidental or ancillary to such development (including roads constructed by or on behalf of the Forestry Commission of New South Wales).

3 Only with development consent

Development for the purpose of agriculture (other than use of intensive livestock keeping establishments); bio solid waste application; extractive industries; mines; open space; roads (other than roads constructed by or on behalf of the Forestry Commission of New South Wales).

4 Prohibited

Any development not included in Item 2 or 3.

Zone No 2 (a)—Residential A Zone

1 Objectives of zone

- (1) To protect and improve residential amenity, encourage appropriate infill development and preserve the scale and character of residential areas.
- (2) To encourage a variety of housing types, including single dwellings and residential flats which are compatible with existing residential densities.

Clause 10 Cobar Local Environmental Plan 2001

Part 2 General controls for zoned land

- (3) To allow development for the purpose of convenience shops, not exceeding 100 square metres in gross floor area, to provide for the minor incidental shopping needs of the residents.
- (4) To allow environmentally insignificant forms of non-residential development which do not unduly interfere with the amenity of the surrounding area and which provide services for the residents of the zone or are ancillary to the residential use of land.

2 Without development consent

Exempt development.

3 Only with development consent

Any development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of agriculture; automotive businesses; brothels; bulk stores; car repair stations; commercial premises; extractive industries; forestry; generating works; helipads; heliports; hotels; industries (other than home industries); institutions; junk yards; liquid fuel depots; mines; motor showrooms; places of public assembly (other than community facilities); recreation establishments; refreshment rooms; roadside stalls; sawmills; service stations; stock and sale yards; taverns; transport terminals; warehouses.

Zone No 2 (b)—Residential B Zone

1 Objectives of zone

- (1) To provide for a mixture of residential and business uses.
- (2) To provide areas that have exposure for the development of commercial business.
- (3) To allow for the development of premises that provide services for tourist facilities.

Cobar Local Environmental Plan 2001

Clause 10

General controls for zoned land

Part 2

(4) To provide a range of facilities that can service the surrounding residential areas.

2 Without development consent

Exempt development.

3 Only with development consent

Any development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of agriculture; brothels; extractive industries; forestry; generating works; helipads; heliports; hotels; industries (other than home industries); institutions; junk yards; liquid fuel depots; mines; offensive or hazardous industries; roadside stalls; rural industries; sawmills; stock and sale yards.

Zone No 2 (e)—Village Zone

1 Objectives of zone

To allow for future development of residential, commercial or light industry associated with residents of the villages and the surrounding rural areas.

2 Without development consent

Exempt development.

3 Only with development consent

Any development other than development that is not included in Item 2 or 4.

4 Prohibited

Development for the purpose of all industries (other than light industries); intensive livestock keeping establishments.

Clause 10 Cobar Local Environmental Plan 2001

Part 2 General controls for zoned land

Zone No 3 (a)—General Business Zone

1 Objectives of zone

- (1) To accommodate a mixture of business land uses.
- (2) To provide areas that have high commercial exposure for the development of business.
- (3) To allow the development and expansion of a diverse range of commercial land uses located to maximise business and community advantage.
- (4) To allow the development of facilities that can provide services for tourists.

2 Without development consent

Exempt development.

3 Only with development consent

Any development other than development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of agriculture; extractive industries; forestry; generating works; junk yards; liquid fuel depots; mines; offensive or hazardous industries; rural industries; sawmills; stock and sale yards.

Zone No 4 (a)—General Industrial Zone

1 Objectives of zone

- (1) To encourage the establishment of industries outside areas used or zoned for residential or business purposes by setting aside areas of land where a broad range of industrial purposes may be permitted.
- (2) To enable minor convenience retail services to cater for the incidental shopping and business needs of the labour force and of business within the zone.

Cobar Local Environmental Plan 2001

Clause 10

General controls for zoned land

Part 2

2 Without development consent

Exempt development.

3 Only with development consent

Any development other than development not included in Item 2 or 4.

4 Prohibited

Development for the purpose of boarding houses; dwelling houses; general stores; hospitals; institutions; places of assembly; residential flats; shops (other than those listed in Schedule 4); units for aged or disabled persons.

Zone No 4 (b)—Airport and Industrial Zone

1 Objectives of zone

- (1) To facilitate the development and expansion of Cobar Airport, the relocation of industrial and transport-related activities to more appropriate land use zones and to complement the airport facilities.
- (2) To allow for light industrial and service uses which are compatible with adjacent land uses and are unlikely to adversely affect residential amenity or place demands on services beyond the level reasonably required for residential use.
- (3) To facilitate the provision of a range of employment opportunities appropriate to the diverse needs of the community.
- (4) To provide for the protection of habitats.

2 Without development consent

Exempt development.

3 Only with development consent

Any development other than development not included in Item 2 or 4.

Clause 10 Cobar Local Environmental Plan 2001

Part 2 General controls for zoned land

4 Prohibited

Development for the purpose of agriculture; boarding houses; brothels; caravan parks; dwellings (other than industrial dwellings or caretaker premises); institutions; intensive livestock keeping establishments; junk yards; motels; offensive or hazardous industries; residential flats; sawmills; stock and sale yards.

Zone No 5 (a)—Special Use (Common) Zone

1 Objectives of zone

- (1) To identify land that is proclaimed as a common.
- (2) To provide an area for the grazing of animals which are owned by commoners.
- (3) To provide for recreation areas as permitted by the *Commons Management Act 1989*.
- (4) To provide for future use and management in a sustainable manner.

2 Without development consent

Development for the purpose of livestock grazing.

3 Only with development consent

Development for the purpose of recreation (as permitted by the *Commons Management Act 1989*); mining.

4 Prohibited

Any development not included in Item 2 or 3.

Zone No 6 (a)—Open Space Existing Recreation Zone

1 Objectives of zone

To provide land for a variety of recreational pursuits.

2 Without development consent

Development for the purpose of landscaping; public parks and gardens.

Cobar Local Environmental Plan 2001

Clause 10

General controls for zoned land

Part 2

3 Only with development consent

Development for the purpose of drainage; recreation areas; recreation establishments, recreation facilities; roads; utility installations (other than gas holders or generating works).

4 Prohibited

Any development not included in Item 2 or 3.

Zone No 7 (a)—Environment Protection (Regeneration) Zone

1 Objectives of zone

- (1) To protect and preserve the landscape and environment of the zone.
- (2) To allow the regeneration of native flora.
- (3) To provide habitat for native fauna.
- (4) To reduce the effect of dust storms on the town of Cobar.
- (5) To protect the Cobar water storage catchment.

2 Without development consent

Nil.

3 Only with development consent

Development for the purpose of mineral exploration; mining; public utility undertakings; recreation areas complying with a plan of management; roads.

4 Prohibited

Any development not included in Item 3.

Clause 10 Cobar Local Environmental Plan 2001

Part 2 General controls for zoned land

Zone No 8 (a)—National Park and Nature Reserves Zone

1 Objectives of zone

- (1) To identify land which is reserved or dedicated under the *National Parks and Wildlife Act 1974* as national parks or nature reserves.
- (2) To allow for the management and appropriate use of the land as provided for by and under the *National Parks and Wildlife Act 1974*.

2 Without development consent

Development authorised by or under the *National Parks and Wildlife Act 1974*.

3 Only with development consent

Development for the purpose of public utility undertakings; roads.

4 Prohibited

Any development not included in Item 2 or 3.

Cobar Local Environmental Plan 2001

Clause 11

Special considerations relating to development of land

Part 3

Part 3 Special considerations relating to development of land

11 Development within the General Rural Zone

- (1) Consent must not be granted to development on land within Zone No 1 (a) unless the consent authority has taken into consideration, if relevant, the effect of the carrying out of that development on:
 - (a) the present use of the land, the potential use of the land for the purposes of agriculture and the potential of any of the land that is prime crop and pasture land for sustained agricultural production, and
 - (b) vegetation, timber production, land capability (including soil resources and soil stability) and water resources (including the quality and stability of water courses and ground water storage), and
 - (c) the future recovery from known or prospective areas of valuable deposits of minerals, coal, petroleum, sand, gravel or other extractive materials, and
 - (d) the protection of areas of significance for nature conservation or of high scenic or recreational value, and places and buildings of archaeological or heritage significance, including Aboriginal relics and places, and
 - (e) the cost of providing, extending and maintaining public amenities and services to the development, and
 - (f) future expansion of settlements in the locality.
- (2) As well as the matters referred to in subclause (1), the consent authority must take into consideration the relationship of the development to development on adjoining land and on other land in the locality.

12 Development within the Rural Living Zone and Airport and Industrial Zone

- (1) Consent must not be granted to development on land in Zone No 1 (b) or 4 (b) unless the consent authority has made an assessment, where relevant, of the effect of the carrying out of that development on the optimum operational capability of Cobar Airport.

Clause 12 Cobar Local Environmental Plan 2001

Part 3 Special considerations relating to development of land

- (2) Consent must not be granted to development on land in Zone No 1 (a), 1 (b) or 4 (b) unless the consent authority has made an assessment, where relevant, of the effect of the carrying out of that development on the protection of areas of significance for nature conservation, or of high scenic or recreational value and on the protection of Aboriginal relics and places.
- (3) Subclauses (1) and (2) do not apply to the erection of a dwelling house on an allotment of land created in accordance with this plan for the purpose of a dwelling house.

13 Development in the Cobar Airport environs

- (1) Consent must not be granted to development on land for which an Australian Noise Exposure Forecast (ANEF) has been prepared, and the contours of which are shown on a map that is held in the Council's office, for:
 - (a) residential purposes, where the ANEF exceeds 25, or
 - (b) schools, hospitals, churches or theatres, where the ANEF exceeds 20, or
 - (c) hotels, motels, offices or public buildings, where the ANEF exceeds 30.
- (2) However, the Council may grant consent to development:
 - (a) for residential purposes, where the ANEF is between 20 and 25, or
 - (b) for the purpose of hotels, motels, offices or public buildings, where the ANEF is between 25 and 30, or
 - (c) for the purpose of commercial or industrial premises, where the ANEF exceeds 30,

as identified by the "Cobar Airport Australian Noise Exposure Forecast Plan", held in the Council's office, where measures are taken to ensure that interior noise levels of that development accord with the provisions of AS 2021-1994 entitled "Acoustics—Aircraft noise intrusion—Building siting and construction" published by Standards Australia in 1994.

14 Development on land within the Open Space (Existing Recreation) Zone

Consent must not be granted to the carrying out of development on land within Zone No 6 (a), being land owned or controlled by the Council, unless the consent authority has considered:

Cobar Local Environmental Plan 2001

Clause 14

Special considerations relating to development of land

Part 3

-
- (a) the need for the proposed development on that land, and
 - (b) the impact of the proposed development on the existing or likely future use of the land, and
 - (c) the need to retain the land for its existing or likely future use.

15 Development along arterial roads

Consent must not be granted to the carrying out of development on land, which has frontage to an arterial road unless, in the opinion of the consent authority, the safety and efficiency of the arterial road will not be adversely affected by:

- (a) the design of the access to the proposed development, or
- (b) the emission of smoke or dust from the proposed development, or
- (c) the nature, volume or frequency of vehicles using the arterial road to gain access to the proposed development.

Note. All traffic-generating development with access to an arterial road must comply with the requirements of *State Environmental Planning Policy No 11—Traffic Generating Developments*.

Clause 16 Cobar Local Environmental Plan 2001

Part 4 Subdivision of land

Part 4 Subdivision of land

16 Subdivision of land generally

- (1) Development consent is required to subdivide land.
- (2) Consent must not be granted for a subdivision if the area or road frontage of an allotment created by the subdivision is less than that shown in the Table below.

Zone	Minimum area	Minimal road frontage
1 (b) Rural Living	2 ha	60 m
1 (c) Rural Residential	1 ha	30 m
2 (a) Residential A	464 m ²	18.5 m
2 (b) Residential B	464 m ²	18.5 m
2 (e) Village	1,000 m ²	18.5 m
3 (a) General Business	100 m ²	5 m
4 (a) General Industrial	1,000 m ²	25 m
4 (b) Airport and Industrial	2,000 m ²	25 m

- (3) Consent must not be granted to subdivision unless the consent authority is satisfied that the land will be adequately serviced with basic utility services.

17 Subdivision within the General Rural Zone

Consent must not be granted to a subdivision within Zone No 1 (a) if it creates a lot that is less than 1,000 hectares in area unless the consent authority is satisfied that:

- (a) the lots created are suitable for and capable of sustaining the proposed use of the land, and
- (b) that use of the land is appropriate to the locality, and
- (c) prime crop and pasture land is maintained, and
- (d) any services can be provided economically, and
- (e) the minimum road frontage is 200 metres, and
- (f) an adequate water supply is available, and

Cobar Local Environmental Plan 2001

Clause 17

Subdivision of land

Part 4

- (g) adverse on-site and off-site impacts on the environment and any other sector of the community have been minimised, and
- (h) the proposed use is financially viable and ecologically sustainable as evidenced by a farm plan.

18 Subdivision within the Rural Living and Rural Residential Zones

Consent must not be granted to a subdivision of land within Zone No 1 (b) or 1 (c) unless the consent authority has taken into consideration:

- (a) whether the design of the subdivision is appropriate to a rural location and sympathetic with the environmental characteristics of the land and the cost of providing public services and amenities, and
- (b) the desirability of providing a range and mixture of allotment sizes to meet various individual needs and to ensure that the density of development is compatible with land capability (including soil resources and soil stability), natural constraints and hazards of the land, and
- (c) the need to conserve trees and natural vegetation where conservation of the vegetation is relevant to retaining scenic amenity or natural habitat or is likely to control land degradation.

19 Dwellings in the General Rural Zone

- (1) A dwelling house may be erected on vacant land within Zone No 1 (a), but only with consent and where the land:
 - (a) comprises the whole of an existing holding, or
 - (b) is an allotment created in accordance with clause 17, or
 - (c) is an allotment created in accordance with a development consent granted in accordance with a previous environmental planning instrument, or deemed environmental planning instrument, being an allotment on which a dwelling could have been erected immediately before the appointed day.
- (2) A dwelling may be erected, with development consent, on land that contains an existing habitable dwelling house where it is intended to replace the existing dwelling house which shall be either demolished or altered so that it may be used for an outbuilding or other use allowed within the zone, but not as a dwelling.

Clause 19 Cobar Local Environmental Plan 2001

Part 4 Subdivision of land

- (3) Consent may be granted to one additional dwelling to be occupied by a rural worker or relative of the owner on land to which subclause (1) (a), (b) or (c) applies if the dwelling shares a common access to a public road.
- (4) Consent must not be granted to a dwelling:
- (a) on land which is unsewered, unless the consent authority is satisfied that the land is suitable for the disposal of effluent arising from the use of the land, or
 - (b) on prime crop and pasture land, unless the dwelling is essential to the use of the land for agriculture and no reasonable alternative exists.

Cobar Local Environmental Plan 2001

Clause 20

Heritage provisions

Part 5

Part 5 Heritage provisions

20 Objectives

The objectives of this plan in relation to heritage are:

- (a) to conserve the environmental heritage of the local government area of Cobar, and
- (b) to conserve the heritage significance of existing significant fabric, relics, settings and views associated with the heritage significance of heritage items and heritage conservation areas, and
- (c) to ensure that archaeological sites and places of Aboriginal cultural significance are conserved, and
- (d) to allow for the protection of places which have the potential to have heritage significance but are not identified as heritage items by an environmental planning instrument, and
- (e) to ensure that the heritage conservation areas throughout Cobar retain their heritage significance.

21 Protection of heritage items

- (1) The following development may be carried out only with development consent:
 - (a) demolishing or moving a heritage item,
 - (b) altering a heritage item by making structural or non-structural changes to its exterior, including changes to the detail, fabric, finish or appearance of its exterior,
 - (c) altering a heritage item by making structural changes to its interior,
 - (d) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
 - (e) moving the whole or a part of a heritage item,
 - (f) erecting a building on, or subdividing, land upon which a heritage item is located.

Clause 21 Cobar Local Environmental Plan 2001

Part 5 Heritage provisions

- (2) Development consent is not required by this clause if, in the opinion of the Council:
- (a) the proposed development is of a minor nature or consists of maintenance of the item, and
 - (b) the proposed development would not adversely affect the significance of the heritage item, and
 - (c) the proponent has notified the Council in writing of the proposed work and the Council has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development will comply with this exception and that development consent is not required by any other clause in this plan.
- (3) Development consent is not required by this clause for:
- (a) the creation of a new grave or monument, or
 - (b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers,
- in a cemetery or burial ground where there will be no disturbance to human remains, relics in the form of grave goods including personal effects or to a place of Aboriginal heritage significance.
- (4) Before granting a consent required by this clause, the consent authority must assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item concerned. This is to include (but is not limited to) an assessment of:
- (a) the heritage significance of the item as part of the environmental heritage of the local government area of Cobar, and
 - (b) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and
 - (c) the measures proposed to conserve the heritage significance of the item and its setting, and
 - (d) whether any archaeological site or potential archaeological site would be adversely affected, and
 - (e) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision, and

Cobar Local Environmental Plan 2001

Clause 21

Heritage provisions

Part 5

-
- (f) any submission received in relation to the proposed development in response to the notification or advertising of the application.
 - (5) Before granting a development consent required by this clause, the consent authority:
 - (a) must consider a heritage impact statement which includes an assessment of the matters raised in subclause (5) (a)–(e), as the case may require, and
 - (b) where it requires that a conservation management plan should also be considered, may refuse to grant the consent unless it has considered a conservation management plan.

22 Notification of demolition to the Heritage Council

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

23 Development of places of Aboriginal heritage significance or of known or potential archaeological sites of Aboriginal cultural significance

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

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

Clause 24 Cobar Local Environmental Plan 2001

Part 5 Heritage provisions

24 Development of other known or potential archaeological sites

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

25 Development in the vicinity of a heritage item

- (1) Before granting consent to development in the vicinity of a heritage item, including work:
 - (a) which may affect its setting, such as by obscuring a significant view to or from the heritage item or by overshadowing it, or
 - (b) which may undermine or otherwise cause physical damage to the heritage item, or
 - (c) which will otherwise have an adverse impact on the heritage significance of a heritage item,the consent authority must assess the impact of the proposed development on the heritage significance of the heritage item.
- (2) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.

Cobar Local Environmental Plan 2001

Clause 25

Heritage provisions

Part 5

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

26 Conservation incentives

Consent may be granted to the use for any purpose of a building that is a heritage item, or of the land on which a building that is a heritage item is erected, even though the use would otherwise not be allowed by this plan, if the consent authority is satisfied that:

- (a) the retention of the heritage item depends on the granting of consent, and
- (b) the proposed use is in accordance with a conservation management plan which has been endorsed by the Council, and
- (c) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and
- (d) the proposed use would not adversely affect the heritage significance of the heritage item or its setting, and
- (e) the proposed use would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.

Clause 27 Cobar Local Environmental Plan 2001

Part 6 Special environmental considerations

Part 6 Special environmental considerations

27 Environmentally sensitive land

- (1) The objectives of this clause are:
 - (a) to reduce soil erosion and other land degradation,
 - (b) to reduce the loss of scenic amenity, and
 - (c) to reduce the loss of important vegetation systems or wildlife habitats.
- (2) The land identified in Schedule 5 is environmentally sensitive land.
- (3) Consent must not be granted to development of environmentally sensitive land unless the consent authority is satisfied that:
 - (a) effective measures have been incorporated into the proposal to minimise the impact on the environmentally sensitive land after consideration of the following:
 - (i) the impact on the scientific and natural significance of the environmentally sensitive land,
 - (ii) the loss of important vegetation systems, natural wildlife habitats and corridors, including threatened species, populations or ecological communities,
 - (iii) the risk of soil erosion or other land degradation,
 - (iv) the loss of scenic amenity, and
 - (b) the development is consistent with attaining the objectives of this clause.

28 Flood prone land

- (1) Despite any other provision of this plan, development consent is required to erect a building or carry out a work on flood prone land.
- (2) The aims of this plan in relation to flood prone land are:
 - (a) to ensure that the floor level of those parts of a building used for human habitation are constructed at least 500mm above the highest water level calculated or established in determining that the land is flood prone land, and
 - (b) that the buildings on any such land are designed to withstand the impact of flooding.

Cobar Local Environmental Plan 2001

Clause 28

Special environmental considerations

Part 6

-
- (3) Before consenting to development on flood prone land, the consent authority must consider the following:
- (a) the potential for interference with natural periodic flooding of the floodplain and the distribution of flood waters across the floodplain,
 - (b) the potential for pollution in the event of a flood,
 - (c) the immediate and cumulative impact of the proposed development on flood flows.

29 Land subject to bushfire hazards

Consent must not be granted to development within Zone No 1 (a) or 1 (b) on land which is subject to bushfire hazards by reason of the vegetation on the land or on any adjacent land unless, in the opinion of the consent authority:

- (a) adequate provision is made for access for fire fighting vehicles, and
- (b) adequate safeguards are adopted in the form of fire breaks, and
- (c) adequate water supplies are available for fire fighting purposes.

Clause 30 Cobar Local Environmental Plan 2001

Part 7 Miscellaneous special provisions

Part 7 Miscellaneous special provisions

30 What development must be advertised?

The following development is identified as advertised development:

- (a) the demolition of a heritage item, and
- (b) the carrying out of any development allowed by clause 26 (relating to conservation incentives), and
- (c) development described in Schedule 6 proposed to be carried out on land within a zone specified in Schedule 6 in relation to that development, other than development involving alterations or additions to any existing building which alterations or additions are, in the opinion of the Council, of a minor nature and do not to any significant extent adversely affect the existing or likely future amenity of the neighbourhood.

31 Community use of school sites etc

- (1) This clause applies to all land on which development for the purpose of schools, colleges or other educational establishments may be carried out.
- (2) Despite any other provision of this plan, consent may be granted to:
 - (a) the community use of the facilities and sites of schools, colleges, and other educational establishments, and
 - (b) the commercial operation of those facilities and sites, and
 - (c) the carrying out of development for community purposes on land used for the purpose of schools, colleges or other educational establishments, whether or not the development is ancillary to any such use on land to which this clause applies.

32 Roads, drainage, recreational areas and parking

- (1) Nothing in this plan prevents the Council from carrying out, or requires the Council to obtain its own consent to carry out, development on land within the local government area of Cobar for the purpose of roads, stormwater drainage, recreational areas, landscaping, gardening, bushfire hazard reduction, amenities buildings or parking.

Cobar Local Environmental Plan 2001

Clause 32

Miscellaneous special provisions

Part 7

-
- (2) A person other than the Council may, with the consent of the Council, carry out development referred to in subclause (1) on land within the local government area of Cobar.

33 Storm water drainage

- (1) The carrying out of a work that will result in the disposal of storm water into any river requires development consent.
- (2) Development consent may be granted to a work that will result in the disposal of storm water into a river only if the water will be subjected to measures, satisfactory to the Council, designed to reduce litter, suspended solids, nutrients and other substances that might adversely affect the river.

34 Irrigated development

- (1) Despite any other provision of this plan, development consent is required for:
- (a) any irrigated development, including agriculture involving irrigation, where the proposed development is to be carried out on land that has the benefit of a licence to irrigate issued under any Act or regulation, and
 - (b) the construction of the irrigation system required to carry out that development.
- (2) Development consent is also required for the drainage of wetlands, cowals, swamps or bogs.
- (3) A consent required by this clause must not be granted unless the consent authority has made an assessment of:
- (a) the potential for the development to impact on:
 - (i) a water body, or
 - (ii) ground water quality and resources, or
 - (iii) stormwater drainage, or
 - (iv) the flow of flood water, including likely effects of flooding on adjoining land and other land in the locality, or
 - (v) access to private property or public land, and
 - (b) measures required to mitigate possible impacts.

Cobar Local Environmental Plan 2001

Schedule 1 Items of environmental heritage

Schedule 1 Items of environmental heritage

(Clause 5 (1))

Barton Street

- (1) Police Station and Barracks, 1886, J. Barnett, being lot 9 of section 1 in DP 459.
- (2) Police Station, Lock-up and Cells, 1886, J. Barnett. (Part of the Courthouse Group), being lot 10 of section 1 in DP 459.
- (3) Courthouse, 1887, J. Barnett. (Part of the Courthouse Group), being lot 11 of section 1 in DP 459.
- (4) Church of England, being lots 13 and 14 of section 1 in DP 459.
- (5) Fire Station, being lot 15 of section 1 in DP 459.
- (6) Uniting Church (former Methodist Church), being lot 17 of section 1 in DP 459.
- (7) Professional offices (former Tattersalls then Court House Hotel), corner Broomfield Street, being lot 11 in DP 627815.

Becker Street

- (8) Dwelling house (former Presbyterian Manse), being lots 1 and 2 of section 1 in DP 459.
- (9) CSIRO, Soil Research Division (former School of Arts), being lot 5 of section 3 in DP 2659.

Blakey Street

- (10) Schoolmaster's residence, being part lots 64 and 65.

Bourke Street

- (11) Masonic Hall (former Band Hall 1905), being part lot 85.

Brough Street

- (12) Dwelling house, being lot 2 of section 9 in DP 3177.

Linsley Street

- (13) Hotel Corner, Marshall Street, Great Western Hotel 1895, being part lot 112 of section 8 in DP 459.
- (14) Bulk store (former Wright Heaton Bulk Store), being lots 1 and 2 of section 2 in DP 2659.

Cobar Local Environmental Plan 2001

Items of environmental heritage

Schedule 1

(15) Cobar Post Office being lot 7 of section 4 in DP 459.

(16) Municipal Council Chambers, being lot 82 in DP 539846.

Murray Street

(17) Dwelling house, corner Bradley Street, being lot 2 in DP 521345.

(18) Dwelling house, being lots 27 and 30 in DP 599.

(19) Dwelling house, being lots 20 and 21 in DP 599.

Nyngan Road

(20) Cobar Pastoral and Mining Technological Museum, 1910, (former Mining Administration Offices, Great Cobar Mines).

Prince Street

(21) Building (former Roman Catholic Presbytery circa 1880), being lot 93 in DP 599.

(22) St. Lawrence O'Toole Roman Catholic Church, being lot 124 in DP 599.

(23) Sisters of Mercy Convent and Classrooms 1884, being lots 123, 125 and 126 in DP 599.

South Railway Parade

(24) Railway Station.

Fort Bourke Hill

(25) Towser's Huts.

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

Schedule 2 Land classified as operational

(Clause 7)

No	Lot	Section	DP	Street	Location	Description
0001	18	1	459	45 Barton Street	Cobar	Surgery
0002	1		105639	45 Barton Street	Cobar	Surgery
0003	1		913246	45 Barton Street	Cobar	Dwelling
0004	1		344526	37 Barton Street	Cobar	Dwelling
0005	34		236049	5 Barton Street	Cobar	Shire Hall
0006	2		513634	5 Barton Street	Cobar	Shire Hall
0007	3		513634	5 Barton Street	Cobar	Shire Hall
0008	1		922862	5 Barton Street	Cobar	Shire Hall
0009	2		860711	4 Bannister Court	Cobar	Vacant Land
0010	3		860711	6 Bannister Court	Cobar	Vacant Land
0011	14		860711	5 Bannister Court	Cobar	Vacant Land
0012	395		43254	105 Marshall Street	Cobar	Vacant Land
0013	161		611489	11 Becker Street	Cobar	Arts Building
0014				Belagoy Street	Cobar	Pump Station
0015	161		611489	11 Becker Street	Cobar	Arts Building
0016				Belagoy Street	Cobar	Pump Station
0017	7		262665	8 Belagoy Street	Cobar	Dwelling
0018	33		807694	17 Blakey Street	Cobar	Dwelling
0019	100		575642	2/4 Blakey Street	Cobar	Depot
0020	1		213195	Cycle Track & Part Ward Oval	Cobar	Ward Oval
0021	1		216151	Cycle Track & Part Ward Oval	Cobar	Ward Oval
0022	101		575642	Cycle Track & Part Ward Oval	Cobar	Ward Oval
0023	4		213415	4 Booroomugga Street	Cobar	Dwelling

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0024	8		213415	6 Booroomugga Street	Cobar	Pre School
0025	17		213415	6 Booroomugga Street	Cobar	Ward Oval Drain Easement
0026	31		22820	2 Brennan Street	Cobar	Scout Hall
0027	373		755649	48 Brough Street	Cobar	Dwelling
0028	9		786152	Campbell Street	Cobar	Vacant Land
0029	10		786152	Campbell Street	Cobar	Vacant Land
0030	2		786152	Campbell Street	Cobar	Industrial Reserve Pump Station
0031	30		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant land
0032	33		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0033	34		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0034	35		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0035	36		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0036	37		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0037	39		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0038	40		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0039	41		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0040	42		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0041	43		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0042	44		786152	Cornish, Wrightville and Dapville Streets & Brickworks Road	Cobar	Vacant Land
0043	45		786152	Cornish Street & Brickworks Road	Cobar	Vacant Land
0044	1	E	4852	22 Cowper Street	Cobar	Pump Station
0045	13		228086	Elizabeth Crescent	Cobar	Vacant Land
0046	72		860711	Elizabeth Crescent	Cobar	Vacant Land
0047	54		860711	Elizabeth Crescent	Cobar	Pump Station
0048	32		807694	28 Harcourt Street	Cobar	Surgery
0049	1		822678	24–26 Harcourt Street	Cobar	Vacant Land
0050	2		622678	24–26 Harcourt Street	Cobar	Surgery & Dwelling
0051	48		860711	3 Hogan Place	Cobar	Vacant Land
0052	49		860711	5 Hogan Place	Cobar	Vacant Land
0053	50		860711	7 Hogan Place	Cobar	Vacant Land
0054	51		860711	6 Hogan Place	Cobar	Vacant Land
0055	52		860711	4 Hogan Place	Cobar	Vacant Land
0056	20		860711	4 James Place	Cobar	Vacant Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0057	21		860711	6 James Place	Cobar	Vacant Land
0058	22		860711	8 James Place	Cobar	Vacant Land
0059	23		860711	10 James Place	Cobar	Vacant Land
0060	28		860711	20 James Place	Cobar	Vacant Land
0061	29		860711	22 James Place	Cobar	Vacant Land
0062	32		860711	21 James Place	Cobar	Vacant Land
0063	33		860711	19 James Place	Cobar	Vacant Land
0064	34		860711	17 James Place	Cobar	Vacant Land
0065	35		860711	15 James Place	Cobar	Vacant Land
0066	36		860711	13 James Place	Cobar	Vacant Land
0067	37		860711	11 James Place	Cobar	Vacant Land
0068	39		860711	7 James Place	Cobar	Vacant Land
0069	40		860711	5 James Place	Cobar	Vacant Land
0070	41		860711	3 James Place	Cobar	Vacant Land
0071	1		455250	7 Lewis Street	Cobar	Youth Centre
0072	2		455250	7 Lewis Street	Cobar	Youth Centre
0073	1		24250	26 Linsley Street	Cobar	Cobar Aged Persons Building
0074	1		538453	26 Linsley Street	Cobar	Cobar Aged Persons Building
0075	1		3570	26 Linsley Street	Cobar	Cobar Aged Persons Building
0076	2		3570	26 Linsley Street	Cobar	Cobar Aged Persons Building
0077	4		3570	26 Linsley Street	Cobar	Cobar Aged Persons Building
0078	1		241665	26 Linsley Street	Cobar	Cobar Aged Persons Building

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0079	1		652837	26 Linsley Street	Cobar	Cobar Aged Persons Building
0080	152		602716	Harcourt Street	Cobar	Stadium
0081	8		2824	Harcourt Street	Cobar	Stadium
0082	7B		328970	Harcourt Street	Cobar	Stadium
0083	4		214174	Lewis Street	Cobar	Basket Ball Courts
0084	42		582543	36 Linsley Street	Cobar	Chambers
0085	2		1252	53 Linsley Street	Cobar	Dwelling
0086	3		1252	53 Linsley Street	Cobar	Dwelling
0087	4		1252	53 Linsley Street	Cobar	Dwelling
0088	5		1252	53 Linsley Street	Cobar	Dwelling
0089	6		1252	53 Linsley Street	Cobar	Dwelling
0090	1		455251	53 Linsley Street	Cobar	Dwelling
0091	109		599	Prince Street	Cobar	Pool
0092	110		599	Prince Street	Cobar	Pool
0093	111		599	Prince Street	Cobar	Pool
0094	112		599	Prince Street	Cobar	Pool
0095	113		599	Prince Street	Cobar	Pool
0096	114		599	Prince Street	Cobar	Pool
0097	432		823909	Railway Parade	Cobar	SES Shed
0098	433		823909	Railway Parade	Cobar	Vacant
0099	11		260360	1 Rosewood Place	Cobar	Dwelling
0100	81		261594	34 Tindera Street	Cobar	Dwelling
0101	61		860711	10 Wood Street	Cobar	Vacant Land
0102	62		860711	12 Wood Street	Cobar	Vacant Land
0103	63		860711	14 Wood Street	Cobar	Vacant Land
0104	84		860711	16 Wood Street	Cobar	Vacant Land
0105	65		860711	23 Wood Street	Cobar	Vacant Land
0106	66		860711	21 Wood Street	Cobar	Vacant Land
0107	68		860711	17 Wood Street	Cobar	Vacant Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0108	69		860711	15 Wood Street	Cobar	Vacant Land
0109	1		602387	Sewage Pump Station, Ward Oval	Cobar	Sewage Pump Station
0110	437		46134		Cobar	Reserve for Bush Fire Brigade purposes
0111	82		539846	43 Linsley Street	Cobar	Old Chambers
0112	2		521050	9 Maidens Avenue	Cobar	Dwelling
0113	12		630316	9 Maidens Avenue	Cobar	Dwelling
0114	21		236208	39 Marshall Street	Cobar	Commercial Premises
0115	22		236208	39 Marshall Street	Cobar	Library
0116	317		755649	101 Marshall Street	Cobar	Caravan Park
0117	273		755649	101 Marshall Street	Cobar	Caravan Park
0118	19		262071	4 Mulga Place	Cobar	Dwelling
0119	19		860711	23 Nullamutt Street	Cobar	Duplex
0120	43		860711	27 Nullamutt Street	Cobar	Vacant Land
0121	46		860711	33 Nullamutt Street	Cobar	Duplex
0122	102		615721	2 Nullamutt Street	Cobar	Lilliane Brady Village
0123	1		780264	Nyngan Road	Cobar	Vacant Land
0124	3		780263	Nyngan Road	Cobar	Vacant Land
0125	4		780263	Nyngan Road	Cobar	Vacant Land
0126	9	1	722	Nyngan Road	Cobar	Vacant Land
0127	1		34972	Nyngan Road	Cobar	Museum
0128	4	10	2780	Old Bourke Road	Cobar	Vacant Land
0129	5	10	2780	Old Bourke Road	Cobar	Vacant Land

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0130	6	10	2780	Old Bourke Road	Cobar	Vacant Land
0131	7	10	2780	Old Bourke Road	Cobar	Vacant Land
0132	1	11	2780	Old Bourke Road	Cobar	Vacant Land
0133	2	11	2780	Old Bourke Road	Cobar	Vacant Land
0134	3	11	2780	Old Bourke Road	Cobar	Vacant Land
0135	11		629270	19 Prince Street	Cobar	Dwelling
0136	1	25	2780	Nyngan Road	Cobar	Vacant Land
0137	1	5	758393	Blaxland & Mummi Streets	Euabalong	Vacant Land
0138	3	5	758393	Blaxland & Mummi Streets	Euabalong	Vacant Land
0139	4	5	758393	Blaxland & Mummi Streets	Euabalong	Vacant Land
0140	6	5	758393	Blaxland & Mummi Streets	Euabalong	Vacant Land
0141	8	5	758393	Blaxland & Mummi Streets	Euabalong	Vacant Land
0142	9	5	758393	Blaxland & Mummi Streets	Euabalong	Vacant Land
0143	10	5	758393	Blaxland & Mummi Streets	Euabalong	Vacant Land
0144	5	5	758393	Blaxland Street	Euabalong	Vacant Land
0145	2	6	758393	Dundoo & Mummi Streets	Euabalong	Vacant Land
0146	3	6	758393	Dundoo & Mummi Streets	Euabalong	Vacant Land
0147	4	6	758393	Dundoo & Mummi Streets	Euabalong	Vacant Land
0148	5	6	758393	Dundoo & Mummi Streets	Euabalong	Vacant Land
0149	6	6	758393	Dundoo & Mummi Streets	Euabalong	Vacant Land
0150	9	6	758393	Dundoo & Mummi Streets	Euabalong	Vacant Land
0151	10	6	758393	Dundoo & Mummi Streets	Euabalong	Vacant Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0152	62		611485	Farnell Street	Euabalong	Vacant Land
0153	61		611485	Farnell Street	Euabalong	Vacant Land
0154	10	8	758393	Hercules Street	Euabalong	Vacant Land
0155	11	8	758393	Hercules Street	Euabalong	Vacant Land
0156	8	2	758393	Keewong Street	Euabalong	Dwelling
0157	6	2	758393	Keewong Street	Euabalong	Water Supply Tank & Depot
0158	7	2	758393	Keewong Street	Euabalong	Depot
0159	9	20	758393	Lachlan Street	Euabalong	Vacant Land
0160	1	1	758393	Lachlan & Farnell Streets	Euabalong	Land used for SES purposes
0161	2	1	758393	Lachlan & Farnell Streets	Euabalong	Dwelling
0162	3	1	758393	Lachlan & Farnell Streets	Euabalong	Former School
0163	4	1	758393	Lachlan & Farnell Streets	Euabalong	Former School
0164	5	1	758393	Lachlan & Farnell Streets	Euabalong	Former School
0165	9	1	758393	Lachlan & Farnell Streets	Euabalong	Former School
0166	10	1	758393	Lachlan & Farnell Streets	Euabalong	Former School
0167	1		725397	Lachlan & Farnell Streets	Euabalong	Former School
0168	Part 1		767670	County Blaxland Parish Euabalong	Euabalong	Site of Pump Station servicing Euabalong West
0169	Part 1		767670	County Blaxland Parish Euabalong	Euabalong	Site of Pump Station servicing Euabalong
0170	152		43578	Whoey Street	Euabalong West	Water Tower

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0171	4	5	758394	Illewong Street	Euabalong West	Vacant Land
0172	2		225129	Bushfire Shed & Hall	Mount Hope	Bushfire Shed
0173	3	18	758800	Austral Street	Nymagee	Land For Water Tanks
0174	4	E	3443	Hartwood Street	Nymagee	Fire Shed
0175	5	E	3443	Hartwood Street	Nymagee	Fire Shed
0176	6	E	3443	Hartwood Street	Nymagee	Fire Shed
0177	1		224198	Milford Street	Nymagee	Water Supply Ground Tank
0178	42		754800	Nymagee Street	Nymagee	Vacant Land
0179	45		754800	Nymagee Street	Nymagee	Vacant Land
0180	46		754800	Nymagee Street	Nymagee	Vacant Land
0181	287		755649	County Robinson Parish Cobar	Cobar	Contaminated Land
0182	304		755649	County Robinson Parish Cobar	Cobar	Contaminated Land
0183	295		755649	County Robinson Parish Cobar	Cobar	Contaminated Land
0184	21		837494	Hillston Road Sewage Plant	Cobar	Cobar Sewer Augmentation
0185	22		837494	Hillston Road Sewage Plant	Cobar	Cobar Sewer Augmentation
0186	23		837494	Hillston Road Sewage Plant	Cobar	Cobar Sewer Augmentation
0187	1	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0188	2	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0189	3	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0190	4	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0191	5	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0192	6	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0193	7	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0194	8	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0195	9	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0196	1	1	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0197	2	1	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0198	3	1	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0199	4	1	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0200	5	1	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0201	6	1	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0202	7	1	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0203	1	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0204	2	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0205	3	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0206	5	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0207	6	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0208	7	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0209	8	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0210	9	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0211	10	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0212	11	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0213	12	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0214	13	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0215	14	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0216	15	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0217	16	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0218	17	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0219	18	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0220	20	2	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0221	10	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0222	11	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0223	12	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0224	13	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0225	14	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0226	15	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0227	16	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0228	17	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0229	18	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0230	19	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0231	20	3	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0232	1	5	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0233	2	5	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0234	3	5	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0235	4	5	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0236	5	5	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0237	6	5	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0238	7	5	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0239	4	6	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0240	5	6	3453	Dapville & Wrightville Streets	Cobar	Wrightville Land
0241	4	1	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0242	5	1	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0243	6	1	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0244	7	1	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0245	8	1	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0246	9	1	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0247	10	1	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0248	20	2	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0249	1	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0250	2	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0251	3	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0252	4	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0253	5	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0254	6	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0255	7	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0256	8	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0257	9	3	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0258	8	5	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0259	4	6	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0260	7	6	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0261	8	6	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0262	9	6	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0263	1	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0264	2	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0265	3	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0266	4	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0267	5	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0268	6	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0269	7	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0270	8	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0271	9	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0272	10	7	3463	Dapville & Wrightville Streets	Cobar	Wrightville Land
0273	2	1	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0274	3	1	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0275	5	1	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0276	6	1	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0277	10	1	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0278	14	1	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0279	1	2	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0280	4	2	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0281	10	2	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0282	21	2	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0283	1	4	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0284	2	4	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0285	10	4	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0286	12	4	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0287	4	5	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0288	5	5	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0289	6	5	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0290	8	5	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0291	9	5	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0292	10	5	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0293	8	6	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0294	1	7	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0295	2	7	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0296	1	8	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0297	2	8	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0298	3	8	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0299	2	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0300	4	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0301	6	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0302	7	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0303	8	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0304	9	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0305	11	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0306	15	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0307	16	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0308	19	9	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0309	1	10	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0310	6	10	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0311	7	10	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0312	8	10	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0313	9	10	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0314	6	13	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0315	1	15	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0316	2	15	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0317	5	15	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0318	8	15	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0319	10	15	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0320	7	21	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0321	8	21	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0322	4	26	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0323	5	26	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0324	7	26	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0325	14	27	758337	Dapville & Wrightville Streets	Cobar	Wrightville Land
0326	1	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0327	2	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0328	3	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0329	4	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0330	5	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0331	6	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0332	7	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0333	8	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0334	9	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0335	10	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0336	11	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0337	12	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0338	13	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0339	14	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0340	15	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0341	16	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0342	17	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0343	18	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0344	19	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0345	21	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0346	22	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0347	23	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0348	24	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0349	26	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0350	28	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0351	29	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0352	30	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0353	31	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0354	32	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0355	33	1	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0356	1	2	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0357	2	2	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0358	5	2	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0359	6	2	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0360	2	3	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0361	1	4	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0362	3	4	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0363	4	4	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0364	7	4	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0365	8	4	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0366	12	4	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0367	18	4	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0368	2	5	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0369	4	5	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0370	5	5	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0371	6	5	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0372	7	5	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0373	8	5	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0374	1	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0375	2	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0376	4	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0377	5	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0378	6	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0379	7	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0380	10	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0381	11	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0382	12	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0383	13	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0384	14	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0385	15	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0386	16	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0387	17	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0388	18	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0389	19	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0390	31	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0391	32	6	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0392	1	7	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0393	2	7	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0394	8	7	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0395	7	8	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0396	1	23	759121	Dapville & Wrightville Streets	Cobar	Wrightville Land
0397	103		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0398	135		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0399	190		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0400	192		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0401	269		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0402	276		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0403	283		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0404	284		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0405	285		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0406	286		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0407	288		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land

Cobar Local Environmental Plan 2001

Land classified as operational

Schedule 2

No	Lot	Section	DP	Street	Location	Description
0408	289		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0409	290		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0410	291		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0411	292		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0412	312		755649	Dapville & Wrightville Streets	Cobar	Wrightville Land
0413	9		667339	Dapville & Wrightville Streets	Cobar	Wrightville Land
0414	13		668012	Dapville & Wrightville Streets	Cobar	Wrightville Land
0415	13		668013	Dapville & Wrightville Streets	Cobar	Wrightville Land
0416	3		932789	Dapville & Wrightville Streets	Cobar	Wrightville Land
0417	1		134322	Dapville & Wrightville Streets	Cobar	Wrightville Land
0418	1		602388	Sewage Treatment Works	Cobar	Sewage Treatment Works
0419	992			Waste Depot	Cobar	Waste Depot
0420	1		701616	Louth Road	Cobar	Water Tower
0421	EA		750694		Mount Hope	Reserve used for Aviation Purposes
0422	120		750663	Rubbish Depot	Euabalong	Reserve
0423	16		754765		Devon	Reserve used for Aviation Purposes
0424	17		754765		Devon	Reserve used for Aviation Purposes
0425	D	4	758800	Rubbish Depot	Nymagee	Reserve
0426	D	12	758393	Rubbish Depot	Euabalong	Reserve

Cobar Local Environmental Plan 2001

Schedule 2 Land classified as operational

No	Lot	Section	DP	Street	Location	Description
0427	EB		755649	Rubbish Depot	Cobar	Reserve
0428	10		754765		Devon	Reserve used for Aviation Purposes
0429	313		755649	Cobar Airport	Cobar	Airport

Cobar Local Environmental Plan 2001

Development that does not require consent

Schedule 3

Schedule 3 Development that does not require consent

(Clause 9)

- (1) The carrying out by persons carrying on railway undertakings on land comprised in their undertakings of:
 - (a) any development required in connection with the movement of traffic by rail, including the construction, reconstruction, alteration, maintenance and repair of ways, works and plant, and
 - (b) the erection within the limits of a railway station of buildings for any purpose, but excluding:
 - (i) the construction of new railways, railway stations and bridges over roads, and
 - (ii) the erection, reconstruction and alteration of buildings for purposes other than railway undertaking purposes outside the limits of a railway station and the reconstruction or alteration, so as materially to affect their design, of railway stations or bridges, and
 - (iii) the formation or alteration of any means of access to a road, and
 - (iv) the erection, reconstruction and alteration of buildings for purposes other than railway purposes where such buildings have direct access to a public place.
- (2) The carrying out by persons carrying on public utility undertakings, being water, sewerage, drainage, electricity or gas undertakings, of any of the following development, being development required for the purpose of their undertakings, that is to say:
 - (a) development of any description at or below the surface of the ground,
 - (b) the installation of any plant inside a building or the installation or erection within the premises of a generating station or substation established before the appointed day of any plant or other structures or erections required in connection with the station or substation,
 - (c) the installation or erection of any plant or other structures or erections by way of addition to or replacement or extension of plant or structures or erections already installed or erected,

Page 77

Cobar Local Environmental Plan 2001

Schedule 3 Development that does not require consent

-
- including the installation in an electrical transmission line of substations, feeder-pillars or transformer housing, but not including the erection of overhead lines for the supply of electricity or pipes above the surface of the ground for the supply of water, or the installation of substations, feeder-pillars or transformer housings of stone, concrete or brickworks,
- (d) the provision of overhead service lines in pursuance of any statutory power to provide a supply of electricity,
 - (e) the erection of service reservoirs on land acquired or in process of being acquired for the purpose before the appointed day, provided reasonable notice of the proposed erection is given to the Council, or
 - (f) any other development except:
 - (i) the erection of buildings, the installation or erection of plant or other structures or erections and the reconstruction or alteration, so as materially to affect their design or external appearance, of buildings, or
 - (ii) the formation or alteration of any means of access to a road.
- (3) The carrying out by persons carrying on public utility undertakings, being water transport undertakings, on land comprised in their undertakings of any development required in connection with the movement of traffic by water, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, wharves, works and plant required for that purpose, except:
- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
 - (b) the formation or alteration of any means of access to a road.
- (4) The carrying out by persons carrying on public utility undertakings, being road transport undertakings, on land comprised in their undertakings, of any development required in connection with the movement of traffic by road, including the construction, reconstruction, alteration, maintenance and repair of buildings, works and plant required for that purpose, except:
- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or

Cobar Local Environmental Plan 2001

Development that does not require consent

Schedule 3

-
- (b) the formation or alteration of any means of access to a road.
- (5) The carrying out of any development required in connection with the construction, reconstruction, improvement, maintenance or repair of any road, except the widening, realignment or relocation of such road.
- (6) The carrying out of any forestry work by the Forestry Commission of New South Wales, or a school forest trust empowered under relevant Acts to undertake afforestation, roading, protection, cutting and marketing of timber, and other forestry purposes under such Acts or upon any Crown land temporarily reserved from sale as a timber reserve under the *Forestry Act 1916*.
- (7) The carrying out by a rural lands protection board of any development required for the improvement and maintenance of travelling stock and water reserves, except:
- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or purpose, or
- (b) any development designed to change the use or purpose of any such reserve.
- (8) The carrying out or causing to be carried out by a council engaged in flood mitigation works or by the Department of Land and Water Conservation of any work for the purposes of soil conservation, irrigation, afforestation, reforestation, flood mitigation, water conservation or river improvement in pursuance of the provisions of the *Water Management Act 2000* or the *Farm Water Supplies Act 1946*, except:
- (a) the erection of buildings, the installation or erection of plant or other structures or erections and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
- (b) the formation or alteration of any means of access to a road.

Cobar Local Environmental Plan 2001

Schedule 4 Shops not prohibited in General Industrial Zone

Schedule 4 Shops not prohibited in General Industrial Zone

(Table to Part 2)

Chemist's shop
Confectionery shop or milk bar
Delicatessen
Fruit or vegetable shop
Grocery or health food shop
Hairdressing salon
Newsagency
Sandwich shop
Take-away food shop

Cobar Local Environmental Plan 2001

Environmentally sensitive land

Schedule 5

Schedule 5 Environmentally sensitive land

(Clause 27)

Land within 50 metres, in a horizontal line, of the normal water level, of the Lachlan and Darling Rivers.

Land that, in the opinion of the Council, is important for the conservation and protection of:

- (a) native vegetation, or
- (b) protected and threatened species, population and ecological communities and their habitats (including corridors).

Cobar Local Environmental Plan 2001

Schedule 6 Development to be advertised

Schedule 6 Development to be advertised

(Clause 30)

Development for the purpose of:

- Caravan parks—Zone No 2 (b) or 3 (a)
- Community buildings—Zone No 2 (a)
- Motels—Zone No 2 (a)
- Motor showrooms—Zone No 2 (b) or 3 (a)
- Offensive or hazardous industries—Zone No 4 (a)
- Residential flat buildings—Zone No 2 (a) or 2 (b)
- Shops—Zone No 2 (a) or 2 (b)
- Telecommunications depots—Zone No 2 (a) or 2 (b)
- Transport terminals—Zone No 2 (b) or 3 (a)

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(G00/00178/S69)

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

Clause 1 Coffs Harbour City Local Environmental Plan 2000 (Amendment No 4)

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 4)

1 Name of plan

This plan is *Coffs Harbour City Local Environmental Plan 2000 (Amendment No 4)*.

2 Aims of plan

This plan aims:

- (a) to rezone certain land within the City of Coffs Harbour for special use purposes under *Coffs Harbour City Local Environmental Plan 2000*, and
- (b) to rezone certain other such land for open space purposes under that plan, and
- (c) to make other minor revisions to zoning under that plan, and
- (d) to insert in that plan:
 - (i) a new provision relating to the subdivision of residential land that adjoins land in an environmental protection zone, and
 - (ii) additional definitions relating to outdoor advertising, and
- (e) to make minor amendments to Schedules 2 (Exempt Development) and 5 (Heritage Items) and the Dictionary to that plan.

3 Land to which plan applies

This plan applies:

- (a) in relation to the aims set out in clause 2 (a), (b) and (c)—to the land shown coloured on the map marked “Coffs Harbour City Local Environmental Plan 2000 (Amendment No 4)” held in the office of Coffs Harbour City Council, and
- (b) in relation to the aims set out in clause 2 (d) and (e)—to the whole of the land within the City of Coffs Harbour.

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 4)

Clause 4

4 Amendment of Coffs Harbour City Local Environmental Plan 2000

Coffs Harbour City Local Environmental Plan 2000 is amended as set out in Schedule 1.

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 4)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 18 Subdivision and erection of dwellings within rural and environmental protection zones

Insert at the end of clause 18 (4) (b):

, or

- (c) if land in Zone 7A adjoins land in Zone 2A, 2B, 2C, 2D or 2E, consent may be granted to a subdivision of the composite parcel provided:
 - (i) each resultant allotment contains an adequate (in the opinion of the consent authority) building envelope outside the land in Zone 7A, and
 - (ii) the consent authority considers that the subdivision is desirable for achieving long term management of the land within Zone 7A.

[2] Schedule 2 Exempt development

Insert “painted wall signs or” after “except no” in the matter relating to Discretionary Sign under the heading “Advertising structure (including over a public road)”.

[3] Schedule 2, matter under heading “Advertising structure (including over a public road)”

Omit the matter relating to Painted Wall Sign.

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 4)

Amendments

Schedule 1

[4] Schedule 5

Omit the Schedule. Insert instead:

Schedule 5 Heritage items

(Clause 23 (7), Dictionary)

Item description	Level of significance	Property description
Arrawarra		
Fish Traps—Arrawarra Headland	Regional	N/A—Map Reference '56' 519380E 6674440N Woolgoolga 9537-4-N
Bonville		
Former Post Office—Gleniffer Road	Local	Lot 2, DP 805047
Anglican Church—Gleniffer Road	Local	Lot 46, DP 938419
Bonville Hall—East Bonville Road	Local	Lot 70, DP 755536
Coffs Harbour		
Residence—4 Azalea Avenue	Local	Lot 2, DP 714437
Residence—20 Korff Street	Local	Lots 12 and 13, Sec 2, DP 5661
Former Police Station and Court House—215 High Street	Local	Lot 1, Sec 11, DP 758258
Bunker Gallery—City Hill Drive	Local	Lot 21, DP 867844
Coffs Harbour Jetty		
Residence—10 Collingwood Street	Local	Lot 10, DP 881287
Residence—151 Edinburgh Street	Local	Lots A and B, DP 366102

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 4)

Schedule 1 Amendments

Residence—23 Moore Street	Local	Lot 3, Sec 61, DP 758258
Post Office—350 High Street	Local	Lot 1, DP 211339
Buried Trestle Bridge—Foreshore	Regional	Lot 21, DP 850150
Tramway Line Site—Foreshore	Regional	Lot 21, DP 850150
Butter Factory—321 High Street	Regional	Lot 1, DP 845202
Butter Factory Pool and Park	Local	Lot 277, DP 752817
Coffs Harbour Jetty	State	N/A
Jetty Theatre—337 High Street	Local	Lots 11 and 12, Sec 65, DP 758258
Coramba		
Residence—15 Hartleys Road	Local	Lot 175, DP 752834
House and Bakery—39–41 Gale Street	Local	Lots 25–28, Sec B, DP 3951
Police Station—71–73 Gale Street	Regional	Lot 2, DP 574408
Coramba Hall—4 Dorrigo Street	Local	Lot 2, Sec A, DP 3971
Dairyville		
Residence—“Braeside”—201 Dairyville Road	Regional	Lot 21, DP 582871
Residence—“Creeside”—221 Dairyville Road	Regional	Lot 5, DP 262769
Residence—169 Dairyville Road	Regional	Lot 40, DP 735011
Emerald Beach		
Look-At-Me-Now Headland	Local	Lot 3, DP 800108
Shelley Beach Graves	Local	Lot 3, DP 800108
Karangri		
Residence—843 Coramba Road	Local	Lot 1, DP 963666

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 4)

Amendments

Schedule 1

Lowanna

George's Gold Mine	Regional	Lot 25, DP 752824
--------------------	----------	-------------------

Nana Glen

Residence—"Edgefern"—Eastbank Road	Regional	Lot 333, DP 719001
------------------------------------	----------	--------------------

Nana Glen Rail

St Peters Church—47 Grafton Road	Local	Lot 52, DP 620497
----------------------------------	-------	-------------------

Orara (Upper)

Shed—420 North Island Loop Road	Regional	Lot 11, DP 802379
---------------------------------	----------	-------------------

Anglican Church—Upper Orara Road	Local	Lot 2, DP 931299
----------------------------------	-------	------------------

Sapphire

Residence—18 Split Solitary Road	Local	Lot 2, DP 628408
----------------------------------	-------	------------------

Sawtell

Rock Pool—Bonville Headland	Local	Part CR 81703
-----------------------------	-------	---------------

Sawtell Reserve Hall	Regional	Part CR 81703
----------------------	----------	---------------

Ficus "Hillii" Trees—First Avenue	Local	Road Reserve
-----------------------------------	-------	--------------

Sawtell Hotel—51–55 First Avenue	Regional	Lots 1 and 2, Sec 19, DP 14800
----------------------------------	----------	--------------------------------

Anglican Church—15 Elizabeth Street	Local	Lot 10, Sec 10, DP 17282
-------------------------------------	-------	--------------------------

Timmsvale

Timber Mill—Timmsvale Road	Regional	Lot 68, DP 602638
----------------------------	----------	-------------------

Ulong

Timber Mill	Regional	Lot 17, DP 866535
-------------	----------	-------------------

Woolgoolga

BAT Co Relics—65 River Street	Local	Lot 682, DP 618948
-------------------------------	-------	--------------------

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 4)

Schedule 1 Amendments

[5] Dictionary

Insert in the Dictionary at the end of paragraph (g) of the definition of *discretionary sign*:

, or

- (h) a residential sign.

[6] Dictionary, definition of “home occupation”

Omit paragraph (e). Insert instead:

- (e) the exhibition of any residential sign,

[7] Dictionary

Insert in alphabetical order:

painted wall sign means an advertisement painted onto a wall of a building (including an advertisement consisting of adhesive vinyl or similar material fixed to a wall) and covering not more than 25% of the surface of the wall.

real estate sign means a sign advertising land for sale or lease erected at or affixed to the land and:

- (a) in the case of an advertisement in respect of residential or rural premises, that does not exceed 2.5 m² in area, or
- (b) in all other cases, that does not exceed 4.5 m² in area, and is not displayed for more than 14 days after an agreement has been entered into for the sale or lease.

residential sign means a non-illuminated advertisement not exceeding 0.8 m² in area that indicates the name, occupation or other particulars of the residents of the premises on which the advertisement is displayed.

temporary sign means an advertisement of a temporary nature which:

- (a) concerns any local event of a religious, educational, cultural, political, social or recreational nature, and
- (b) does not include advertising of a commercial nature, except for the name of any sponsor, and

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 4)

Amendments

Schedule 1

- (c) is not displayed earlier than 28 days before the commencement of the event and is removed within 14 days after the end of the event.

[8] Dictionary, definition of “the map”

Insert in numerical order of amendments:

Coffs Harbour City Local Environmental Plan 2000
(Amendment No 4)

North Sydney 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*.
(S99/00166/PC)

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

North Sydney Local Environmental Plan 2001

Contents

Contents

	Page
Part 1 Preliminary	
1 The name of this plan	5
2 General aims of this plan	5
3 Specific aims of this plan	5
4 Where this plan applies	7
5 How this plan relates to other planning instruments	7
6 Definitions and interpretation	8
7 Adoption of the Environmental Planning and Assessment Model Provisions 1980	8
8 Consent authority	8
Part 2 General provisions for the development of land	
9 Land use zones	9
10 Permissible development	9
11 Prohibited development	9
12 Exempt development	9
13 Complying development	9
14 Consistency with aims of plan, zone objectives and desired character	10
Part 3 Special provisions	
Division 1 Subdivision controls	
15 Subdivision	23
Division 2 Residential zones controls	
16 Residential zone objectives	24
17 Building heights	25
18 Building height plane	26
19 Building setbacks	27
20 Landscaped area	28
21 Residential D zone (Neighbourhood Business)	29

Page 2

North Sydney Local Environmental Plan 2001

Contents

	Page
Division 3 Building form	
22 Duplexes and dwelling-houses	30
23 Attached dwellings, generally	31
24 Attached dwellings revision	31
25 Apartment buildings, generally	32
26 Apartment building revision or adaptation	32
27 Small lots	33
Division 4 North Sydney Centre	
28 North Sydney Centre	34
Division 5 Mixed use zone	
29 Building height	34
30 Building height plane	34
31 Floor space	35
32 Design of development	35
Division 6 Waterfront zone	
33 Waterfront zone controls	36
Division 7 Special use zone	
34 Buildings in the special use zone	37
Division 8 Reserved land	
35 Acquisition and development of land reserved for open space or bushland	38
36 Acquisition and development of land reserved for roads	38
Division 9 Miscellaneous provisions	
37 Site specific development control plans	40
38 Development within the foreshore building area	41
39 Excavation of land	41
40 Contaminated land	42
41 Acid sulfate soils	43
42 Suspension of covenants, agreements and similar instruments	44
Part 4 Heritage provisions	
43 This Part to prevail	45
44 Heritage conservation objectives	45
45 Consent requirements	45
46 Aboriginal sites and relics	46
47 Archaeological resources	47

Page 3

North Sydney Local Environmental Plan 2001

Contents

		Page
48	Heritage items	47
49	Conservation areas	49
50	Development in the vicinity of heritage items	51
51	Conservation incentives	51
Part 5	Site specific provisions	
52	Operational land	53
53	Ennis Street Bays	53
54	190 Pacific Highway	54
55	St Leonards Park—North Sydney Oval	54
56	Hume Street and Alexander Street car parks	55
57	Crows Nest Community Centre	55
58	Hipwood Street Car Park	56
59	Luna Park: Glen Street frontage	56
60	Refreshment rooms, Residential D Zone, Blues Point Road	57
61	Cremorne Point Kiosk	57
Schedules		
1	Repeals and amendments	59
2	Definitions	60
3	Heritage items	78
4	Contributory items	143
5	Uncharacteristic elements	159
6	Exempt development	162
7	Complying development	184
8	Complying development certificate standard conditions	198
9	Local open space reservations	210
10	Regional open space reservations	212
11	Operational land	213
12	Land to be acquired for roads	215
13	Refreshment rooms, Residential D zone, Blues Point Road	216

North Sydney Local Environmental Plan 2001

Clause 1

Preliminary

Part 1

North Sydney Local Environmental Plan 2001

Part 1 Preliminary

1 The name of this plan

This plan is called *North Sydney Local Environmental Plan 2001*.

2 General aims of this plan

The general aims of this plan are:

- (a) promotion of ecologically sustainable development, and
- (b) development that is appropriate to its context and enhances the amenity of the North Sydney community and environment, and
- (c) enhancement of opportunities for public participation in environmental planning and assessment.

3 Specific aims of this plan

The specific aims of this plan are:

- (a) in relation to **the character of North Sydney's neighbourhoods**, to:
 - (i) achieve any desired character for the neighbourhood that is described in a character statement for the neighbourhood, and promote development which is compatible with neighbouring development in terms of bulk, scale and appearance, and
 - (ii) maintain a diversity of activities while protecting residential accommodation and local amenity, and
 - (iii) ensure that development on foreshore lands or land visible from the harbour or any public place does not adversely affect the appearance of that foreshore land, or the views of that land from the harbour or public place, and
- (b) in relation to **residential development**, to:
 - (i) protect and enhance the residential use and amenity of existing residential neighbourhoods and new residential development, and

Clause 3 North Sydney Local Environmental Plan 2001

Part 1 Preliminary

- (ii) maintain and provide for an increase in dwelling stock, where appropriate, and
 - (iii) prevent the expansion of non-residential uses in residential neighbourhoods, and
- (c) in relation to **non-residential development**, to:
- (i) maintain a diversity of employment, services, cultural and recreational activities, and
 - (ii) ensure that non-residential development does not adversely affect the amenity of residential properties and public places, including adverse affectation by reason of the use, design, bulk, scale or appearance of the development, or the traffic generation and parking associated with the development, and
 - (iii) maintain waterfront activities and ensure that these activities do not adversely affect local amenity and environmental quality, and
 - (iv) minimise adverse effects of all permitted non-residential development and non-conforming uses or development, and
- (d) in relation to **environmental quality**, to:
- (i) maintain and protect natural landscape, topographic features and natural ground surfaces, and
 - (ii) improve soil quality and regulate the remediation and development of contaminated land, and
 - (iii) minimise storm water run-off and its adverse effects and improve the quality of local waterways, and
 - (iv) minimise atmospheric pollution and its adverse effects, and
 - (v) minimise noise emissions and their adverse effects, and
 - (vi) preserve and protect flora and fauna, and
 - (vii) promote the efficient use of energy and resources, and
 - (viii) minimise waste generation, including waste to landfill, and
- (e) in relation to **environmental heritage**, to:
- (i) identify and encourage the conservation of the heritage of North Sydney, including heritage items, heritage conservation areas, Aboriginal sites, bushland, parks, foreshores and trees, and

North Sydney Local Environmental Plan 2001

Clause 3

Preliminary

Part 1

-
- (ii) ensure that development does not adversely affect the significance of the heritage of North Sydney (including heritage items, heritage conservation areas, Aboriginal sites, bushland, parks, foreshores and trees), and
 - (f) in relation to **community well-being**, to:
 - (i) provide for the growth of a permanent resident population and encourage the provision of a full range of housing, including affordable housing, and
 - (ii) encourage the expression of community identity and cultural diversity, and
 - (iii) ensure the social and economic effects of development are appropriate, and
 - (iv) ensure good management of, and investment in, the community's assets, and
 - (g) in relation to **cultural resources**, to:
 - (i) ensure that development does not adversely affect the quality, amenity and value of cultural resources or cultural assets, and
 - (ii) ensure that development does not impede access to cultural resources or cultural assets, and
 - (iii) ensure that development does not adversely affect the presentation to streets and other public places of cultural resources or cultural assets.

4 Where this plan applies

- (1) This plan applies to all land within the North Sydney local government area, except as provided by subclauses (2) and (3).
- (2) This plan does not apply to the former Roads and Traffic Authority registry site at 303–321 Miller Street, Cammeray, which has been excluded by the Minister from this plan under section 70 (4) of the Act.
- (3) The provisions of this plan (other than Part 4 (Heritage provisions) and other provisions of this plan necessary to give effect to that Part) do not apply to land shown as the “North Sydney Centre” on the map.

5 How this plan relates to other planning instruments

- (1) Environmental planning instruments applying within North Sydney and in force immediately before the appointed day are repealed or amended as set out in Schedule 1.

Clause 5 North Sydney Local Environmental Plan 2001

Part 1 Preliminary

- (2) Except as expressly provided by this plan, this plan does not affect any State environmental planning policy or regional environmental plan.

Note. For exceptions, see clauses 12 (2), 18 (5), 38 (3) and 41 (5).

- (3) **Saving and transitional provision**

Where a development application has been lodged but not finally determined before the commencement of this plan, the environmental planning instruments repealed or amended by this plan shall apply as if this plan had been exhibited but had not commenced.

6 Definitions and interpretation

In this plan:

- (a) the words and expressions defined in Schedule 2 have the meanings given to them in Schedule 2, and
- (b) references to maps are to maps kept at the office of the Council, and
- (c) 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
- (d) explanatory notes provided within the text are explanatory only and do not form part of this local environmental plan. They are provided to assist understanding, and
- (e) the table of contents does not form part of this plan.

7 Adoption of the Environmental Planning and Assessment Model Provisions 1980

This plan adopts the *Environmental Planning and Assessment Model Provisions 1980*, other than clauses 4, 7, 15, 16, 17, 24, 31 and 33 of those provisions.

8 Consent authority

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

North Sydney Local Environmental Plan 2001

Clause 9

General provisions for the development of land

Part 2

Part 2 General provisions for the development of land

9 Land use zones

The land use zones are shown on the map.

10 Permissible development

Subject to other provisions of this plan, development that is specified in the Table to this Part as permissible within a land use zone, other than exempt development, is development that may be carried out in that zone, but only with development consent.

11 Prohibited development

Subject to other provisions of this plan, development that is not specified in the Table to this Part as permissible in a land use zone, other than exempt development, is prohibited development in that zone and must not be carried out in that zone.

12 Exempt development

- (1) Subject to the provisions of the Act, development is exempt development if it is development which:
 - (a) is permissible, with or without consent, in the zone in which it is to be carried out, and
 - (b) is listed in column 1 of the Table in Schedule 6, and
 - (c) satisfies all of the requirements specified in column 2 of the Table in Schedule 6 that are relevant to the development, and
 - (d) complies with all development standards specified in the provisions of this plan which would apply to the development if it were not exempt development.
- (2) *State Environmental Planning Policy No 1—Development Standards* does not apply to subclause (1) (d).

13 Complying development

- (1) Subject to the provisions of the Act, development is complying development if it is development which:
 - (a) is permissible, with consent, in the zone in which it is to be carried out, and

Clause 13 North Sydney Local Environmental Plan 2001

Part 2 General provisions for the development of land

-
- (b) is listed in a development category in Schedule 7, and
 - (c) satisfies all of the requirements specified in the standards for the relevant development category in Schedule 7, and
 - (d) complies with all development standards specified in the provisions of this plan which would apply to the development if it were not complying development, and
 - (e) would not be carried out on land reserved for acquisition by a public authority as identified in an environmental planning instrument.
- (2) A complying development certificate issued for any such development is subject to the conditions specified in Schedule 8.
 - (3) A complying development certificate that relates to the erection of builders' sheds or portable facilities must:
 - (a) state that the sheds or toilet facilities are temporary buildings, and
 - (b) specify a removal date that is no later than one year after the date of issue of the complying development certificate.

14 Consistency with aims of plan, zone objectives and desired character

Consent must not be granted to the carrying out of any development unless the consent authority is satisfied that the development:

- (a) is in accordance with and promotes the specific aims of this plan and the objectives of the zone, and
- (b) in particular, is in accordance with and promotes the character of the neighbourhood within which the development is carried out.

Zoning and permissible use table

Residential A1 Zone

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) maintain lower scale residential neighbourhoods of mainly detached housing, and

North Sydney Local Environmental Plan 2001

Clause 14

General provisions for the development of land

Part 2

-
- (b) assist in the conservation of heritage and other sensitive areas, and
 - (c) minimise the impact of non-residential uses and ensure these are in character with the zone.

2 Development which may be carried out in this zone

Development for the purpose of:

child care centres; community notice signs; dwelling-houses; home industries; home occupations; housing for aged or disabled persons; open space; places of public worship; real estate signs; remediation; resident medical practices; telecommunications facilities; temporary signs; utility installations, other than gas holders or generating works.

Residential A2 Zone

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) maintain lower scale residential neighbourhoods of mainly detached and duplex housing, and
- (b) assist in the conservation of heritage and other sensitive areas, and
- (c) encourage the retention of existing buildings, and
- (d) minimise the impact of non-residential uses and ensure these are in character with the zone.

2 Development which may be carried out in this zone

Development for the purpose of:

apartment buildings revision; attached dwellings revision; child care centres; community notice signs; duplexes; dwelling-houses; educational establishments; established apartment buildings; established attached dwellings; home industries; home occupations; hospitals; housing for aged or disabled persons; open space; places of public worship; real estate signs; remediation; resident medical practices;

Clause 14 North Sydney Local Environmental Plan 2001

Part 2 General provisions for the development of land

telecommunications facilities; temporary signs; utility installations, other than gas holders or generating works.

Residential B Zone

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) maintain lower scale mixed residential neighbourhoods, and
- (b) allow for residential development in a variety of housing forms, including detached dwellings, duplexes, attached dwellings and boarding houses, and
- (c) assist in the conservation of heritage, and
- (d) minimise the impact of non-residential uses and ensure these are in character with the zone.

2 Development which may be carried out in this zone

Development for the purpose of:

apartment buildings revision; attached dwellings; boarding houses; child care centres; community notice signs; duplexes; dwelling-houses; educational establishments; established apartment buildings; home industries; home occupations; hospitals; housing for aged or disabled persons; open space; places of public worship; real estate signs; remediation; resident medical practices; telecommunications facilities; temporary signs; utility installations, other than gas holders or generating works.

Residential C Zone

1 Objectives of the zone

The particular objectives of this zone are to encourage the provision of a range of residential accommodation, including dwelling-houses, duplexes, attached dwellings and apartments, in proximity to transport and other services.

North Sydney Local Environmental Plan 2001

Clause 14

General provisions for the development of land

Part 2

2 Development which may be carried out in this zone

Development for the purpose of:

apartment buildings; attached dwellings; boarding houses; child care centres; community notice signs; duplexes; dwelling-houses; educational establishments; home occupations; home industries; hospitals; housing for aged or disabled persons; open space; places of assembly; places of public worship; real estate signs; remediation; resident medical practice; telecommunications facilities; temporary signs; utility installations, other than gas holders or generating works.

Residential D Zone (Neighbourhood Business)

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) encourage a wide range of services and shops which serve the surrounding residential neighbourhoods, and
- (b) permit a range of small scale businesses which serve local needs, and
- (c) encourage active street life while maintaining high residential amenity, and
- (d) encourage shop top housing.

2 Development which may be carried out in this zone

Development for the purpose of:

advertisements; apartment buildings; attached dwellings; boarding houses; business identification signs; child care centres; community facilities; community notice signs; duplexes; dwelling-houses; educational establishments; home industries; home occupations; hospitals; open space; places of assembly; places of public worship; professional consulting rooms; real estate signs; recreational facilities; refreshment rooms; remediation; shops; telecommunications facilities; temporary signs; utility installations, other than gas holders or generating works.

Clause 14 North Sydney Local Environmental Plan 2001

Part 2 General provisions for the development of land

Residential F Zone (McMahons Point)

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) encourage a mix of lower scale housing types, and
- (b) permit light industries which do not interfere with residential and public amenity, and
- (c) permit development which is compatible with the scale and character of the surrounding residential area.

2 Development which may be carried out in this zone

Development for the purpose of:

advertisements; attached dwellings; boarding houses; child care centres; duplexes; dwelling-houses; dwellings in conjunction with light industries; educational establishments; established apartment buildings; home industries; hospitals; housing for aged or disabled persons; light industries; open space; places of assembly; places of public worship; recreational facilities; remediation; resident medical practices; roads; telecommunications facilities; utility installations, other than gas holders or generating works.

Residential G Zone (Cremorne Point)

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) maintain the character and the heritage significance of Cremorne Point and prevent this from being eroded by unsympathetic development, and
- (b) ensure that the features of development—such as height, bulk, subdivision pattern, building footprint and orientation, and landscaping—are similar to those of characteristic development and fit into the existing streetscape.

North Sydney Local Environmental Plan 2001

Clause 14

General provisions for the development of land

Part 2

2 Development which may be carried out in this zone

Development for the purpose of:

apartment buildings adaptation; apartment buildings revision; attached dwellings revision; boarding-houses; child care centres; duplexes; dwelling-houses; established apartment buildings; established attached dwellings; home industries; home occupations; housing for aged or disabled persons; open space; remediation; resident medical practices; telecommunications facilities; utility installations, other than gas holders or generating works.

Mixed Use Zone

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) encourage a diverse range of living, employment, recreational and social opportunities, which do not adversely affect the amenity of residential areas, and
- (b) create interesting and vibrant neighbourhood centres with safe, high quality urban environments with residential amenity, and
- (c) maintain existing commercial space and allow for residential development in mixed use buildings with non-residential uses at the lower levels and residential above.

2 Development which may be carried out in this zone

Development for the purpose of:

advertisements; apartment buildings; attached dwellings; boarding-houses; business identification signs; child care centres; clubs; commercial premises; community facilities; community notice signs; duplexes; dwelling-houses; drainage; educational establishments; home industries; home occupations; hospitals; hotels; medical centres; open space; places of assembly; places of public worship; real estate signs;

Clause 14 North Sydney Local Environmental Plan 2001

Part 2 General provisions for the development of land

recreational facilities; refreshment rooms; remediation; restricted premises; shops; showrooms; take-away food shops; taverns; telecommunications facilities; temporary signs; utility installations, other than gas holders or generating works.

Waterfront Zone

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) retain and encourage waterfront activities, and
- (b) identify sites which should be preserved for maritime purposes, or for activities which require direct waterfront access, and
- (c) ensure that development minimises adverse effects on adjacent residential and recreational areas, and environmental quality, and
- (d) ensure that development protects the environmental and visual qualities of the foreshores, and
- (e) provide for the implementation of environmental controls.

2 Development which may be carried out in this zone

Development for the purpose of:

advertisements; business identification signs; caretakers' residences; charter and tourist boat facilities; community notice signs; marinas; real estate signs; remediation; ship building and repair; shops and offices not exceeding 50 square metres in area the use of which is ancillary to another permissible use within the zone; telecommunications facilities; temporary signs; utility installations, other than gas holders or generating works; water based transport facilities.

North Sydney Local Environmental Plan 2001

Clause 14

General provisions for the development of land

Part 2

Special Use Zone

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) identify land on which special land uses are carried out, and
- (b) minimise the impact of the use of that land on adjoining land.

2 Development which may be carried out in this zone

Development for the purpose of:

- (a) on all sites in the zone—apartment buildings; attached dwellings; duplexes; dwelling-houses; open space; remediation; telecommunications facilities; utility installations, other than gas holders or generating works, and
- (b) on sites shown on the map with red lettering—the land use indicated by red lettering on the map.

Roads Zone

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) identify land used for roads, and
- (b) allow for the flexible use of roads appropriate to their context.

2 Development which may be carried out in this zone

Development for the purpose of:

advertisements; display of goods associated with an adjacent shop; drainage; footpath seating associated with an adjacent refreshment room; open space; remediation; roads; telecommunications facilities; temporary structures for the sale of produce and merchandise; utility installation, other than gas holders or generating works.

Clause 14 North Sydney Local Environmental Plan 2001

Part 2 General provisions for the development of land

Railways Zone

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) identify land used for railway purposes, and
- (b) minimise the adverse effects of railway use of this land on adjoining land.

2 Development which may be carried out in this zone

Development for the purpose of:

drainage; open space; railways, including any development authorised under the *Transport Administration Act 1988*; remediation; telecommunications facilities; utility installations, other than gas holders or generating works.

Public Open Space Zone

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) allow for a range of open space areas which meet the needs of the community for both formal and informal recreation, and
- (b) ensure sufficient public recreation areas are available for the benefit and use of the community, and
- (c) allow for the enhancement and management of recreation areas in accordance with plans of management adopted by the Council under the *Local Government Act 1993*.

2 Development which may be carried out in this zone

Any development in accordance with the plan of management adopted under Division 2 of Part 2 of Chapter 6 of the *Local Government Act 1993* and for the time being applicable to the subject land.

North Sydney Local Environmental Plan 2001

Clause 14

General provisions for the development of land

Part 2

Development for the purpose of:

bushfire hazard reduction; community notice signs; cycle ways; drainage; horticulture; landscaping; park maintenance; recreation areas; refreshment rooms; remediation; temporary signs; temporary structures, including temporary structures for the sale of goods, information displays, and the display and sale of merchandise and produce; utility installations, other than gas holders or generating works; vehicle access to another permissible use within the zone; visitor facilities.

Bushland Zone

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) protect and preserve bushland so as to provide representation of the natural state and to enable existing animal and plant communities to survive in the long term, and
- (b) allow, where appropriate, for low impact recreational opportunities which will protect the values of bushland, and
- (c) protect and preserve bushland for its natural, cultural, historical, scientific, educational, archaeological, geological, recreational, scenic and visual values in accordance with the Bushland Plan of Management adopted by the Council under the *Local Government Act 1993*.

2 Development which may be carried out in this zone

Any development in accordance with the plan of management adopted under Division 2 of Part 2 of Chapter 6 of the *Local Government Act 1993* and for the time being applicable to the subject land.

Clause 14 North Sydney Local Environmental Plan 2001

Part 2 General provisions for the development of land

Development for the purpose of:

bushfire hazard reduction; bushland regeneration and management; community notice signs; drainage; landscaping; remediation; vehicular access for emergency and maintenance vehicles; vehicle access to another permissible use within the zone; visitor facilities.

Public Recreation Zone

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) allow for a range of open space areas and public facilities which meet the needs of the North Sydney population for recreation, and
- (b) ensure sufficient public recreation areas are available for the benefit and use of residents and visitors to the North Sydney local government area, and
- (c) allow for the enhancement and management of both formal and informal recreation areas in accordance with plans of management adopted by the Council under the *Local Government Act 1993*.

2 Development which may be carried out in this zone

Any development in accordance with the plan of management adopted under Division 2 of Part 2 of Chapter 6 of the *Local Government Act 1993* and for the time being applicable to the subject land.

Development for the purpose of:

bushfire hazard reduction; child care centres; clubs; community facilities; community notice signs; cycle ways; drainage; horticulture; landscaping; park maintenance; recreation areas; refreshment rooms; remediation; telecommunications facilities; temporary structures for the sale of produce and merchandise goods, and for information displays; temporary signs;

North Sydney Local Environmental Plan 2001

Clause 14

General provisions for the development of land

Part 2

utility installations, other than gas holders or generating works; vehicle access to another permissible use within the zone; vehicle access to a permissible use within the Luna Park zone; visitor facilities.

Private Recreation Zone

1 Objectives of the zone

The particular objectives of this zone are to allow for the continued use of private recreation facilities.

2 Development which may be carried out in this zone

Development for the purpose of:

buildings and works involved in bushfire hazard reduction, drainage, horticulture, or landscaping; clubs; recreation areas; recreation facilities; remediation; utility installations, other than gas holders or generating works; visitor facilities.

Luna Park Zone

1 Objectives of the zone

The particular objectives of this zone are to:

- (a) ensure that development reflects and continues Luna Park's place in the social history of Sydney, and
- (b) allow for development for the purpose of public recreation, amusement and entertainment, and
- (c) minimise the impact of Luna Park's operation on the surrounding community.

Clause 14 North Sydney Local Environmental Plan 2001

Part 2 General provisions for the development of land

2 Development which may be carried out in this zone

Development for the purpose of:

Luna Park; amusements; places of assembly; recreation areas; recreational facilities; refreshment rooms; remediation; shops; take-away food shops; telecommunications facilities; utility installations, other than gas holders or generating works; works (other than buildings) involved in landscaping and gardening.

North Sydney Local Environmental Plan 2001

Clause 15

Special provisions

Part 3

Subdivision controls

Division 1

Part 3 Special provisions

Division 1 Subdivision controls

15 Subdivision

(1) **Subdivision objectives**

The specific objectives of the subdivision controls are to:

- (a) ensure subdivisions and other new development maintain the existing residential character as reflected in lot size, orientation and shape, and associated housing density, and
- (b) ensure the strata title conversion of existing multi-unit buildings does not adversely affect the residential amenity of those buildings and their surroundings, and
- (c) maintain a mix of dwelling sizes and affordable accommodation.

(2) **Consent requirements**

Subdivision may only be carried out with consent.

(3) **Minimum lot size in residential zones**

A subdivision must not create a lot, other than a strata lot, which contains less than the minimum area for the zone specified in the following Table:

Minimum lot area table

Zone	Minimum area per lot
Residential A1	450 square metres
Residential A2	450 square metres or 230 square metres (as shown on the map)
Residential G (Cremorne Point)	600 square metres
All other residential zones	230 square metres

Clause 15 North Sydney Local Environmental Plan 2001

Part 3 Special provisions
Division 1 Subdivision controls

(4) **Area of lot**

For the purposes of this clause, in calculating the area of any lot, the area of any access way, right of carriageway or the like, and the area of any land that was below the line of maximum tidal reach at 3 December 1982, are to be excluded.

Division 2 Residential zones controls

16 Residential zone objectives

The specific objectives of the residential zone controls are:

- (a) a range of dwelling types, which includes:
 - (i) dwelling-houses, each being a detached house and garden, providing accommodation for a range of households and, in particular, households with children, and
 - (ii) duplexes, being two dwellings in the one building, which will have a similar appearance, bulk and scale to a detached house and which will assist in the retention of existing buildings, and
 - (iii) attached dwellings, being a medium density form of housing, with underground parking and garden courtyards for the use of residents, each dwelling having its own entrance directly from the road into the dwelling and a majority of dwellings having an address to the road, and
 - (iv) apartments, being a medium density form of housing set in a garden block, with underground parking and communal landscaped open space for the use of residents, and
- (b) amenity for residents of new and existing dwellings, and
- (c) buildings which are compatible with their immediate context, and
- (d) buildings which are compatible with the character that is appropriate for the neighbourhood, and
- (e) to avoid carriage development.

North Sydney Local Environmental Plan 2001

Clause 17

Special provisions

Part 3

Residential zones controls

Division 2

17 Building heights

(1) Building height objectives

The specific objectives of the building height controls are to:

- (a) limit the height of buildings in residential zones to:
 - (i) one storey, at the street façade, where that is the characteristic building height, or
 - (ii) subject to subparagraph (i), heights which are the same as or similar to the characteristic building heights, or
 - (iii) if neither subparagraph (i) nor (ii) applies, two storeys, or
 - (iv) despite subparagraphs (i)–(iii), in the case of apartment buildings in the residential C zone, three storeys or the height indicated on the map, and
- (b) promote pitched roofs in all residential zones, unless another roof form is identified in a character statement as being, or as being compatible with, the characteristic roof form for the neighbourhood, and
- (c) promote the retention of and, if appropriate, sharing of existing views, and
- (d) maintain solar access to new and existing dwellings, public reserves and streets, and promote solar access to new buildings, and
- (e) maintain privacy for residents of existing dwellings and promote privacy for residents of new buildings, and
- (f) prevent the excavation of sites for building works, other than for garages and car parking.

Note. *characteristic building height* is defined in Schedule 2.

(2) Additional objectives for Cremorne Point

Additional specific objectives of the building height controls in the residential G zone (Cremorne Point) are to:

- (a) minimise the loss of significant views from surrounding properties, roads or public places, and
- (b) minimise shadows that reduce sunlight available to the northern façade of an existing dwelling, or the landscaped area around an existing dwelling, to less than 3 hours per day between 9 am and 3 pm on 22 June annually, and
- (c) ensure that the wall heights of the proposed building do not exceed the wall heights of surrounding contributory items.

Clause 17 North Sydney Local Environmental Plan 2001

Part 3 Special provisions

Division 2 Residential zones controls

(3) **Building height controls**

Except as otherwise provided in this clause, a building must not be erected, in a residential zone, in excess of 8.5 metres in height.

(4) Where the characteristic building height is one storey, a building must not be erected, in a residential zone, in excess of 5.5 metres in height at the street façade or 8.5 metres in height otherwise.

(5) An apartment building in the residential C zone must not be erected in excess of 12 metres in height, where no other maximum height is specified in this plan or on the map.

(6) Where a maximum height is specified on the map, a building must not be erected, in a residential zone, in excess of that height.

(7) **Existing small lots**

A building must not be erected, on any small lot, in excess of 5.5 metres in height.

(8) **Roofs**

A building must not be erected in a residential zone unless the building has a pitched roof, except where the building has another roof form identified in a character statement for the neighbourhood concerned as being, or as being compatible with, the characteristic roof form for the neighbourhood.

(9) **Attics**

A building must not be erected, in a residential zone, if the attic of any dwelling within the building exceeds 50% of the area of the floor below it, within the same dwelling.

18 Building height plane

(1) **Building height plane objectives**

The specific objectives of the building height plane controls are to:

- (a) control the bulk and scale of buildings, and
- (b) provide separation between buildings, and
- (c) preserve the amenity of existing dwellings and provide amenity to new dwellings in terms of shadowing, privacy, views, ventilation and solar access.

North Sydney Local Environmental Plan 2001

Clause 18

Special provisions

Part 3

Residential zones controls

Division 2

- (2) **Building height plane control in residential A1, A2, B, D and F zones**
 A building must not be erected in the residential A1, A2, B, D or F zone if any part of the building will exceed a building height plane, commencing at 1.8 metres above existing ground level, projected at all points from each of the boundaries of the site.
- (3) **Building height plane control in residential C zone**
 A building must not be erected in the residential C zone if any part of the building will exceed a building height plane:
- (a) commencing at 3.5 metres above existing ground level, projected at all points from each of the boundaries of the site, or
 - (b) commencing at 1.8 metres above existing ground level, projected at all points from each of the boundaries of the site which adjoins land within the residential A1, A2, B, D or F zone or open space zone, or from the centre of any road which separates the land from land within the residential A1, A2, B, D or F zone or open space zone.
- (4) **Building height plane control where maximum height on map**
 The building height plane does not apply to apartment buildings in those areas where the permissible building height is greater than 12 metres, as indicated on the map.
- (5) **Building height performance criteria**
 Consent must not be granted pursuant to *State Environmental Planning Policy No 1—Development Standards* for the erection of a building any part of which exceeds a building height plane set by this clause if the building would materially:
- (a) overshadow any existing or new property, or
 - (b) reduce the level of privacy to any existing or new property, or
 - (c) obstruct views from any existing or new property, or
 - (d) obstruct daylight or ventilation to any existing or new property.

19 Building setbacks

- (1) **Building setback objective**
 The specific objective of the building setback control is to minimise adverse effects of buildings on streetscape, privacy, solar access, and amenity in residential zones.

Clause 19 North Sydney Local Environmental Plan 2001

Part 3 Special provisions

Division 2 Residential zones controls

(2) **Building setback control**

A building must not be erected, in a residential zone, unless the building is set back from the road boundary by at least the average distance that existing buildings on the site or adjoining land are set back from the road boundary.

- (3) Subclause (2) does not apply to garden sheds, car ports or garages on the site having a combined gross floor area of less than 30 square metres or to fences.

20 Landscaped area

(1) **Landscaped area objectives**

The specific objectives of the landscaped area controls are to:

- (a) promote characteristic landscaping and streetscapes, and
- (b) provide useable private open space for the enjoyment of residents, and
- (c) provide a landscaped buffer between adjoining properties, and
- (d) maximise retention and absorption of surface drainage water on site, and
- (e) minimise obstruction to the underground flow of water, and
- (f) promote substantial landscaping, including trees which will grow to a minimum height of 15 metres, and
- (g) control site density, and
- (h) minimise site disturbance.

(2) **Landscaped area controls for residential A1, A2, B, C and F zones**

Development must not be carried out in the residential A1, A2, B, C, or F zone, if (because of carrying out the development) the percentage of any site area that is landscaped area is less than the minimum percentage for the site area as specified in the following Table:

Landscaped area requirements

Site area	Landscaped area as a percentage of site area
Less than 500m ²	50%
500m ² or more but less than 600m ²	52%
600m ² or more but less than 700m ²	54%

North Sydney Local Environmental Plan 2001

Clause 20

Special provisions

Part 3

Residential zones controls

Division 2

Site area	Landscaped area as a percentage of site area
700m ² or more but less than 800m ²	56%
800m ² or more but less than 900m ²	58%
900m ² and above	60%

- (3) **Landscaped area control for residential G zone (Cremorne Point)**
Development must not be carried out in the residential G zone if (because of carrying out the development) the percentage of the site area that is landscaped area is less than 60%.

21 Residential D zone (Neighbourhood Business)

(1) Landscaped area and floor space objectives

The specific objectives of landscaped area and floor space controls in the residential D zone are to:

- (a) ensure that development resulting in high site coverage provides adequate landscaped space or outdoor space for use by residents, and
- (b) ensure that development is of a scale and intensity compatible with the residential character of the zone, and
- (c) minimise traffic generation.

(2) Landscaped area and floor space controls

A building must not be erected in the residential D zone if the:

- (a) percentage of landscaped area plus outdoor space on the site is less than 35% of the site area, or
- (b) floor space ratio of the building exceeds 1:1 in all areas other than the part of Cammeray or St Leonards shown coloured on sheet 2 of the map, or
- (c) floor space ratio of the part of the building to be used for non-residential purposes is not within the range specified on the map, where the building is in the area of Cammeray or St Leonards shown coloured on sheet 2 of the map.

Clause 22 North Sydney Local Environmental Plan 2001

Part 3 Special provisions

Division 3 Building form

Division 3 Building form

22 Duplexes and dwelling-houses

(1) **Restrictions on erection of duplexes and dwelling-houses**

No more than one duplex or dwelling-house may be erected on a single lot.

(2) A dwelling-house and a duplex must not be erected on the same lot, and neither may be erected on a lot with another form of development containing a dwelling.

(3) **Duplex objectives**

The specific objectives of the duplexes controls are to:

- (a) achieve a form of building which appears as a dwelling-house, and
- (b) conserve heritage items and contributory items within conservation areas, and
- (c) avoid uncharacteristic building forms, especially on land which is within a conservation area or is identified as a heritage item, and
- (d) avoid over-development of small sites.

(4) **Restriction on development of duplexes**

Despite the Table to Part 2, a duplex must not be erected on land which is located within a conservation area or is identified as a heritage item, unless the duplex is located in an existing building.

(5) **Duplex controls**

A duplex must not be erected unless:

- (a) the dwellings in the duplex are attached by at least 80% of the common wall, or 80% of the common floor or ceiling, as relevant, and
- (b) the site area is at least 450 square metres, and
- (c) not more than one duplex per 450 square metres of site area is proposed, and
- (d) underground parking is not proposed.

North Sydney Local Environmental Plan 2001

Clause 23

Special provisions

Part 3

Building form

Division 3

23 Attached dwellings, generally

(1) **Attached dwelling objectives**

The specific objectives of the attached dwelling controls are to:

- (a) achieve residential buildings with the character of traditional row housing, and
- (b) ensure that no dwelling shares an entrance pathway or lobby area, and
- (c) avoid carriage development, and
- (d) ensure the amenity of occupants and neighbours.

(2) **Attached dwelling controls**

Attached dwellings must not be erected unless:

- (a) each dwelling in the building has an individual entrance, at ground level, directly to a public road, and
- (b) at least 50% of the dwellings in the building have their primary frontage and orientation to a public road or public place.

24 Attached dwellings revision

(1) **Attached dwellings revision objective**

The specific objective of the attached dwellings revision controls is to ensure that development for the purpose of attached dwellings revision:

- (a) is carried out substantially within the fabric of the existing building, and
- (b) substantially retains the existing external walls and roof of the building in its existing dimensions and locations, and
- (c) minimises the extension of buildings to accommodate attached dwellings and, in particular, minimises any increase in the height or gross floor area of the building, and
- (d) minimises any reduction in the landscaped area of the site.

(2) **Attached dwellings revision controls**

Development for the purpose of attached dwellings revision must not be carried out if the development involves any alteration or addition to the existing building which would:

- (a) cause any material loss of views from other properties or public places, or

Clause 24 North Sydney Local Environmental Plan 2001

Part 3 Special provisions

Division 3 Building form

- (b) cause any material overshadowing of other properties or public places, or
- (c) cause any material loss of privacy to other properties, or
- (d) increase the height of the attached dwellings that lawfully existed on the appointed day, or
- (e) decrease the landscaped area of those attached dwellings below the requirements set out in clause 20, or decrease the landscaped area where the landscaped area is already below the requirements in clause 20.

25 Apartment buildings, generally

(1) Apartment building objectives

The specific objectives of the apartment building controls are to:

- (a) reduce the adverse effect of larger scale buildings and ensure that apartment buildings do not dominate the streetscape, and
- (b) ensure that dwelling-houses or duplexes will not be left isolated on sites that are not reasonably capable of development for apartment buildings.

(2) Apartment building controls

An apartment building must not be erected if:

- (a) the length of any façade facing the street is less than 9 metres or more than 15 metres, or
- (b) any dwelling-house or duplex will be left isolated as a result of the development on sites that are not reasonably capable of development for apartment buildings.

26 Apartment building revision or adaptation

(1) Apartment building revision or adaptation objectives

The specific objectives of the apartment building revision or adaptation controls are to ensure that development for the purpose of apartment buildings in apartment or other buildings that lawfully existed at the appointed day:

- (a) is carried out substantially within the fabric of the existing building, and
- (b) substantially retains the existing external walls and roof of the building in its existing dimensions and locations, and

North Sydney Local Environmental Plan 2001

Clause 26

Special provisions

Part 3

Building form

Division 3

- (c) minimises the extension of buildings to accommodate apartment development, and, in particular, minimises any increase in the height or gross floor area of the building, and
 - (d) minimises any reduction in the landscaped area of the site.
- (2) **Apartment building revision or adaptation controls**
 Development for the purpose of apartment building revision or apartment building adaptation must not be carried out if the development involves any alteration or addition to the apartment or other building that lawfully existed at the appointed day which would:
- (a) cause any material loss of views from other properties or public places, or
 - (b) cause any material overshadowing of other properties or public places, or
 - (c) cause any material loss of privacy to other properties, or
 - (d) increase the height of the existing apartment or other building, or
 - (e) decrease the landscaped area of the existing apartment or other building below the requirements set out in clause 20, or decrease the landscaped area where the landscaped area is already below the requirements in clause 20.

27 Small lots

(1) Small lots objectives

The specific objectives of the small lots controls are to:

- (a) limit the bulk and scale of development on small lots, in accordance with the size of such lots, and
- (b) protect the amenity of surrounding properties, and
- (c) ensure that each small lot is the site of one dwelling only.

(2) Small lots controls

Despite any other provision of this plan, any lot with an area of 230 square metres or less, if developed for residential purposes, must contain no more than one dwelling.

Clause 28 North Sydney Local Environmental Plan 2001

Part 3 Special provisions
Division 4 North Sydney Centre

Division 4 North Sydney Centre

28 North Sydney Centre

Note. Controls relating to North Sydney Centre, the deferred area shown on the map, will be added by a future amendment to this plan.

Division 5 Mixed use zone

29 Building height

(1) **Building height objectives**

The specific objectives of the building height controls in the mixed use zone are to:

- (a) ensure compatibility between development in the mixed use zone and adjoining residential areas and open space zones, and
- (b) encourage an appropriate scale of development for each neighbourhood that, if there is a character statement for the neighbourhood, is to be consistent with the scale recommended by that character statement.

(2) **Building height controls**

A building must not be erected in the mixed use zone in excess of the height shown on the map.

30 Building height plane

(1) **Building height plane objectives**

The specific objectives of the building height plane controls in the mixed use zone are to:

- (a) ensure compatibility between development in the mixed use zone and adjoining residential or open space zones, and
- (b) minimise adverse effects in terms of solar access and overshadowing.

(2) **Building height plane controls**

A building must not be erected in the mixed use zone, on land that adjoins or is adjacent to land within a residential or open space zone, if any part of the building will exceed a building height plane:

North Sydney Local Environmental Plan 2001	Clause 30
Special provisions	Part 3
Mixed use zone	Division 5

- (a) commencing 1.8 metres above existing ground level, projected at all points from each of the boundaries of the site which adjoin land within the residential A1, A2, B, D or F zone or open space zone, or
- (b) commencing 1.8 metres above existing ground level, projected from the centre of any road which separates the land from land within the residential A1, A2, B, D or F zone or open space zone, or
- (c) commencing 3.5 metres above existing ground level, projected at all points from each of the boundaries of the site which adjoin land within the residential C zone, or
- (d) commencing 3.5 metres above existing ground level, projected from the centre of any road which separates the land from land within the residential C zone.

31 Floor space

(1) Floor space objectives

The specific objectives of the floor space ratio controls in the mixed use zone are to:

- (a) ensure a diverse mix of uses in each building in the mixed use zone, and
- (b) minimise traffic generation from commercial development.

(2) Floor space controls

A building must not be erected in the mixed use zone if the floor space ratio of the part of the building to be used for non-residential purposes is not within the range specified on the map.

32 Design of development

(1) Design objectives

The specific objectives of the design of development in the mixed use zone controls are to:

- (a) promote development containing a mix of residential and non-residential uses, and
- (b) protect the amenity and safety of residents, and
- (c) concentrate the non-residential component of development in the mixed use zone at the lower levels of a building.

Clause 32 North Sydney Local Environmental Plan 2001

Part 3 Special provisions

Division 5 Mixed use zone

(2) **Design controls**

A new building in the mixed use zone must not be erected unless:

- (a) the building contains both residential and non-residential uses, and
 - (b) the non-residential component of the building is provided at the lower levels of the building and the ground level is not used for residential purposes, except access, and
 - (c) the amenity and safety of residents will be protected from intrusion by the users of the non-residential parts of the development.
- (3) Despite any other provision of this plan, any development in the mixed use zone may contain both residential and non-residential uses.

Division 6 Waterfront zone

33 Waterfront zone controls

(1) **Objectives of waterfront zone controls**

The specific objectives of the waterfront zone controls are to:

- (a) ensure development in the waterfront zone is in scale with the site and its surroundings, and
- (b) acknowledge the unique environmental quality of the foreshores of the harbour.

(2) **Waterfront zone controls**

Development must not be carried out in the waterfront zone if:

- (a) the area of the site to be built upon exceeds 50% of the total site area, or
- (b) the height of any proposed building exceeds 10 metres, or
- (c) the proposed development is incompatible with the:
 - (i) size of the site and the part of the waterway where the development is situated, particularly in relation to the number, size and draft of any boats to be moored, or
 - (ii) proximity, scale and height of surrounding development, or
 - (iii) scenic, environmental and cultural qualities of the site and its surrounding area, or
- (d) the proposed development will have an adverse effect on:

North Sydney Local Environmental Plan 2001

Clause 33

Special provisions

Part 3

Waterfront zone

Division 6

- (i) public views and views from surrounding properties, or
- (ii) natural features on, or adjoining, the site, such as cliff lines, bushland and significant trees.

Division 7 Special use zone

34 Buildings in the special use zone

- (1) **Land to which clause applies**
This clause applies to all land within the special use zone.
- (2) **Buildings in the special use zone objectives**
The specific objectives of the buildings in the special use zone controls are to:
 - (a) ensure that buildings within the zone are similar in type, height, bulk and scale to surrounding buildings, and
 - (b) minimise the adverse effects of development on surrounding residential development.
- (3) **Building controls**
A building must not be erected on land to which this clause applies unless:
 - (a) the building is consistent with the objectives and permissible uses that apply to the land adjoining the site, and
 - (b) the building complies with the relevant development standards, for the particular type of building, that apply to the land adjoining the site.
- (4) If the site adjoins land in more than one zone, the objectives, permissible uses and development standards that are applied by subclause (3) are those for the zone that is subject to the most restrictive development standards.
- (5) *State Environmental Planning Policy No 1—Development Standards* applies to development standards that are applied by subclause (3).

Clause 35 North Sydney Local Environmental Plan 2001

Part 3 Special provisions

Division 8 Reserved land

Division 8 Reserved land

35 Acquisition and development of land reserved for open space or bushland

- (1) The owner of any land in the public open space or bushland zones and listed in Schedule 9, being land reserved for acquisition as local open space or bushland, may by notice in writing require the Council to acquire the land.
- (2) The owner of any land in the public open space or bushland zones and listed in Schedule 10, being land reserved for acquisition as regional open space, may by notice in writing require the Corporation to acquire the land.
- (3) On receipt of a notice under this clause, the Council or the Corporation, as the case may be, must acquire the land, unless the land is owned by a public authority and is held by that public authority for the purpose for which the land is reserved.
- (4) Consent may be granted to development on land referred to in Schedule 9 or 10 for any purpose if the consent authority is satisfied that the development will not adversely affect the usefulness of the land for the purpose for which it has been reserved.

36 Acquisition and development of land reserved for roads

- (1) The owner of any vacant land in the Road Zone and listed in Schedule 12, being land reserved for acquisition as arterial road reservation—proposed road widening, may by notice in writing require:
 - (a) the RTA to acquire the land, in the case of land that is included in a 5 year works program current at the time of receipt of the notice, or
 - (b) the Corporation to acquire the land, in any other case.
- (2) The owner of any land referred in Schedule 12 that is not vacant may, by notice in writing, require the RTA to purchase the land if:
 - (a) the land is included in a 5 year works program current at the time of receipt of the notice, or
 - (b) the RTA decided not to grant a concurrence required by this clause for development on the land, or

North Sydney Local Environmental Plan 2001	Clause 36
Special provisions	Part 3
Reserved land	Division 8

- (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.
- (4) A person may carry out development on land listed in Schedule 12, with the consent of the Council, and:
- (a) in the case of vacant land, with the concurrence of the RTA and the Corporation, or
- (b) in the case of land that is not vacant, with the concurrence of the RTA,
- for any purpose:
- (c) for which development may be carried out in an adjoining zone, or
- (d) of a temporary nature.
- (5) In deciding whether to concur with development proposed under this clause, the RTA and the Corporation must consider:
- (a) the need to carry out development on the land for the purposes of classified roads or proposed classified roads, and
- (b) the imminence of acquisition, and
- (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 the consent of the Council, for any purpose, until such time as it is required for the purpose for which it was acquired.
- (7) In this clause:

RTA means the Roads and Traffic Authority constituted under the *Transport Administration Act 1988*.

vacant land means land on which, immediately before the day on which a notice under this clause is given, there were no buildings except fences or buildings ancillary to a dwelling-house, such as green houses, conservatories, garages, summer houses, private boat houses, fuel sheds, tool houses, cycle sheds, aviaries, milking bails, hay sheds, stables, fowl houses, barns or the like.

Clause 37 North Sydney Local Environmental Plan 2001

Part 3 Special provisions

Division 9 Miscellaneous provisions

Division 9 Miscellaneous provisions

37 Site specific development control plans

(1) **Land to which clause applies**

This clause applies to all land within the special use, road and railway zones, and to land within the residential and mixed use zones that is identified as a site specific development control plan site on the map.

(2) **Development control plans objectives**

The objectives of the site specific development control plan controls are to:

- (a) provide for the coordinated redevelopment of nominated sites, and
- (b) enhance the amenity and quality of the public domain, and
- (c) achieve a more efficient use of land, and
- (d) minimise the adverse effects of development on residents of existing and new development.

(3) **Development control plans to be considered**

Consent may be granted for development on land identified in subclause (1) only if:

- (a) a development control plan has been approved for the land and the development control plan is in force, and
- (b) the consent authority has taken the development control plan into account.

(4) **Minor development exception**

A development control plan is not required under this clause for the following development:

- (a) any exempt development or complying development, or
- (b) any internal alteration to an existing building, or
- (c) any external alteration to an existing building that does not increase the building height or gross floor area of the building.

North Sydney Local Environmental Plan 2001

Clause 38

Special provisions

Part 3

Miscellaneous provisions

Division 9

38 Development within the foreshore building area

(1) Foreshore building area objectives

The specific objectives of the foreshore building area controls are to:

- (a) enable development to be carried out, which is associated with water based recreation activity and which is ancillary to residential use but which is not used for habitation, and
- (b) recognise and retain the scenic, environmental and cultural qualities and the historical significance of foreshore land, and
- (c) recognise and implement the aims and objectives of *Sydney Regional Environmental Plan No 23—Sydney and Middle Harbours*, and
- (d) minimise the individual and cumulative adverse visual effects of foreshore development.

(2) Foreshore building area controls

Despite any other provision of this plan, development must not be carried out within the foreshore building area except for the purpose of:

- (a) structures with a height less than 3 metres, which are associated with water based recreational activity and which are ancillary to residential use, but which are not used as habitable rooms, or
- (b) barbecues, or
- (c) sea retaining walls.

(3) *State Environmental Planning Policy No 1—Development Standards* does not apply to a requirement made by subclause (2).

(4) Minor variation of foreshore building line

Where the levels, depth or other exceptional features of a site make it necessary or appropriate to do so, the Council may, by resolution, vary the position of the foreshore building line on the site to a minor extent for the purposes of the application of this clause in respect of a particular development proposal.

39 Excavation of land

(1) Excavation objectives

The specific objectives of the excavation of land controls are to:

- (a) retain existing vegetation and allow for new substantial vegetation and trees, and

Clause 39 North Sydney Local Environmental Plan 2001

Part 3 Special provisions

Division 9 Miscellaneous provisions

- (b) minimise the adverse effects of excavation on the amenity of neighbouring properties, and
 - (c) minimise excavation and site disturbance so as to retain natural landforms, natural rock faces, sandstone retaining walls and the like and to retain natural water runoff patterns and underground water table and flow patterns, and
 - (d) ensure the structural integrity of adjoining properties.
- (2) **Excavation controls**
Development that includes excavation must not be carried out unless:
- (a) the development is in accordance with and promotes the objectives in subclause (1), and
 - (b) land stability of the site and adjoining land is preserved, and
 - (c) the natural drainage patterns of the land and catchment will not be disrupted, and
 - (d) adverse effects on other properties are avoided or minimised.

40 Contaminated land

- (1) Consent must not be granted to the carrying out of any development on land unless the consent authority:
- (a) has considered whether the land is contaminated, and
 - (b) if the land is contaminated, is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, is satisfied that the land will be remediated before the land is used for that purpose.
- (2) Nothing in this clause affects the application of *State Environmental Planning Policy No 55—Remediation of Land* or the *Contaminated Land Management Act 1997* to land to which this plan applies.

North Sydney Local Environmental Plan 2001

Clause 41

Special provisions

Part 3

Miscellaneous provisions

Division 9

41 Acid sulfate soils

(1) **Acid sulfate objectives**

The specific objectives of the acid sulfate soil controls are to:

- (a) provide environmental planning controls that will result in the management of any disturbance to acid sulfate soils in the North Sydney local government area so as to minimise adverse effects on natural water bodies and wetlands and on urban and infrastructure activities, and
- (b) require special assessment of certain development on land identified as being subject to risks associated with the disturbance of acid sulfate soils.

(2) **Acid sulfate soil controls**

Within the Acid Sulfate Soil Area shown on the map, a person must not, without development consent, carry out any works that will disturb more than one tonne of soil below the existing ground level, or that are likely to lower the water table on any land within the Acid Sulfate Soil Area.

(3) Consent is not required by this clause if:

- (a) a copy of a preliminary assessment of the proposed works, undertaken in accordance with the acid sulfate soils assessment guidelines by a suitably qualified person, has been given to the Council, and
- (b) the Council is satisfied that the results of the preliminary assessment indicate that the proposed works need not be carried out pursuant to an acid sulfate soils management plan prepared in accordance with the Acid Sulfate Soils Manual.

(4) **Considerations for consent authority**

A consent required by this clause must not be granted unless the consent authority has considered:

- (a) an acid sulfate soils management plan prepared for the proposed development in accordance with the Acid Sulfate Soil Manual, and
- (b) the likelihood of the proposed development resulting in the discharge of acid water, and

Clause 41 North Sydney Local Environmental Plan 2001

Part 3 Special provisions

Division 9 Miscellaneous provisions

(c) any comments received from the Department of Land and Water Conservation within 21 days of the consent authority having sent that Department a copy of the development application and of the related acid sulfate soils management plan.

(5) **Public authorities not excepted**

This clause requires consent for development to be carried out by councils, or any statutory or public authority despite:

- (a) clause 35 and items 2 and 11 of Schedule 1 of the *Environmental Planning and Assessment Model Provisions 1980*, as adopted by clause 7 of this Plan, and
- (b) clause 10 of *State Environmental Planning Policy No 4—Development Without Consent*.

(6) **Definitions**

In this plan:

acid sulfate soils means actual or potential acid sulfate soils, as defined in the Acid Sulfate Soil Manual.

acid sulfate soils assessment guidelines means the assessment guidelines in the Acid Sulfate Soil Manual.

Acid Sulfate Soil Manual means the document with that name published by the NSW Acid Sulfate Soils Management Advisory Committee and as adopted for the time being by the Director-General.

42 Suspension of covenants, agreements and similar instruments

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

North Sydney Local Environmental Plan 2001

Clause 43

Heritage provisions

Part 4

Part 4 Heritage provisions

43 This Part to prevail

The provisions of this Part prevail over all other provisions of this plan to the extent of any direct or indirect inconsistency.

44 Heritage conservation objectives

The specific objectives of the heritage conservation controls are to:

- (a) ensure the protection and management of Aboriginal sites and relics, and
- (b) ensure the proper management of archaeological resources, and
- (c) ensure the conservation of heritage items (and their curtilages) and conservation areas, and
- (d) ensure that development does not adversely affect the heritage significance of heritage items and conservation areas.

45 Consent requirements

(1) Consent required for development

The following development must not be carried out without development consent:

- (a) disturbing or excavating any land while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in an Aboriginal site or an archaeological resource being discovered, exposed, moved, damaged or destroyed, or
- (b) damaging, demolishing, defacing, moving or altering a relic, or
- (c) wholly or partly demolishing or moving a heritage item or a building, work or place within a conservation area, or
- (d) altering a heritage item or a building, work or place within a conservation area by making structural or non structural changes to its exterior, such as changes to its external detail, fabric, finish or appearance, or
- (e) making structural or non-structural changes to the detail, fabric, finish or appearance of the interior of a heritage item listed in Schedule 3, or

Clause 45 North Sydney Local Environmental Plan 2001

Part 4 Heritage provisions

(f) erecting a building on, or subdividing, land that is a heritage item or is within a conservation area.

(2) **Exceptions from consent requirements**

Development consent is not required by this clause if:

- (a) the proposed development consists of maintenance of a heritage item or a building, work or place within a conservation area, and
- (b) the proposed development would not adversely affect the heritage significance of the heritage item or conservation area concerned, and
- (c) the proponent has notified the Council in writing of the proposed development and the Council has advised the proponent in writing before the development is carried out that it is satisfied that development consent is not required because of this exception.

46 Aboriginal sites and relics

(1) **Aboriginal sites and relics objectives**

The specific objectives in relation to the aboriginal sites and relics controls are to:

- (a) ensure the conservation of Aboriginal sites and relics, and
- (b) ensure that development does not adversely affect Aboriginal sites and relics.

(2) **Aboriginal sites and relics controls**

Consent must not be granted to development on an Aboriginal site unless the consent authority:

- (a) has considered a statement of heritage impact showing how the proposed development would affect the conservation of the site, and any relic known or likely to be located at the site, and
- (b) has considered any submission made by the relevant Aboriginal community about the Aboriginal cultural significance of the site and the impact of the proposed development on the cultural significance of that site, and
- (c) 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 after the notice was sent.

North Sydney Local Environmental Plan 2001

Clause 47

Heritage provisions

Part 4

47 Archaeological resources

(1) **Archaeological resources objectives**

The specific objectives of the archaeological resources controls are to:

- (a) ensure the conservation of archaeological resources, and
- (b) ensure development does not adversely affect archaeological resources.

(2) **Archaeological resources controls**

Consent must not be granted to development on land that contains an archaeological resource unless the consent authority:

- (a) has considered a statement of heritage impact showing how the proposed development would affect the conservation of the archaeological resource known or likely to be located on that land, and
- (b) has notified the Heritage Council of its intention to do so and taken into consideration any comments received from the Heritage Council within 28 days after the notice was sent.

48 Heritage items

(1) **Heritage item objectives**

The specific objectives of the heritage item controls are to:

- (a) prevent the demolition of heritage items, and
- (b) provide specific criteria to be considered when determining an application in respect of a heritage item, and
- (c) ensure heritage items are conserved and maintained.

(2) **Heritage item controls**

When determining whether or not to grant consent to a development application in respect of a heritage item, the consent authority must consider the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item concerned.

(3) The consent authority's consideration under subclause (2) must include (but is not limited to) consideration of:

- (a) the heritage significance of the item as part of the environmental heritage of North Sydney, and
- (b) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and

Page 47

Clause 48 North Sydney Local Environmental Plan 2001

Part 4 Heritage provisions

- (c) the measures proposed to conserve the heritage significance of the item and its setting, and
 - (d) the extent, if any, to which the carrying out of the proposed development would affect the form of an historic subdivision.
- (4) **Required documentation: heritage items**
The Council must not grant consent to development in respect of a heritage item until it has considered:
- (a) a statement of heritage impact, which includes an assessment of the matters stated in subclause (3), or
 - (b) a conservation management plan, where required.
- (5) **Consideration of proposed development involving demolition of a heritage item**
Consent must not be granted to development involving demolition of a heritage item, until the consent authority has considered:
- (a) whether the heritage significance of the heritage item is insufficient to warrant its retention, and
 - (b) whether the heritage item is reasonably capable of conservation, and
 - (c) whether the heritage item is not in a structurally sound condition, and
 - (d) whether the character, design and aesthetics of any proposed replacement building or work and its relationship to the character of the surrounding buildings and works is appropriate.
- (6) **Site redevelopment**
Despite any other provision of this plan, the consent authority must not grant consent to an application to demolish a heritage item unless the consent authority, at the same time, grants consent to a replacement building or work or remedial works on the site.
- (7) **Documentation required: demolition of heritage items**
Consent must not be granted to the demolition of a heritage item, until the consent authority has considered:
- (a) a statement of heritage impact or, if required by the consent authority, a conservation management plan, and
 - (b) a structural engineer's report.

North Sydney Local Environmental Plan 2001

Clause 48

Heritage provisions

Part 4

-
- (8) **Referral to Heritage Council: items of state heritage significance**
Before granting consent to the demolition of a heritage item of State heritage significance, the consent authority must notify the Heritage Council of its intention to do so and take into consideration any comments received from the Heritage Council within 28 days after the notice is sent.

49 Conservation areas

- (1) **Conservation area objectives**
The specific objectives of the conservation area controls are to:
- (a) ensure the conservation of the character and heritage significance of conservation areas, as a whole or any part thereof, and
 - (b) ensure that demolition within conservation areas does not result in incremental loss of heritage significance, and
 - (c) prevent the demolition of contributory items, and
 - (d) provide specific criteria to be considered when determining a development application in respect of a building, work, or place in a conservation area, and
 - (e) ensure that neutral items are retained, and
 - (f) encourage the removal of uncharacteristic elements from conservation areas and their replacement with buildings or works that reinforce the character and significance of the conservation areas.
- (2) **Assessment of proposed development: conservation areas**
When determining whether or not to grant consent to a development application in respect of a building, work or place within a conservation area, the consent authority must consider:
- (a) whether the proposed development will not adversely affect the character and heritage significance of the conservation area, as a whole, and the part of the conservation area in the immediate vicinity of the proposed development, and
 - (b) whether the proposed development will reduce the uncharacteristic elements present in the conservation area, and
 - (c) without limiting the generality of paragraph (a) or (b), whether:
 - (i) the height, number of storeys, bulk and scale of the building, and
 - (ii) the pitch, form and detail of the roof of the building, or

Clause 49 North Sydney Local Environmental Plan 2001

Part 4 Heritage provisions

- (iii) the style, size, proportion and position of openings for windows or doors of the building, and
- (iv) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building, and
- (v) the setbacks of the building, and
- (vi) the design of the landscaped area of the development site, and
- (vii) the pattern of any subdivision included in the proposed development,

are similar to those of contributory items within the conservation area, as a whole and in the immediate vicinity of the proposed development.

- (3) The consent authority must not consider uncharacteristic elements when carrying out its functions under subclause (2).
- (4) **Required documentation: conservation areas**
Consent must not be granted for development of land within a conservation area unless the consent authority has considered a statement of heritage impact.
- (5) **Consideration of proposed demolition in a conservation area**
Consent must not be granted to development involving demolition of a building, work or place within a conservation area, until the consent authority has considered:
 - (a) whether the proposed development will have an adverse effect on the character and heritage significance of the conservation area as a whole and the part of the conservation area in the immediate vicinity of the proposed development, and
 - (b) if the proposed development involves a contributory item, whether the proposed development will have an adverse effect on the significance of the conservation area as a whole and that part of the conservation area, and
 - (c) whether the building, work or place is not structurally sound and not capable of conservation, and
 - (d) whether the proposed building or work intended to replace that being demolished will contribute to the character and heritage significance of the conservation area, in particular in terms of subclause (2) (c).

North Sydney Local Environmental Plan 2001

Clause 49

Heritage provisions

Part 4

(6) **Required documentation: demolition in a conservation area**

Consent must not be granted to the demolition of a building, work or place within a conservation area until the consent authority has considered:

- (a) a statement of heritage impact, and
- (b) a structural engineer's report, except where the building or work to be demolished is an uncharacteristic element.

(7) **Site redevelopment**

Despite any other provision of this plan, the consent authority must not grant consent to an application for demolition on land within a conservation area unless the consent authority, at the same time, grants consent to a replacement building or work or remedial works on the site.

50 Development in the vicinity of heritage items

(1) **Development in vicinity objective**

The specific objective of the development in the vicinity of heritage items control is to ensure that development in the vicinity of a heritage item does not adversely affect the heritage significance of the item or its curtilage.

(2) **Development in vicinity controls**

When determining a development application relating to land in the vicinity of a heritage item the consent authority must consider the likely effect of the proposed development on the heritage significance of the heritage item and its curtilage.

(3) Consent must not be granted to development on land in the vicinity of a heritage item until the consent authority has considered a statement of heritage impact for that heritage item.

51 Conservation incentives

(1) **Conservation objectives**

The specific objectives of the conservation incentives are to:

- (a) allow for the flexible use of heritage items, for uses that would otherwise be prohibited, in order to ensure their conservation, and
- (b) ensure that such use does not reduce residential density or adversely affect amenity.

Clause 51 North Sydney Local Environmental Plan 2001

Part 4 Heritage provisions

(2) **Conservation incentives**

Consent may be granted to the use of a heritage item otherwise prohibited by this plan, but only if the consent authority is satisfied that:

- (a) residential density on the site will be maintained, and
- (b) the proposed use would not adversely affect the heritage significance of the heritage item, and
- (c) the proposed use would not adversely affect the amenity of the surrounding area, and
- (d) the conservation of the heritage item, as identified in the relevant conservation management plan, is ensured by the granting of the consent and could not reasonably otherwise be achieved,
- (e) the use of the heritage item at the time of lodgement of the application or, if vacant at the time of lodgement of the application, its immediate past use, is not in itself of heritage significance.

- (3) Consent must not be granted to the use of a heritage item pursuant to this clause, unless the consent authority has considered a conservation management plan for the heritage item.

North Sydney Local Environmental Plan 2001

Clause 52

Site specific provisions

Part 5

Part 5 Site specific provisions

52 Operational land

(1) **Operational land Schedule**

The public land described in Schedule 11 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.

(2) **Removal of public reserve status and other restrictions under amended section 30**

In accordance with section 30 of the *Local Government Act 1993*, a parcel of land described in Part 2 of Schedule 11, 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 any trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land and any part of the land, except for:

- (a) any reservations that except land out of a Crown grant relating to the land, and
- (b) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

(3) Before the relevant amending plan that inserted the description of a parcel of land into Part 2 of Schedule 11 was made, the Governor approved of subclauses (2) and (4) applying to the land.

(4) In this clause, *the relevant amending plan*, in relation to a parcel of land described in Part 2 of Schedule 11, is the local environmental plan cited at the end of the description of the parcel.

(5) **Land classified or reclassified under original section 30**

Land described in Part 1 of Schedule 11 is not affected by the amendments made by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993*.

53 Ennis Street Bays

(1) **Ennis Street Bays under Warringah Expressway**

This clause applies to the cubic spaces which comprise the bays known as 24–44 Ennis Road, shown on the map, and marked “Ennis Rd Bays”.

Clause 53 North Sydney Local Environmental Plan 2001

Part 5 Site specific provisions

(2) **Objective**

The specific objective of the controls in relation to the land is to ensure that the bays can continue to be used for a range of uses consistent with the amenity of surrounding areas.

(3) **Control**

Despite the Table to Part 2, a person may, with development consent, carry out development within the bays for those purposes permissible in the Residential D (Neighbourhood Business) zone.

54 190 Pacific Highway

Despite the Table to Part 2, the land known as 190 Pacific Highway, North Sydney may, with development consent, be used for the purposes of an instruction centre for unemployed persons participating in job training projects at other sites.

55 St Leonards Park—North Sydney Oval

(1) **Subject land**

This clause applies to St Leonards Park, North Sydney, and the roadway along Miller Street adjacent to Oval No 1.

(2) **Objective**

The specific objective of the controls in relation to the land is to ensure that the land can continue to be used for a range of uses consistent with the amenity of surrounding areas.

(3) **Control**

Despite the Table to Part 2, but subject to subclause (4), development for the purposes of the following is permitted, with development consent, on the land:

advertisements; commercial premises; Council depot, educational establishments; professional consulting rooms; public buildings; shops; uses and structures ancillary and incidental to any sporting activity carried out on the land (including television and lighting towers).

(4) Commercial premises and shops shall be contained within sports grandstand structures on the land and the gross floor area of those commercial premises and shops shall not exceed 2,000 square metres.

North Sydney Local Environmental Plan 2001

Clause 56

Site specific provisions

Part 5

56 Hume Street and Alexander Street car parks

(1) **Subject land**

This clause applies to the following land:

- (a) the Hume Street Car Park, being the land bounded by Hume Street, Clarke Street, Oxley Street and Pole Lane at Crows Nest, and
- (b) the Alexander Street Car Park, being Lots 9–12, section 4, DP 1265, having frontage to Alexander and Burlington Streets, Crows Nest.

(2) **Objective**

The specific objective of the controls in relation to the land is to ensure that the land can continue to be used for a range of uses consistent with the amenity of surrounding areas.

(3) **Control**

Despite the Table to Part 2, development for the purpose of the following is permitted, with development consent, on the land:

child care centres; commercial premises; educational establishments; professional consulting rooms; public buildings; refreshment rooms; shops; take-away food shops.

57 Crows Nest Community Centre

(1) **Subject land**

This clause applies to the Crows Nest Community Centre, being the land bounded by Ernest Street, Willoughby Lane, Hospital Lane, and the portion of Zig Zag land between Hospital Lane and Ernest Street.

(2) **Objective**

The specific objective of the controls in relation to the land is to ensure that the land can continue to be used for a range of uses consistent with the amenity of surrounding areas.

(3) **Control**

Despite the Table to Part 2, development for the purpose of the following is permitted, with development consent, on the land:

child care centres; commercial premises; educational establishments; places of assembly; professional consulting rooms; public buildings; refreshment rooms; shops; take-away food shops.

Clause 58 North Sydney Local Environmental Plan 2001

Part 5 Site specific provisions

58 Hipwood Street Car Park

(1) **Subject land**

This clause applies to land owned by North Sydney Council at Hipwood Street, Kirribilli, adjacent to 18 Hipwood Street, being Lot 4, DP 740787.

(2) **Objective**

The specific objective of the controls in relation to the land is to ensure that the land can continue to be used for a car park consistently with the amenity of surrounding areas.

(3) **Control**

Despite the Table to Part 2, development for the purpose of the following is permitted, with development consent, on the land:

car parking.

59 Luna Park: Glen Street frontage

(1) **Subject land**

This clause applies to the land in the Luna Park Zone that is shown hatched in black stripes on the map, being land fronting Glen Street.

(2) **Objectives**

The specific objectives of the controls in relation to the land are to:

- (a) ensure that the bulk and height of new buildings does not detract from the amenity of surrounding areas, and
- (b) minimise traffic generation.

(3) **Controls**

A building must not be erected on the land if:

- (a) the height of the building, measured vertically above the level of Glen Street, will exceed 14 metres, or
- (b) the floor space ratio will exceed 3.5:1.

(4) Despite the Table to Part 2, development for the purpose of the following is permitted, with development consent, on the land:

car parks (used only in conjunction with Luna Park and the North Sydney Olympic Pool); commercial premises; hotels; serviced apartments.

North Sydney Local Environmental Plan 2001

Clause 60

Site specific provisions

Part 5

60 Refreshment rooms, Residential D Zone, Blues Point Road

(1) Objectives of refreshment rooms controls

The specific objectives of the refreshment rooms controls are to:

- (a) ensure that refreshment rooms do not dominate the part of the Residential D Zone that has frontage to Blues Point Road or reduce the level of neighbourhood service in the area, and
- (b) prohibit additional refreshment rooms in the part of the Residential D Zone that has frontage to Blues Point Road, and
- (c) provide for the continuation of existing refreshment rooms in the area.

(2) Refreshment rooms controls

Despite the Table to Part 2, consent must not be granted to development for the purpose of a refreshment room in the Residential D Zone on any lot with frontage to Blues Point Road, except as provided in subclause (3).

- (3) Despite the Table to Part 2, consent may be granted to alterations and additions to an existing refreshment room listed in Schedule 13 if there is no increase in:
 - (a) the gross floor area of the refreshment room, or
 - (b) the maximum number of people catered for at one time.

61 Cremorne Point Kiosk

(1) Subject land

This clause applies to Lot 1 in DP 881930, being the land known as the Cremorne Point Kiosk, and being all the land in the residential D zone at Wharf Road, Cremorne Point.

(2) Objective

The specific objective of the controls in relation to the Cremorne Point Kiosk are to limit the intensity of use of the land to ensure that:

- (a) no additional traffic or parking demand is generated from the use of the land, and
- (b) the heritage item on the land is conserved, and
- (c) any non-residential use of the land is small in scale and caters to the local population and public transport users.

Clause 61 North Sydney Local Environmental Plan 2001

Part 5 Site specific provisions

(3) **Control**

Consent must not be granted to development on land to which this clause applies unless:

- (a) the existing significant fabric and envelope of the building located on the land on the appointed day will be conserved, and
- (b) the hours of operation of any non-residential use of the land will be limited to between 7 am and 8 pm, Monday to Friday, and 8 am and 8 pm on Saturday and Sunday, and
- (c) any seating to be provided on the land will not exceed 5 tables or 20 seats.

North Sydney Local Environmental Plan 2001

Repeals

Schedule 1

Schedule 1 Repeals and amendments

(Clause 5 (1))

- 1 The following environmental planning instruments are (except to any extent that they apply to land to which this plan does not apply) repealed:
 - (a) the *North Sydney Planning Scheme Ordinance*,
 - (b) *Interim Development Order No 57—Municipality of North Sydney*,
 - (c) *Interim Development Order No 60—Municipality of North Sydney*,
 - (d) *North Sydney Local Environmental Plan 1989 (Amendment Nos 2, 3, 4, 7, 8, 9, 10, 13, 14, 15, 17, 18, 19, 23, 24, 25, 27, 28, 30, 31, 33, 34, 35, 38, 39, 40, 41, 42, 45, 52, 53, 54, 56, 59 and 60)*.
- 2 *North Sydney Local Environmental Plan 1989* is amended as follows:
 - (a) by omitting clause 3 and substituting the following:
 - 3 Land to which this plan applies**

This plan applies to the following land within the local government area of North Sydney:

 - (a) any land shown as being within the “North Sydney Centre” on the map, within the meaning of *North Sydney Local Environmental Plan 2001*, and
 - (b) any land that has been excluded from that plan under section 70 (4) of the Act and that has not been subsequently included in the land to which that plan applies.
 - (b) by omitting Part 4 (Heritage provisions) and Schedules 2, 3 and 4.
- 3 *State Environmental Planning Policy No 4—Development Without Consent* is amended by inserting at the end of Schedule 1 the following words:

Clause 41 (5) of *North Sydney Local Environmental Plan 2001*

North Sydney Local Environmental Plan 2001

Schedule 2 Definitions

Schedule 2 Definitions

(Clause 6)

Aboriginal site means any place or relic relating to Aboriginal occupation, even if not currently identified.

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

apartment building means a single residential building containing three or more dwellings but does not include attached dwellings.

apartment building adaptation means the creation of an apartment building within a building, other than an apartment building, that lawfully existed on the appointed day.

apartment building revision means:

- (a) the carrying out of alterations for the purpose of an apartment building, or
- (b) the creation of a new apartment building within the envelope of an apartment building,

that lawfully existed on the appointed day.

appointed day means the day on which this plan took effect.

archaeological resource means any place, deposit, object or material evidence (which may consist of human remains) relating to the use and settlement, not being Aboriginal settlement, of the local government area of North Sydney and which is fifty or more years old.

arterial road has its meaning in *State Environmental Planning Policy No 11—Traffic Generating Developments*.

attached dwellings means a building, or buildings, containing more than two dwellings, where each dwelling is attached to another dwelling by a common wall, and where no part of a dwelling is superimposed on any part of another dwelling (except for underground parking).

North Sydney Local Environmental Plan 2001

Definitions

Schedule 2

attached dwellings revision means:

- (a) the carrying out of alterations for the purpose of attached dwellings, or
- (b) the creation of a new attached dwellings within the envelope of attached dwellings,

that lawfully existed on the appointed day.

attic means space wholly contained within the roof space of a dwelling, where the pitch of the roof creating the space does not exceed 36 degrees.

backpackers' accommodation means a building or part of a building primarily or principally used to provide short term accommodation for travellers, for tourists or for persons engaged in recreational pursuits, but not used as their principal place of residence.

boarding house means a residential building that has shared facilities, that is let in lodgings and provides lodgers with their principal place of residence, but does not include backpackers' accommodation, serviced apartment or a motel.

building has its meaning in the Act.

building height plane means a plane projected at an angle of 45 degrees over a site, commencing, at the height specified in this plan, along the boundary of the site or along any other line or boundary specified in this plan for the purpose of establishing a building height plane.

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.

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.

bushfire hazard reduction means a reduction or modification of fuel by burning, or by chemical, mechanical or manual means.

bushland means land on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and floristics of the natural vegetation.

North Sydney Local Environmental Plan 2001

Schedule 2 Definitions

business identification sign means an advertisement which in respect of any place or premises to which it is fixed contains all or any of the following:

- (a) a reference to the identity or a description of the place or premises,
- (b) a reference to the identity or a description of any person residing or carrying out an occupation or activity at the place or premises,
- (c) such directions or cautions as are usual or necessary relating to the place or premises or any occupation or activity carried out there,
- (d) particulars or notifications required or permitted to be displayed by or under any Act or any Act of the Parliament of the Commonwealth,
- (e) particulars relating to the goods, commodities or services dealt with or provided at the place or premises,
- (f) a reference to an affiliation with a trade, professional or other association relevant to the business conducted on the place or premises.

car park means a building or place used for the parking of motor vehicles, other than parking which is ancillary to or incidental to development which is permissible either with or without development consent.

car repair station means a building or place used for the purpose of servicing or repairing motor vehicles not being:

- (a) body building, or
- (b) panel beating, or
- (c) spray painting.

carriage development means three or more dwellings in a row along a side boundary of a site, whether attached to each other or detached.

character of a neighbourhood within the North Sydney local government area means:

- (a) the combination of features (including environment, built form, landscape, community and function) which distinguishes the neighbourhood, except as provided by paragraph (b), or
- (b) if there is a character statement for the neighbourhood, the character of the neighbourhood as described in that statement.

North Sydney Local Environmental Plan 2001

Definitions

Schedule 2

character statement means a statement that:

- (a) identifies the desired character for a neighbourhood within the North Sydney local government area described in the statement, and
- (b) has been adopted by the Council as a character statement for the purposes of this plan.

characteristic building height means:

- (a) the average of the heights of buildings (if any) on the sites adjoining the land concerned, except as provided by paragraph (b), or
- (b) if a character statement for the neighbourhood in which that land is situated specifies the characteristic building height, that height.

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

- (a) the children number 6 or more, are under 6 years of age, and do not attend a government school, or a registered non-government school, within the meaning of the *Education Act 1990*, and
- (b) the building or place does not provide residential care for any of the children (other than those related to the owner or operator).

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 and whether or not the whole or a part of the building is the premises of a club registered under the *Registered Clubs Act 1976*.

commercial premises means a building or place used as an office or for other business or commercial purposes, but (in Part 2) 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.

North Sydney Local Environmental Plan 2001

Schedule 2 Definitions

community facilities means a facility for the provision, management or operation of community services, public health services, employment, legal, housing, cultural, educational and information services, sporting, recreational and entertainment services, environmental conservation, protection and improvement services and public transport services.

community notice sign is a notice or display of public information by a public authority giving information or directions about services provided by that authority.

compatible use means a use which does not involve change to the culturally significant fabric of a heritage item, but which may involve change that is substantially reversible or change that has a minimal adverse effect on the heritage significance of a heritage item.

complying development has its meaning in the Act.

complying development certificate has its meaning in the Act.

conservation means all the processes of looking after a building or work so as to retain its heritage significance and includes maintenance, preservation, restoration, reconstruction, or adaptation.

conservation area means land shown edged in blue on the map.

conservation area character in relation to conservation areas, means the combination of features which distinguish each conservation area.

conservation management plan means a document, prepared in accordance with the "New South Wales Heritage Manual", that establishes the heritage significance of a heritage item, and that identifies conservation policies and management mechanisms that are appropriate to the retention of the item's significance.

contaminated land means land in, on or under which any substance is present at a concentration above that naturally present in, on or under other land in the same locality.

contributory item means a building, work or place, or a fixed component thereof, which is located on land coloured yellow on the map, or is included in Schedule 4 (Contributory items).

corporation means the corporation constituted by section 8 (1) of the Act.

Council means the North Sydney Council.

North Sydney Local Environmental Plan 2001

Definitions

Schedule 2

cultural significance means aesthetic, archaeological, architectural, natural history, scientific or social value for present and future generations.

curtilage means the area of land (including land covered by water) surrounding a heritage item, a conservation area, or building, work or place within a conservation area, which contributes to its heritage significance.

demolish, in relation to a heritage item or a building, work or place within a conservation area, means wholly or partly demolish, destroy, dismantle, or otherwise remove any fixed element from, the heritage item or the building, work or place within a conservation area.

duplex means a single building containing only two dwellings, each dwelling attached to the other by a common wall or by the floor of one to the ceiling of the other.

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 containing one, but not more than one, dwelling.

educational establishment means a building used as a school, college, technical college, academy, lecture hall, gallery or museum, but does not include a building used wholly or principally as an institution or child care centre.

established apartment building means an apartment building lawfully in existence on the appointed day.

established attached dwellings means attached dwellings lawfully in existence on the appointed day.

exempt development has its meaning in the Act.

existing ground level means the level of the ground as at December 1997, as shown on the Council's digital photogrammetric maps dated December 1997.

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, in relation to a building, means the ratio of the gross floor area of the building to the area of the site on which the building is or is proposed to be erected.

North Sydney Local Environmental Plan 2001

Schedule 2

Definitions

foreshore building area means the area of land between the foreshore building line and the foreshore or mean high water mark.

foreshore building line means a black broken line shown on the map.

generating works means a building or place used for the purpose of making or generating gas, electricity or other forms of energy.

gross floor area means the sum of the areas of each floor of a 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 line 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.

health care professional means a person who renders professional health services to members of the public and includes a legally qualified medical practitioner, a dentist within the meaning of the *Dentists Act 1934*, a chiropodist, a chiropractor, an osteopath, a physiotherapist, an optometrist, an acupuncturist, a naturopath, a psychologist, a herbalist, a homoeopath or the like.

height in relation to a building, means the greatest distance measured vertically from any point on the building to the existing ground level, or the level of the lowest habitable floor, immediately below that point, whichever is the lower, excluding chimneys.

helipad means an area or place not open to 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 item means:

- (a) land shown coloured orange on the map, including buildings, works, places, fixtures and trees on that land, or

North Sydney Local Environmental Plan 2001

Definitions

Schedule 2

-
- (b) any building, work, place, fixture or tree listed in Schedule 3 (Heritage items),

and includes all parts of the fabric and structure of, and fixed components of, any such building, work or place.

heritage significance means historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

home industry means an industry carried on in a building (other than a dwelling-house, duplex, attached dwelling or a dwelling in an apartment building), where:

- (a) the building does not have a gross floor area exceeding 50 square metres and 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
- (b) 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 in the locality.

home occupation means an occupation carried on in a dwelling by the permanent residents which would not have required the registration of the premises under sections 10–13 of the *Factories, Shops and Industries Act 1962* as in force immediately before their repeal and does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood or surrounding residents, 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 resident), or

North Sydney Local Environmental Plan 2001

Schedule 2 Definitions

(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, or

(f) restricted premises.

hospital means a building or place used as:

(a) a hospital, or

(b) a sanatorium, or

(c) a medical centre, or

(d) a nursing home, or

(e) a home for aged persons, infirm persons, incurable persons or convalescent persons,

whether public or private, and includes a shop or dispensary used in conjunction therewith, but does not include an institution.

hotel means any premises specified in a hotelier's licence granted under the *Liquor Act 1982*.

housing for aged or disabled persons means any form of residential accommodation, used for the permanent residential accommodation of aged persons or disabled persons and which includes one or more of the following facilities provided for use in connection with that accommodation:

(a) accommodation for staff employed in connection with that accommodation,

(b) chapels,

(c) medical consulting rooms,

(d) meeting rooms,

(e) recreation facilities,

(f) shops,

(g) therapy rooms,

(h) any other facilities for the use or benefit of aged persons or disabled persons.

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 ancillary to any business.

North Sydney Local Environmental Plan 2001

Definitions

Schedule 2

institution means a penal or reformative 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 used for the collecting, dismantling, storage, salvaging or abandonment of automobiles or other vehicles or machinery or for the sale of parts thereof.

land adjoining specified land means:

- (a) land that immediately joins any boundary of the specified land, or
- (b) land that is separated from the specified land only by a driveway, right-of-way or access way (not being a public road).

landscaped area of a site means the part of the site that is generally at existing ground level, that is not occupied at or above or below ground level by any building structure, swimming pool or hard-surfaced tennis court, or the like, that is or is proposed to be predominantly landscaped by way of plantings, gardens, lawns, shrubs or trees and that is available for use and enjoyment by the occupants of the building erected on the site, but does not include any area set aside for driveways and parking.

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, and does not include industries commonly known as heavy industries.

liquid fuel depot means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquid.

local development has its meaning in the Act.

main road means a main road within the meaning of the *Roads Act 1993*.

maintenance means the ongoing protective care of a heritage item or a building, work or place within a conservation area, in order to prevent damage or deterioration. It does not include the permanent removal of any element of a heritage item or a building, work or place within a conservation area, alterations or additions, or the introduction of new materials or technology.

North Sydney Local Environmental Plan 2001

Schedule 2 Definitions

major road frontage in relation to land, means the frontage of that land to:

- (a) a main road or arterial road, or
- (b) a road connecting with a main or arterial road, if the whole or any part of the frontage is within 90 metres (measured along the road alignment of the connecting road) of the alignment of the main or arterial road.

map means the map marked “North Sydney Local Environmental Plan 2001” comprised of sheets numbered 1, 2, 3, and 4 and deposited in the office of the Council, as amended by the maps (or the sheets of maps) marked as follows:

marina means a pontoon, jetty, pier or other structure (whether water based or land based) designed to provide moorings or dry storage for boats used primarily for pleasure or recreation, or comprising (whether or not in addition to the foregoing) works such as slipway, hoists or facilities for the repair and maintenance of boats, and the provision of fuel, accessories and parts for boats, and of foodstuffs.

medical centre means a building or place used for the purpose of providing professional health services (such as preventative care, diagnosis, medical or surgical treatment, or counselling) to outpatients only, and includes professional consulting rooms.

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 any place on which any product of the mine is stacked, stored, crushed or otherwise treated, but does not include a quarry.

mineral sand mine means a mine for or in connection with the purpose of obtaining ilmenite, monazite, rutile, zircon or similar minerals.

motel means a building or buildings (other than a hotel, boarding house, residential flat building, serviced apartment or backpackers’ accommodation) substantially used for the over-night 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.

North Sydney Local Environmental Plan 2001

Definitions

Schedule 2

neighbourhood means:

- (a) a locality within the local government area of North Sydney, except as provided by paragraph (b), or
- (b) if there is a character statement that identifies land including that locality as a neighbourhood, the land so identified.

neutral item means a building, work or place or component thereof located on land shown uncoloured and within a conservation area on the map.

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

outdoor space includes landscaped area and any balcony accessible from the living area of a dwelling, or any roof top or above ground level outdoor space accessible to residents of a building, and which is available for their use.

place of assembly means a public hall, theatre, cinema, music hall, concert hall, dance hall, open air theatre, drive-in theatre, music bowl or any other building of like character used as such and 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.

professional consulting rooms means premises used by not more than 3 health care professionals, who practice therein the profession of medicine, dentistry or health care, and if more than one, practice in partnership, and who employ not more than 3 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 place has the same meaning as in the *Local Government Act 1993*.

public utility undertaking means any of the following undertakings carried on or permitted or suffered to be carried on by or by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

North Sydney Local Environmental Plan 2001

Schedule 2 Definitions

-
- (a) railway, road transport, water transport, air transport, wharf or river undertakings,
 - (b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking shall be construed as including a reference to a Council, county council, Government Department, corporation, firm or authority carrying on the undertaking.

real estate sign means an advertisement in respect of a place or premises to which it is affixed which contains only a notice that the place or premises is or are for sale or letting together with details relating to the sale or letting, and:

- (a) in the case of an advertisement relating to residential premises, or premises containing serviced apartments:
 - (i) does not exceed 2.5m² in area,
 - (ii) returns do not exceed 200mm, and
 - (iii) is not illuminated.
- (b) in the case of an advertisement relating to commercial or industrial premises:
 - (i) does not exceed 4.5m² in area,
 - (ii) returns do not exceed 200mm, and
 - (iii) is not illuminated.

A sign ceases to be a real estate sign for the purposes of this plan if it is not removed from the place or premises within 14 days after commencement of the letting or completion of the sale.

recreation area means:

- (a) a children's playground, or
- (b) an area used for sporting activities or sporting facilities, or
- (c) an area used by the Council to provide recreational facilities 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 purposes, or

North Sydney Local Environmental Plan 2001

Definitions

Schedule 2

- (e) an area or place used for the purpose of temporary private or community functions or entertainment,

but does not include a racecourse or a showground.

recreation establishment means a health farm, religious retreat house, youth camp and the like but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used or intended for use for a land use elsewhere specifically defined in this Schedule.

recreation facility means a building or place used for indoor recreation, billiard saloon, table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley, fun parlour 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 a place of assembly.

refreshment room means a restaurant, café, tea room, eating house or the like, but does not include a building or place elsewhere specifically defined in this Schedule.

relic means any deposit, object or material evidence (which may consist of human remains) of any age, relating to Aboriginal habitation of the area of North Sydney.

remediation means a work in, on or under contaminated land, that:

- (a) removes the cause of the contamination of the land, or
- (b) disperses, destroys, reduces, mitigates or contains the contamination of the land, or
- (c) eliminates or reduces any hazard arising from the contamination of the land (including by preventing the entry of persons or animals on that land.)

resident medical practice means a room or number of rooms forming part of a building used as a detached dwelling-house for one permanent resident, who is a health care professional, who practices there in the profession of medicine, dentistry or health care, as a sole practitioner and employs not more than one employee in connection with the practice.

restricted premises means premises used for the purposes of a massage parlour, a brothel, adult sexual services or the like.

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 therein.

North Sydney Local Environmental Plan 2001

Schedule 2

Definitions

road means road, street, lane, highway, pathway or thoroughfare, including a bridge, culvert, causeway, road-ferry, ford, crossing and the like on the line of a road through or over a watercourse.

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.

sea wall means a structure placed partially or wholly along the land/water interface to protect the land from the sea or to stop accelerated erosion of the shoreline, but does not include a breakwater.

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 beating, spray painting, or suspension, transmission or chassis restoration).

serviced apartment means a building containing two or more dwellings which are cleaned and serviced by the owner or manager of the building or the owner's or manager's agent, and which provides short-term accommodation for travellers or tourists but does not include a hostel or a building or place elsewhere specifically defined in this Schedule.

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

showroom means a building or place primarily used for the display of goods, merchandise or materials.

North Sydney Local Environmental Plan 2001

Definitions

Schedule 2

site means the land to which an application for consent under the Act relates, excluding any land upon which the development to which the application relates is not permitted by or under this local environmental plan.

site area means the area of land to which an application for consent under the Act relates, including any land on which the development to which the application relates is permitted by or under this plan, but excludes the area of any access way, right of carriageway or the like, or land which was below the line of maximum tidal reach at 3 December 1982.

small lot means a lot of land having an area less than 230m², excluding the area of any access corridor, right of carriageway or the like.

State heritage significance means a heritage item which has been identified as being of State heritage significance in Schedule 3 (Heritage items).

statement of heritage impact means a statement, prepared in accordance with the New South Wales Heritage Manual, which analyses the history, heritage significance and condition of a heritage item or of a building, work or place within a conservation area and assesses the impact of proposed development on that heritage item or building, work or place within a conservation area.

structural engineer's report means a report prepared by a member of the Institute of Engineers Australia, with at least 5 years experience in structural engineering, which includes:

- (a) an assessment of the structural soundness of the heritage item, or building, work or place within a conservation area, and
- (b) a schedule of the work required to repair and restore a heritage item, or building, work or place within a conservation area, and an estimate of the cost of the repairs, and
- (c) an estimate of the cost of demolition and replacement, and
- (d) an assessment of the amount of building fabric which, through conservation, could be preserved.

subdivision has its meaning in the Act.

North Sydney Local Environmental Plan 2001

Schedule 2 Definitions

take-away food shop means a milk bar, sandwich shop or the like, but does not include:

- (a) a drive-in take-away food shop, or
- (b) a building or place elsewhere specifically defined in this Schedule.

telecommunications facility has the same meaning as **facility** in the Commonwealth *Telecommunications Act 1997*.

temporary sign is an advertisement of a temporary nature which:

- (a) announces any local event of a religious, educational, political, social or recreational character or relates to any temporary matter in connection with such event, and
- (b) does not include advertising of a commercial nature, except for the names of any sponsors of the event provided the sponsors names or logos remain subsidiary to the main announcement, and
- (c) is not displayed earlier than 28 days before the day on which the event is to take place.

A sign ceases to be a temporary sign if it is not removed within 14 days after the event.

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

tourist facilities means an establishment providing for holiday accommodation or recreation and may include a boat shed, boat landing facilities, camping ground, caravan park, holiday cabins, hotel, house boat, marina, motel, 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.

uncharacteristic element means a building, work or place or a fixed component thereof on land shown coloured red on the map, or included in Schedule 5.

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.

visitor facilities includes pathways and walking tracks, public toilets, seating, picnic and barbecue facilities, and shelters for park users.

North Sydney Local Environmental Plan 2001

Definitions

Schedule 2

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.

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

Schedule 3 Heritage items

(Schedule 2)

***Note.** Indicates heritage items with interiors of heritage significance.

NSHS No	Address	Heritage significance
0039	3 Adderstone Avenue	Regional
0038	5 Adderstone Avenue	Regional
0047	9 Adderstone Avenue	Regional
0906	23 Albany Street, corner Oxley Street, Electricity Substation	Regional
0962	103 Alexander Street	Regional
2720	439 Alfred Street North	Local
0296	Alfred Street South, Alfred Street Entrance to Luna Park	State
1435	22 Alfred Street	Regional
1436	24 Alfred Street	Regional
1437	26A Alfred Street	Regional
1438	26 Alfred Street	Regional
1439	28 Alfred Street	Regional
0036	48–56 Alfred Street	State
0035	100 Alfred Street, Chinese Christian Church	Regional
0875	3 Amherst Street, Tarella	Regional
0417	3 Ancrum Street	Local
0418	5 Ancrum Street	Local
0419	7 Ancrum Street	Local
0420	9 Ancrum Street	Local

Page 78

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
0421	23 Ancrum Street	Local
0423	27–29 Ancrum Street	Local
0424	31 Ancrum Street	Local
0425	39 Ancrum Street	Local
0426	41 Ancrum Street	Local
0413	2 Ancrum Street	Local
0412	8 Ancrum Street	Local
0411	10 Ancrum Street	Local
0415	38 Ancrum Street	Local
0416	58 Ancrum Street	Local
1187	Anderson Park	State
1018	11 Armstrong Street	Local
0359	Arthur Street and Arthur Lane Corner, Electricity Substation No 219	Regional
0361	23 Arthur Street	Local
1443	25 Arthur Street	Local
0362	27 Arthur Street	Local
1444	29 Arthur Street	Local
0363	31 Arthur Street	Local
1445	33 Arthur Street	Local
0364	24 Arthur Street	Local
0365	26 Arthur Street	Local
1440	28 Arthur Street	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0366	30 Arthur Street	Local
1441	32 Arthur Street	Local
1442	34 Arthur Street	Local
0964	114 Atchison Street	Regional
1302	37 Aubin Street, Aubin Cottage	Local
1301	39 Aubin Street	Regional
2710	10 Aubin Street	Local
2711	12 Aubin Street	Local
2712	14 Aubin Street	Local
1300	36 Aubin Street	Local
1225	44 Aubin Street, Clarence	Regional
1446	46 Aubin Street, Grafton	Regional
1228	2 Baden Road	Regional
2510	6 Baden Road	Local
2509	8 Baden Road	Local
0995	15 Balfour Street	Local
0996	22 Balfour Street	Local
0699	Balls Head Drive, former Coal Loader	State
0697	Balls Head Drive, former Quarantine Boat Depot	State
1133	Balls Head Drive, Balls Head Reserve	State
0769	Balls Head Reserve, Uncle Tom's Cabin	Regional
0691	Balls Head Foreshore Relics Group, Balls Head Drive	Local
0695	Balls Head Drive, Steps to former harbour pool	Local

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
0694	Balls Head Drive, Ring Bolt	Local
0693	Balls Head Drive, Ring bolt and iron screen	Local
0692	Balls Head Drive, remains of windlass spindle	Local
0823	Balls Head Drive, HMAS Waterhen Cliff-face	Regional
0690	Balls Head Road, Woodleys 3a Balls Head Road, BP site	Regional
0927	39 Balls Head Road	Local
0571	27 Bank Street	Local
0572	29 Bank Street	Local
0573	51 Bank Street	Local
1448	53 Bank Street	Local
0574	59 Bank Street	Local
0575	61 Bank Street	Local
0532	18 Bank Street	Local
0533	22 Bank Street	Local
0534	26 Bank Street	Local
0540	50 Bank Street	Local
0544	60 Bank Street	Local
0545	62 Bank Street	Local
0546	64 Bank Street	Local
0547	66 Bank Street	Local
1452	68 Bank Street	Local
0550	74 Bank Street	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
1453	76 Bank Street	Local
0419	82 Bank Street	Local
0563	100 Bank Street	Local
1463	7 Bannerman Street	Regional
1464	9 Bannerman Street	Regional
1455	15 Bannerman Street, Arden Cottage	Local
1456	17 Bannerman Street, Gunida	Local
1457	19 Bannerman Street, Knoyle	Local
1458	21 Bannerman Street, Kyuna	Local
1458	21A Bannerman Street	Local
1459	23 Bannerman Street, Kinnell	Local
1460	25 Bannerman Street, Kapai	Local
1461	27 Bannerman Street, Kantara	Local
1462	29 Bannerman Street	Local
1022	8 Bannerman Street, Dalkeith	Regional
1142	Bay Road, Palm Trees, opposite Railway Station	Local
0822	Bay Road, Waverton Railway Station	Regional
	75 Bay Road	Local
1953	122 Bay Road, Waverton	Local
0557	Bayview Street stone retaining wall	Local
0554	1 Bayview Street	Local
0554	3 Bayview Street	Local
0554	5 Bayview Street	Local

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
0554	7 Bayview Street	Local
0554	9 Bayview Street	Local
0527	11 Bayview Street, Ildemere	Regional
0601	11A Bayview Street, Ildemere Boathouse	Regional
0554	23A Bayview Street	Local
0554	1/23B Bayview Street	Local
0554	2/23B Bayview Street	Local
0530	25 Bayview Street	Local
1466	27 Bayview Street	Local
1467	29 Bayview Street	Local
1468	31 Bayview Street	Local
1469	33 Bayview Street	Local
0902	135 Bellevue Street	Local
0907	143 Bellevue Street, Electricity Substation	Regional
1306	41 Ben Boyd Road	Local
1470	43 Ben Boyd Road	Local
1307	43A Ben Boyd Road	Local
1309	45 Ben Boyd Road	Local
1308	47 Ben Boyd Road	Local
1348	107 Ben Boyd Road	Regional
1339	179 Ben Boyd Road, Neutral Bay Public School	Regional
1303	6 Ben Boyd Road, Plaques commemorating Ben Boyd	Regional
1921	8 Ben Boyd Road	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
1924	12A Ben Boyd Road	Local
1226	16 Ben Boyd Road, Bengallala (14 Ben Boyd Road)	Regional
1311	18 Ben Boyd Road	Local
1471	20 Ben Boyd Road	Local
1312	22 Ben Boyd Road	Local
1472	24 Ben Boyd Road	Local
1313	26 Ben Boyd Road	Local
1473	28 Ben Boyd Road	Local
1314	30 Ben Boyd Road	Local
1474	32 Ben Boyd Road	Local
1315	34 Ben Boyd Road	Local
1475	36 Ben Boyd Road	Local
1227	56 Ben Boyd Road, Mt. Edgecombe	Regional
1041	19 Bennett Street, Ingleneuk	Local
2634	33 Bennett Street	Local
1023	36 Bennett Street	Local
1024	38 Bennett Street	Local
1025	40 Bennett Street	Local
1026	42 Bennett Street	Local
1040	5 Bertha Road	Local
1405	17 Bertha Road	Local
1028	4 Bertha Road	Regional
1027	24 Bertha Road	Local

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
0020	Bligh Street, Electricity Substation No 217	Regional
0678	Blues Point foreshore shelf	Regional
0677	Blues Point Waterfront Group, Blues Point Road and Henry Lawson Drive	State
0686	Blues Point, World War II Observation Post and stone stair	Regional
0681	Blues Point vehicular ferry dock, Blues Point Road, south end cul-de-sac	Regional
0684	Blues Point Road, bollard	Local
0685	Blues Point Road, bollard with chain	Local
0687	Blues Point Road, excavation	Regional
0688	Blues Point Road, steps with bollards	Local
0683	Blues Point Road, stone retaining wall	Local
0308	Blues Point Road (No 179), St Peter's Presbyterian School Hall	Regional
0309	Blues Point Road (12 Miller Street), St Peter's Presbyterian School House	Regional
0604	33 Blues Point Road	Regional
0605	37 Blues Point Road	Regional
0606	39 Blues Point Road	Regional
0607	43 Blues Point Road	Regional
0619	101 Blues Point Road (house excluding shop)	Regional
0634	143–147 Blues Point Road	Regional
0635	149–151 Blues Point Road	Regional
0636	163 Blues Point Road	Regional

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0637	167 Blues Point Road	Regional
1484	169 Blues Point Road	Regional
0638	193 Blues Point Road	Regional
1485	195 Blues Point Road	Regional
1486	197 Blues Point Road	Regional
0639	201 Blues Point Road	Regional
1487	203 Blues Point Road	Regional
1488	205 Blues Point Road	Regional
1489	207 Blues Point Road	Regional
0599	14–28 Blues Point Road (Blues Point Tower)	State
2041	30–40 Blues Point Road	Local
0643	54–56 Blues Point Road	Regional
0644	58 Blues Point Road	Regional
0645	74 Blues Point Road	Regional
0647	80 Blues Point Road	Regional
1500	112 Blues Point Road	Regional
1501	114 Blues Point Road	Regional
0649	120 Blues Point Road	Regional
0650	124 Blues Point Road	Regional
1502	124A Blues Point Road	Regional
0653	136 Blues Point Road	Regional
1508	138 Blues Point Road	Regional
0654	140 Blues Point Road	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
0656	142 Blues Point Road	Regional
1508	144 Blues Point Road	Regional
1510	148 Blues Point Road	Regional
1511	150 Blues Point Road	Regional
0661	152 Blues Point Road	Regional
1512	154 Blues Point Road	Regional
1513	156 Blues Point Road	Regional
0662	176 Blues Point Road (Clifton Flats)	Regional
0663	178–180 Blues Point Road (La Potiniere Restaurant)	Regional
1330	182 Blues Point Road	Local
0664	208–210 Blues Point Road	Regional
0310	218 Blues Point Road (St Peters Presbyterian Church and grounds)	Regional
0311	218 Blues Point Road (St Peters Presbyterian Church Manse)	Regional
1140	Bogota Avenue, Head of Shell Cove	Regional
1210	15 Bogota Avenue, Sydney Ancher House	State
1215	17 Bogota Avenue, Arden	Local
1465	29 Bogota Avenue	Regional
1059	33 Boyle Street	Local
0028	Bradfield Park	State
0217	Bradley Avenue, east end, Careening Cove slipways and seawall	Regional
0222	3 Bray Street	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
1520	5 Bray Street	Local
0223	7 Bray Street	Local
1521	9 Bray Street	Local
0224	11 Bray Street	Local
1522	11A Bray Street	Local
0225	15 Bray Street	Local
0226	17 Bray Street	Local
0227	21 Bray Street	Local
0228	23 Bray Street	Local
0229	25 Bray Street	Local
0230	2 Bray Street	Local
0231	4 Bray Street	Local
0232	6 Bray Street	Local
0233	8 Bray Street	Local
0234	10 Bray Street	Local
0235	16 Bray Street	Local
1523	18 Bray Street	Local
1132	Brennan Park	Local
1045	5 Bromley Avenue, Balangowan	Regional
1043	2 Bromley Avenue	Local
1046	4 Bromley Avenue, Roslyn	Local
1044	6 Bromley Avenue	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
0015	Broughton and McDougall Street Corner, Greenway Flats	State
*0016	7–9 Broughton Street, St John The Baptist Church	State
0021	11 Broughton Street, The Fantasia Preschool	Local
1344	5 Burroway Street	Local
1345	7 Burroway Street	Regional
0018	29 Burton Street—St Aloysius (14–24 Bligh Street)	State
1376	1 Byrnes Avenue	Regional
1524	3 Byrnes Avenue	Regional
1525	5 Byrnes Avenue	Regional
1375	7 Byrnes Avenue	Regional
1526	9 Byrnes Avenue	Regional
1374	2 Byrnes Avenue	Regional
1527	4 Byrnes Avenue	Regional
1528	6 Byrnes Avenue	Regional
1373	8 Byrnes Avenue	Regional
1529	10 Byrnes Avenue	Regional
1530	12 Byrnes Avenue	Regional
1389	14 Byrnes Avenue	Regional
1531	16 Byrnes Avenue	Regional
1146	Cammeray Park including golf course	Regional
0010	11–27 Carabella Street, Ormiston	Local
0011	31 Carabella Street, Keston	Regional

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0022	45 Carabella Street, Kirribilli Court Private Hotel	Local
0002	69 Carabella Street, Fairhaven	State
0007	71 Carabella Street, Araluen House	State
0066	73–87 Carabella Street, Elemang	State
	113 Carabella Street	Local
2007	119 Carabella Street	Local
0151	135 Carabella Street	Regional
0019	8 Carabella Street	Local
0003	10 Carabella Street	Local
0005	12A Carabella Street, Glenferrie Private Hotel	Local
0023	28 Carabella Street	Local
0004	40 Carabella Street	Local
1532	42 Carabella Street	Local
0006	44 Carabella Street	Local
0014	48 Carabella Street, Burnleigh	State
0013	54 Carabella Street	State
0012	56 Carabella Street	State
1533	58 Carabella Street	State
0008	64 Carabella Street	Local
0009	66 Carabella Street	Local
0153	100 Carabella Street	Regional
1577	102 Carabella Street	Regional
1578	104 Carabella Street	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1579	106 Carabella Street	Regional
1580	108 Carabella Street	Regional
2721	37 Carr Street	Local
1952	47 Carr Street	Local
2713	22 Carr Street	Local
2714	24 Carr Street	Local
0904	5-7 Carter Street, All Saints Church	Local
1328	1-9 Chandos Street	Regional
0807	Church and West Streets corner, St Thomas' Church Rectory	Regional
0808	Church and McLaren Streets corner, St Thomas' Kindergarten Hall	Regional
*0809	34 Church St (corner West and Church Streets) St Thomas' Church	State
0460	9 Chuter Street	Local
1534	11 Chuter Street	Local
0453	2 Chuter Street	Local
1535	4 Chuter Street	Local
1536	6 Chuter Street	Local
1537	8 Chuter Street	Local
1538	10 Chuter Street	Local
1421	Clark Park	Regional
2049	14 Clark Road	Local
2050	16 Clark Road	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0302	28 Clark Road, Chamonix	Local
1544	30 Clark Road	Local
2048	32 Clark Road	Local
0301	34 Clark Road	Local
1545	36 Clark Road	Local
1335	28–34 Clarke Street, The St Leonards Centre	Regional
1053	13 Claude Avenue	Local
1047	6 Claude Avenue	Regional
1048	8 Claude Avenue	Regional
1049	10 Claude Avenue	Regional
1050	12 Claude Avenue	Regional
1051	14 Claude Avenue	Regional
0405	21 Clifton Street	Local
0407	35 Clifton Street	Local
0404	22 Clifton Street	Local
1551	24 Clifton Street	Local
0901	12 Colin Street, Heatherbrae and stables	Regional
0256	Commodore Crescent, east side, south side of railway, Down Waverton Home signal with calling on arm	Regional
0260	Commodore Crescent, Subway Overbridge	Local
0700	3 Commodore Crescent, Monte Cristo	Regional
1054	7 Cranbrook Avenue, Belvedere	State
1055	11 Cranbrook Avenue, Egglemont	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1056	24 Cranbrook Avenue	Local
1057	32 Cranbrook Avenue	Local
1058	34 Cranbrook Avenue	Local
1060	Cremorne Point, Robertsons Point Lighthouse	State
1141	Cremorne Reserve, including Robertsons Point	Regional
1061	1 Cremorne Road, Lang Warren Flats	Regional
1062	9 Cremorne Road	Regional
3094	15 Cremorne Road	Local
3093	17 Cremorne Road	Local
1063	27 Cremorne Road	Local
1064	45 Cremorne Road	Local
1066	53 Cremorne Road, Glen Isla	Local
1937	55 Cremorne Road	Local
	57 Cremorne Road	Local
1067	83 Cremorne Road	Local
1070	14 Cremorne Road	Regional
1071	18–20 Cremorne Road	Local
1072	26 Cremorne Road	Regional
1074	56 Cremorne Road	Local
1073	58 Cremorne Road	Local
1092	60 Cremorne Road	Local
1552	62 Cremorne Road	Local
1581	5 Darley Street	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
1582	7 Darley Street	Local
1583	9 Darley Street	Local
1584	11 Darley Street	Local
1585	13 Darley Street	Local
1586	15 Darley Street	Local
1587	17 Darley Street	Local
1588	19 Darley Street	Local
1589	31 Darley Street	Local
1590	35 Darley Street	Local
1591	37 Darley Street	Local
1592	6 Darley Street	Local
1593	10 Darley Street	Local
1594	12 Darley Street	Local
1595	14 Darley Street	Local
1596	16 Darley Street	Local
1597	18 Darley Street	Local
1598	20 Darley Street	Local
1599	22 Darley Street	Local
1600	24 Darley Street	Local
1601	26 Darley Street	Local
1602	28 Darley Street	Local
1603	30 Darley Street	Local
1075	9 Davidson Parade, Dunbrody	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
0198	3 Doris Street	Local
1553	5 Doris Street	Local
0199	7 Doris Street	Local
1554	9 Doris Street	Local
0200	11 Doris Street	Local
0201	11A Doris Street	Local
0202	15 Doris Street	Local
1950	17 Doris Street	Local
0203	19 Doris Street	Local
0204	23 Doris Street	Local
0205	25 Doris Street	Local
0206	27–29 Doris Street	Local
0207	31 Doris Street	Local
0208	33 Doris Street	Local
0209	35 Doris Street	Local
0210	4 Doris Street	Local
0211	8 Doris Street	Local
0212	10 Doris Street	Local
0213	12 Doris Street, Dorking	Local
0214	14 Doris Street	Local
0215	18 Doris Street	Local
0812	1 Doohat Avenue	Local
0709	25 Dumbarton Street, Randall Cottage	Regional

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0484	50 Dumbarton Street (53 Union Street)	Local
0680	Between 1 and 3 East Crescent Street, ferry access steps	Regional
0622	3 East Crescent Street	Local
0623	5 East Crescent Street	Local
0624	7 East Crescent Street, ADEA Court Apartment Building	Local
	9 East Crescent Street, seawall	
0625	11 East Crescent Street	Local
0626	15 East Crescent Street	Local
0627	19 East Crescent Street	Local
	21 East Crescent Street, seawall	
0590	23–25 East Crescent Street	Regional
0591	29 East Crescent Street	Local
	33 East Crescent Street, seawall	
1408	43 East Crescent Street, Lurline	Local
0598	47 East Crescent Street	Local
0597	49 East Crescent Street	Local
0592	6 East Crescent Street	Local
0593	12 East Crescent Street	Local
0594	14 East Crescent Street	Local
0595	24 East Crescent Street	Local
0596	26 East Crescent Street	Local
1407	9 Eaton Street, Henbury Villa	Regional
0811	11 Edward Street	Local

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1555	13 Edward Street	Regional
0805	45 Edward Street	Local
0771	49 Edward Street	Local
0772	51 Edward Street	Local
0773	53 Edward Street	Local
0774	55 Edward Street	Local
0775	57 Edward Street	Local
0776	59 Edward Street	Local
0777	61 Edward Street	Local
0778	63 Edward Street	Local
0779	65 Edward Street	Local
0780	67 Edward Street, Kenilworth	Local
*0830	20 Edward Street, Graythwaite, including outbuildings and grounds	State
0831	22 Edward Street, Upton Grange	State
0829	28 Edward Street	Local
0828	32 Edward Street	Local
0810	40 Edward Street, Rockleigh Grange	Regional
0827	46 Edward Street, Whare Aroha	Local
0826	48 Edward Street	Local
0073	5 Elamang Avenue	Regional
2009	15 Elamang Avenue	Local
2008	17 Elamang Avenue	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0074	29 Elamang Avenue	State
0075	47 Elamang Avenue	Local
	8 Elamang Avenue	Local
0092	10 Elamang Avenue, Vandaura	Regional
1100	1 Ellalong Road	Regional
1099	7 Ellalong Road	Regional
1567	317 Ernest Street	Regional
1568	319 Ernest Street	Regional
1569	321 Ernest Street	Regional
1570	323 Ernest Street	Regional
1571	325 Ernest Street	Regional
0432	3 Euroka Street	Local
0433	5 Euroka Street	Local
0434	7 Euroka Street	Local
1572	9 Euroka Street	Local
0435	11 Euroka Street	Local
1573	13 Euroka Street	Local
0440	61 Euroka Street	Local
0443	26 Euroka Street	Local
1606	28 Euroka Street	Local
1607	30 Euroka Street	Local
0444	34 Euroka Street	Local
0445	36 Euroka Street	Local

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1608	38 Euroka Street	Local
0446	40 Euroka Street, Ferryman	Local
0447	42 Euroka Street	Local
0448	44 Euroka Street	Local
0449	50 Euroka Street	Local
0764	Falcon Street, Sewerage Vent, southwest of Warringah Expressway	Regional
1008	69 Falcon Street, former Church of Christ	Regional
0925	127 Falcon Street, North Sydney Boy's High	Local
0978	182 Falcon Street, Winstone	Regional
0979	184 Falcon Street	Regional
0980	186 Falcon Street	Regional
0981	188 Falcon Street	Regional
0893	210 Falcon Street	Local
1610	212 Falcon Street	Local
1611	214 Falcon Street	Local
1612	216 Falcon Street	Local
1101	12 Fifth Avenue	Regional
0017	14 Fitzroy Street, Illingullin	State
0001	16–18 Fitzroy Street, Kirribilli Neighbourhood Centre	Regional
0117	20 Fitzroy Street	Regional
1613	22 Fitzroy Street	Regional
1614	24 Fitzroy Street	Regional

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
1615	26 Fitzroy Street	Regional
0118	28 Fitzroy Street	Regional
1616	30 Fitzroy Street	Regional
1617	32 Fitzroy Street	Regional
0119	34 Fitzroy Street	Regional
0120	36 Fitzroy Street	Regional
0121	38 Fitzroy Street, Morookra	Regional
0122	40 Fitzroy Street, Oakdene	Regional
0123	42 Fitzroy Street	Regional
0124	44 Fitzroy Street	Regional
1618	46 Fitzroy Street	Regional
0125	48 Fitzroy Street	Regional
1619	50 Fitzroy Street	Regional
1102	1 Florence Lane	Local
1103	7 Florence Street	Local
1197	Forsyth Park, two former oil tanks	Regional
0713	5 French Street	Regional
1620	7 French Street	Regional
1621	9 French Street	Regional
1622	11 French Street	Regional
1623	13 French Street	Regional
0711	2 French Street	Regional
0712	16 French Street	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1104	22 Gerard Street	Regional
1105	24 Gerard Street	Regional
0949	13 Gillies Street	Regional
0950	20 Gillies Street, Astley Bank	Regional
0264	Glen Street, north of Dind Street, former Glen Street tram terminus	Regional
	2-2A Glen Street	Regional
1188	Grafton Street, opposite Fall Street, remains of Willoughby Falls	Regional
1110	Green Street, Site of Cremorne smelter, east of No 5 Green Street	State
1107	3 Green Street	State
1108	5 Green Street, The Laurels	State
1109	6 Green Street	State
1111	8 Green Street, Sydney Amateur Sailing Club	Regional
1113	7 Guthrie Avenue	Local
1112	10 Guthrie Avenue, Bundabulla	Regional
1114	6 Hampden Avenue	Local
1269	3-5 Harriette Street	Regional
1268	27 Harriette Street	Local
1631	14 Harriette Street, Walumetta	Local
1632	18 Harriette Street, Ben Nevis	Local
1265	34 Harriette Street	Regional
1351	4 Harrison Street	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
1352	6 Harrison Street	Local
1353	8 Harrison Street	Local
1354	10 Harrison Street	Local
1355	12 Harrison Street	Local
1336	14 Harrison Street	Regional
1019	23 Hayberry Street	Local
1010	14 Hayberry Street, former hall	Regional
0966	82 Hayberry Street	Regional
1020	104 Hayberry Street	Local
1296	1-7 Hayes Street	Local
1218	19-21 Hayes Street former Neutral Bay Post Office	Regional
1377	Hayes Street, Neutral Bay Wharf	Regional
1379	2 Hayes Street, The Hastings	Regional
1378	4 Hayes Street	Regional
1172	Hazelbank Road, Plane Trees, north of intersection with Gillies Street	Regional
0679	Henry Lawson Drive, former tram turning circle and McMahon's Point ferry wharf	Regional
0682	1/1A Henry Lawson Drive, Former Holmes' residence and slipway	Regional
0554	2A Henry Lawson Drive, seawall	Local
1174	High Street, east end, Kesterton Park	Regional
0045	119 High Street, Rocklea	Regional
0046	123 High Street, Kenilworth	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
2025	141 High Street	Local
2027	145 High Street	Local
2028	151 High Street	Local
*2032	165 High Street	Local
0219	68 High Street	Local
0218	100–108 High Street	Local
2022	110 High Street	Local
0042	114 High Street, Cliff Bank	Regional
0042	114A High Street	Regional
0041	116 High Street, Heatherlie	Regional
0037	118–138 High Street, gasworks remains, HMAS Platypus	State
0064	142 High Street	Local
0044	144 High Street, Rockcliff Mansions	Regional
0049	11 Hipwood Street, Newton	Regional
0040	23 Hipwood Street, Newton	Regional
1634	2 Hipwood Street	Local
1635	4 Hipwood Street	Local
1636	6 Hipwood Street	Local
1637	8 Hipwood Street	Local
1638	10 Hipwood Street	Local
1639	12 Hipwood Street	Local
1115	Hodgson Avenue, site of Cremorne coal bore	Regional

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
1128	14 Hodgson Avenue	Local
0133	11 Holbrook Avenue, Sunnyside	State
0128	17 Holbrook Avenue	Regional
0129	19 Holbrook Avenue, The Walder Apartments	Regional
0130	21 Holbrook Avenue, The Mayfair Apartments	Regional
0131	23 Holbrook Avenue, Renown	Regional
0132	25 Holbrook Avenue	Regional
0127	2 Holbrook Avenue, Mt Warwick Apartments	Regional
0063	6 Holbrook Avenue, Huntingdon Apartments	Regional
1116	125 Holt Avenue	Local
0958	6 Holtermann Street, Crows Nest performing arts centre	Regional
0959	8 Holtermann Street, Uniting Church Hall	Regional
0960	10 Holtermann Street, Uniting Church Parsonage	Regional
1032	86 Holtermann Street	Regional
1266	1 Honda Road	Regional
1267	3 Honda Road	Regional
1117	20 Iredale Avenue	Local
0989	19 Ivy Street, Kyneton Apartments	Local
0079	Jeffreys Street, Copes Lookout, east side of wharf	Regional
0083	18 Jeffreys Street	Regional
1640	20 Jeffreys Street	Regional
1641	22 Jeffreys Street	Regional
1642	24 Jeffreys Street	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
0084	26 Jeffreys Street	Regional
1643	28 Jeffreys Street	Regional
1644	30 Jeffreys Street	Regional
1645	32 Jeffrey s Street	Regional
0085	34 Jeffreys Street	Regional
1646	36 Jeffreys Street	Regional
1647	38 Jeffreys Street	Regional
1648	40 Jeffreys Street	Regional
1649	42 Jeffreys Street	Regional
0086	44 Jeffreys Street	Regional
1650	46 Jeffreys Street	Regional
1651	48 Jeffreys Street	Regional
1652	50 Jeffreys Street	Regional
1120	Kareela Road foreshore of Mosman Bay, Old Cremorne Wharf	Regional
1121	15 Kareela Road, Lilienfels	Local
0607	43 Kareela Road	Regional
1127	63 Kareela Road, Coomera	Local
2688	26 Kareela Road	Local
1119	28 Kareela Road, Nenagh	Local
	68 Kareela Road	Local
0037	1 Kiara Close—gasworks remains	State
0689	King Street, Former King Street wharf	Regional

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0696	King/Ross Street, Oyster Cove Gasworks Buildings	State
0993	25 King Street	Local
0994	27 King Street	Local
0792	31 King Street, Rinaultrie	Local
1390	33 King Street, St Elmo	Local
0990	35 King Street	Local
0991	37 King Street, Miroma	Local
0253	King George Street/Lavender Crescent, Blues Point: Lavender Bay Railway Tunnel	State
0556	King George Street, Lavender Bay Low-Level Sewerage Pumping Station	Regional
0528	3 King George Street	Local
1653	5 King George Street	Local
1654	7 King George Street	Local
1655	9 King George Street	Local
0559	11 King George Street	Local
0558	15 King George Street	Local
1656	17 King George Street	Local
0553	23A King George Street, Sail Australia Boatsheds	Regional
0134	Kirribilli Avenue, foreshore in front of Mary Booth Park and 55 and 59 Kirribilli Avenue, boatslips, sandstone walling, cliff face	Regional
0135	55 Kirribilli Avenue, Elsiemere	Regional
0136	59 Kirribilli Avenue, Studley Royal	Regional
0137	83 Kirribilli Avenue, Rydal	Local

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
0093	107 Kirribilli Avenue, St Julian	Regional
0101	109 Kirribilli Avenue, Kirribilli Point Fortifications	State
0103	109 Kirribilli Avenue, Admiralty House	State
0104	111 Kirribilli Avenue, Kirribilli House	State
0102	40 Kirribilli Avenue	Local
1657	42 Kirribilli Avenue	Local
2716	88 Kirribilli Avenue	Local
0105	106 Kirribilli Avenue, Cabana Apartments	Regional
0106	126 Kirribilli Avenue, Soma	Local
1135	Kurraba Road, Kurraba Point Reserve including Hodgson and Spains Lookouts	State
0315	1 Kurraba Road	Local
1661	3 Kurraba Road	Local
0316	5 Kurraba Road	Local
1662	7 Kurraba Road	Local
0317	9 Kurraba Road	Local
1663	11 Kurraba Road	Local
0318	13 Kurraba Road	Local
1664	15 Kurraba Road	Local
0319	17 Kurraba Road	Local
1665	19 Kurraba Road	Local
0320	23 Kurraba Road	Local
0322	25 Kurraba Road	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0324	31 Kurraba Road, Kurraba Cottage	Local
0325	33 Kurraba Road	Local
1234	47 Kurraba Road	Local
1235	49 Kurraba Road	Local
1236	51 Kurraba Road	Local
1666	53 Kurraba Road	Local
1237	55 Kurraba Road	Local
1238	57 Kurraba Road	Local
1667	59 Kurraba Road	Local
1239	65 Kurraba Road, Wavertree	Local
1240	67 Kurraba Road	Local
1668	69 Kurraba Road	Local
1324	71 Kurraba Road	Local
1387	75 Kurraba Road	Regional
1386	77 Kurraba Road	Local
1388	95 Kurraba Road	Local
1382	115A Kurraba Road, Once Upon A Time	Local
0326	2 Kurraba Road	Local
1669	4 Kurraba Road	Local
0321	6 Kurraba Road	Local
1670	8 Kurraba Road	Local
0327	10 Kurraba Road	Local
1671	12 Kurraba Road	Local

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
0328	16 Kurraba Road	Local
0329	18 Kurraba Road	Local
1672	20 Kurraba Road	Local
0330	28 Kurraba Road	Local
1673	30 Kurraba Road	Local
0331	38 Kurraba Road	Local
1304	68 Kurraba Road	Local
1385	72 Kurraba Road, Lucellen	Local
1320	102 Kurraba Road	Local
1370	130 Kurraba Road	Local
1369	132 Kurraba Road, Mona	Regional
1384	142 Kurraba Road	Regional
1383	144 Kurraba Road	Regional
1244	146 Kurraba Road, Hollowforth	State
1323	168 Kurraba Road, Casa Madrona	Regional
1229	172 Kurraba Road, Edzell House	Regional
1230	174B Kurraba Road	Regional
1231	176 Kurraba Road, Gingie	Regional
0986	24 Larkin Street	Regional
0928	40 Larkin Street, Oakhill	Local
0987	44 Larkin Street, Cheltenham	Local
0371	Lavender Bay, Neptune Engineering Site	Regional

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0236	Lavender Bay Railway Line, between Luna Park and Waverton Railway Station, including the following:	Regional
0258	Footbridge between Union Street and Commodore Crescent	Local
0261	Mile post between Woolcott Street and Union Street SW side of line	Local
0257	John Street Railway Bridge, John Street	Local
0239	Original Milson's Point Station Line, NE of Luna Park	Local
0245	Railway viaduct, Lavender Bay	State
0241	Railway Marshalling Yards, Lavender Bay	Regional
0254	Manual quadrant signal, north side 40m east of railway tunnel	Regional
0243	Steps leading from marshalling yard to tram terminus, north edge of Lavender Bay Marshalling yards	Regional
0259	Lavender Bay Up Landmark, Lavender Bay Line, north side	Local
0237	Rubble seawall, railway marshalling yard, Lavender Bay	Local
0255	Brick retaining wall, south of John Street	State
0249	Working platform, south of John Street	Local
0247	Signal box, south of tunnel, Lavender Bay	Local
0248	Lavender Bay starting signal, 40m east of Railway Tunnel, Lavender Bay	Local
0554	Lavender Bay seawalls and boat slips	Regional
0552	Lavender Crescent, Lavender Crescent stone wall	Regional
0369	19-21 Lavender Street	Regional
0312	23 Lavender Street, Quibree	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
0402	41 Lavender Street	Local
0374	43 Lavender Street	Local
0375	45 Lavender Street	Local
0389	10 Lavender Street	Regional
1674	12 Lavender Street	Regional
1675	14 Lavender Street	Regional
1676	16 Lavender Street	Regional
1677	18 Lavender Street	Regional
1678	20 Lavender Street	Regional
1679	22 Lavender Street	Regional
1680	24 Lavender Street	Regional
0385	26 Lavender Street, Gateposts and fence of former Folkestone House	Regional
0313	28 Lavender Street, Christ Church Rectory	Regional
1356	16 Lindsay Street—former St Josephs Catholic Church (now hall)	Regional
1357	16 Lindsay Street—St Josephs Catholic Church	Regional
1129	6 Lodge Road, Warringah Lodge	Regional
1337	11 Lord Street	Regional
0760	32 Lord Street	Local
1686	34 Lord Street	Local
1687	36 Lord Street	Local
1688	38 Lord Street	Local
0761	40 Lord Street	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
1689	42 Lord Street	Local
1690	44 Lord Street	Local
1691	46 Lord Street	Local
0762	48 Lord Street	Local
1692	50 Lord Street	Local
1693	52 Lord Street	Local
0891	1 Lytton Street	Local
1694	3 Lytton Street	Local
0976	11 Lytton Street	Regional
0931	8 Lytton Street	Local
1695	10 Lytton Street	Local
1696	22 Lytton Street	Regional
0932	26 Lytton Street	Regional
1697	28 Lytton Street	Regional
1698	30 Lytton Street	Regional
	7 Manns Avenue	Local
1294	9–11 Manns Avenue	Regional
1295	2 Manns Avenue, Elevera	Local
0194	1 Margaret Street, Carlettie	Local
1700	3 Margaret Street	Local
0195	5 Margaret Street	Local
1699	7 Margaret Street	Local
1329	4–6 Margaret Street	Local

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
0188	8 Margaret Street, Albert House	Local
0189	10 Margaret Street, Inglewood Cottage	Local
0190	12 Margaret Street	Local
0191	18 Margaret Street	Local
0192	20 Margaret Street	Local
1710	22 Margaret Street	Local
0193	24 Margaret Street	Local
0108	17 McDougall Street	Local
1702	19 McDougall Street	Local
0109	21 McDougall Street	Local
1703	23 McDougall Street	Local
0110	25 McDougall Street	Local
1704	27 McDougall Street	Local
0111	31 McDougall Street	Local
1705	33 McDougall Street	Local
0112	35 McDougall Street	Local
1706	37 McDougall Street	Local
1707	39 McDougall Street	Local
0113	74 McDougall Street, Low Level Sewerage Pumping Station No 33	Regional
1708	76 McDougall Street, Sydney Flying Squadron Ltd	Regional
1709	78 McDougall Street, Ensemble Theatre	Regional
*0305	19 Mackenzie Street	Regional

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0370	19 Mackenzie Street, St Francis Xaviers School Hall	Regional
0304	20 Mackenzie Street St Francis Xaviers Presbytery	State
0781	32 McHatton Street	Local
0857	3 McLaren Street, Torwood	Regional
0858	9 McLaren Street, Grahwey	Regional
0859	11 McLaren Street, Kelvin	Regional
0860	21–23 McLaren Street	Regional
0861	25 McLaren Street, Tara	Regional
0862	27 McLaren Street, Stormanston	Regional
0863	29 McLaren Street, Fairhaven	Regional
0864	31–33 McLaren Street	Regional
0868	12 McLaren Street	Regional
0855	34 McLaren Street, Memorial Hall of St Thomas	Regional
0869	34 McLaren Street	Regional
0670	48 Middle Street	Local
0030	2–74 Middlemiss St (bays under expressway) refer to Sydney Harbour Bridge and approach viaducts	Regional
0714	1 Mil Mil Street	Regional
0716	5 Mil Mil Street	Regional
1205	219 Military Road, Former Cremorne Post Office/telephone exchange	Regional
1206	221 Military Road, Watersleigh Court Flats	Regional
1245	116 Military Road, former Neutral Bay Tram Depot and Water Tower	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1338	194 Military Road	Regional
1713	196 Military Road	Regional
1346	228 Military Road, former CBC Bank	Regional
1334	274 Military Road, SCEGGS Redlands	Regional
1198	386 Military Road, Cremorne Orpheum Theatre	State
0922	Miller Street, The North Bridge	State
0763	103 Miller Street (36 Blue Street, Greenwood)	State
0854	105–153 Miller Street, MLC Centre	State
0834	187 Miller Street	Local
0852	199 Miller Street, The Rag & Famish Hotel	Regional
0850	243 Miller Street, Four Seasons Gallery	Regional
0843	269 Miller Street, The Independent Theatre	Regional
0307	10 Miller Street	Local
0309	12 Miller Street, St Peters Presbyterian School House	Regional
0894	128 Miller Street, Monte Sant Angelo College Including:	Regional
0845	Masalou	Regional
*0846	Monte Sant Angelo Chapel	Regional
0847	Monte Sant Angelo Mercy Hall	Regional
0848	192 Miller Street, O'Regan	Regional
0865	196 Miller Street, Lincontro Restaurant	Regional
0851	200 Miller Street North Sydney Council Chambers Fountain in park adjacent to Council Chambers	Regional
1422	200 Miller Street, Wyllie Wing	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
1013	292–294 Miller Street, The North Sydney Hotel	Regional
1925	336 Miller Street, Wieewa	Local
1926	338 Miller Street, Franklea	Local
1006	9 Milner Crescent	Regional
0935	13 Milner Crescent	Local
0933	17 Milner Crescent	Local
0937	27 Milner Crescent	Local
1007	29 Milner Crescent, Morville	Local
1005	54 Milner Crescent, Wyagdon	Local
0936	56 Milner Crescent	Local
0942	3 Milray Avenue	Local
1139	Milson Park	Local
0026	Milson's Point, seawall and wharf site	State
1166	Milson Road, Low Level Sewerage Pumping Station No 57	Regional
1148	Milson Road/Wharf Road, Former tram turning loop and ferry interchange	Regional
1149	Milson Road/Wharf Road, former Tram terminus shed	Regional
1181	1 Milson Road, Wallenundgal	Regional
1182	3 Milson Road, The Waldorf Apartments	Regional
1183	11 Milson Road, The Oriental Flats	Regional
1150	13 Milson Road, Warrigal Flats	Local
1152	33 Milson Road	Local
1152	37 Milson Road	Local

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1155	59 Milson Road, Blackwood	Regional
1156	61 Milson Road, Mobarik	Regional
1157	63 Milson Road, Eventide	Regional
1159	67 Milson Road, Coo-looba	Regional
1160	73 Milson Road, Riviera Flats	Regional
1161	101 Milson Road	Regional
1158	119 Milson Road	Local
1162	14 Milson Road	Regional
1163	16 Milson Road	Local
1164	18 Milson Road, Woollooware	Regional
1184	32 Milson Road	Regional
1189	82 Milson Road	Regional
1190	84 Milson Road	Local
1191	86 Milson Road, Mayfair Court	Regional
1192	88 Milson Road	Regional
1193	90 Milson Road	Regional
1194	96 Milson Road	Regional
1195	136 Milson Road	Regional
1196	138 Milson Road	Regional
	146 Milson Road	Local
0718	1 Mitchell Street, Farinbourne	Regional
0720	7 Mitchell Street	Regional
0721	11 Mitchell Street	Regional

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0722	13 Mitchell Street	Regional
0723	2 Mitchell Street, Waterview	Regional
0724	10 Mitchell Street, Tamas	Regional
0725	12 Mitchell Street	Regional
0726	48–50 Mitchell Street	Regional
1349	Montpelier Street, horse trough	Regional
1168	8 Montague Road	Local
1546	18 Morton Street	Local
1547	20 Morton Street	Local
1548	22 Morton Street	Local
1549	24 Morton Street	Local
1550	26 Morton Street	Local
0838	Mount Street Plaza, Old GPO Column	Regional
0765	7–11 Mount Street, St Josephs Convent School and Chapel	Regional
0839	51 Mount Street, Former Bank of NSW	Regional
0836	67 Mount Street	Local
0835	67–69 Mount Street (No 67A) façade of S. Thompson Building	Local
1556	2A Mount Street (aka 9 Edward Street)	Regional
0250	Munro and John Streets, Sandstone cliff behind boat yard east side of Berry's Bay	Local
0702	Munro Street and John Street, Stannard Bros Shipyard and Associated industrial buildings	Regional
0706	10 Munro Street	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
	16–18 Munro Street	
1167	7 Murdoch Street	Local
1021	57 Murdoch Street (2 Allister Street) former Cremorne Hall	Regional
1143	57 Murdoch Street, Cremorne Girls High School	Regional
1171	59 Murdoch Street	Local
1170	61 Murdoch Street	Local
1169	58 Murdoch Street	Local
1224	82 Murdoch Street, Willsdene Hall	Local
0798	1 Napier Street	Regional
1717	3 Napier Street	Regional
1718	5 Napier Street	Regional
1719	7 Napier Street	Regional
*0796	6 Napier Street, Don Bank	Regional
0340	3 Neutral Street	Local
1720	5 Neutral Street	Local
0341	7 Neutral Street	Local
1721	9 Neutral Street	Local
0342	11 Neutral Street	Local
0343	13 Neutral Street	Local
0344	15 Neutral Street	Local
0345	17 Neutral Street	Local
0346	19 Neutral Street	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
1722	21 Neutral Street	Local
1723	23 Neutral Street	Local
0347	31 Neutral Street	Local
1724	33 Neutral Street	Local
1725	35 Neutral Street	Local
1726	37 Neutral Street	Local
0349	39 Neutral Street	Local
0350	41 Neutral Street	Local
1727	41A Neutral Street	Local
0351	43 Neutral Street	Local
0352	45 Neutral Street	Local
0353	47 Neutral Street	Local
0354	49 Neutral Street	Local
1728	51 Neutral Street	Local
0355	53 Neutral Street	Local
1729	55 Neutral Street	Local
0356	57 Neutral Street	Local
0357	59 Neutral Street	Local
0358	65 Neutral Street	Local
1730	67 Neutral Street	Local
1731	69 Neutral Street	Local
1732	71 Neutral Street	Local
0333	4 Neutral Street	Local

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1733	6 Neutral Street	Local
0334	8 Neutral Street, Warringulla	Local
0335	10 Neutral Street	Local
0336	14 Neutral Street	Local
0337	16 Neutral Street	Local
0338	18 Neutral Street	Local
1734	20 Neutral Street	Local
0339	24 Neutral Street	Local
1735	26 Neutral Street	Local
0974	2 Nicholson Street	Regional
1325	North Sydney bus shelters	Local
0033	15 Northcliff Street	Regional
1736	17 Northcliff Street	Regional
0034	19 Northcliff Street	Regional
1737	21 Northcliff Street	Regional
0800	1 Oak Street	Regional
1738	3 Oak Street	Regional
1739	5 Oak Street	Regional
1740	7 Oak Street	Regional
1741	9 Oak Street	Regional
1742	11 Oak Street	Regional
1743	13 Oak Street	Regional
0801	2 Oak Street, "Two Oak"	Regional

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0802	4 Oak Street	Regional
0803	6 Oak Street	Regional
1744	8 Oak Street	Regional
0804	10 Oak Street	Regional
1745	12 Oak Street	Regional
0269	Olympic Drive, Luna Park	State
0027	1 Olympic Place, North Sydney Olympic Pool	State
0158	1 Ormiston Avenue	Local
0159	3 Ormiston Avenue	Local
0160	4 Ormiston Avenue	Local
0899	Pacific Highway, (between David and Myrtle Streets) North Sydney Girls High School	Regional
0766	265 Pacific Highway, The Cloisters Antiques	Regional
1938	271 Pacific Highway, Union Hotel	Regional
0897	317 Pacific Highway, Former Masonic Temple	Regional
0956	429 Pacific Highway, Willoughby House, former OJ Williams store	Regional
0900	583 Pacific Highway, Former Marco Building	Regional
*0837	92–96 Pacific Highway, North Sydney Post Office—Court House—former Police Station	Regional
0767	168 Pacific Highway	Regional
1746	170 Pacific Highway	Regional
0782	172 Pacific Highway, Woodstock	Regional
0783	182 Pacific Highway, Gates and fence of former Crows Nest House	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
0898	192 Pacific Highway, Bradfield TAFE College	Regional
0930	286 Pacific Highway, Former North Shore Gas Co Office	Regional
0896	306 Pacific Highway, Westpac Bank	Regional
1003	308 Pacific Highway, former National Australia Bank	Local
0998	312 Pacific Highway	Local
1747	314 Pacific Highway	Local
1748	316 Pacific Highway	Local
1749	318 Pacific Highway	Local
1750	320 Pacific Highway	Local
1751	322–324 Pacific Highway	Local
0999	326 Pacific Highway	Local
1000	330 Pacific Highway	Local
1752	332 Pacific Highway	Local
1753	334 Pacific Highway	Local
1754	336 Pacific Highway	Local
1001	338 Pacific Highway	Local
1002	366 Pacific Highway, Higgins Buildings	Local
1755	368 Pacific Highway	Local
1756	370 Pacific Highway	Local
1757	372 Pacific Highway	Local
1758	374 Pacific Highway	Local
1759	376 Pacific Highway	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0905	68 Palmer Street, corner Bellevue Street, Cammeray Public School	Regional
0672	4 Parker Street	Local
0077	8 Parkes Street	Local
0095	12 Parkes Street	Regional
1760	9 Peel Street	Local
1761	11 Peel Street	Local
1762	13 Peel Street	Local
1763	15 Peel Street	Local
1764	17 Peel Street	Local
1765	19 Peel Street	Local
1766	21 Peel Street	Local
1767	23 Peel Street	Local
1768	25 Peel Street	Local
0089	27 Peel Street	Local
0090	29 Peel Street	Local
0091	31 Peel Street	Local
0099	33 Peel Street, Carabella	Regional
0138	20 Peel Street	Regional
1418	24 Peel Street	Local
1216	12 Phillips Street, Derry	Regional
1769	14 Phillips Street, Douglas	Regional
0082	41 Pitt Street	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1770	43 Pitt Street	Regional
1771	45 Pitt Street	Regional
0081	38 Pitt Street, Bratton	Regional
0139	1 Plunkett Street	Regional
1138	Primrose Park	Regional
1200	2 Prior Avenue	Regional
1201	3 Prior Avenue	Regional
1202	4 Prior Avenue	Regional
1203	5 Prior Avenue	Regional
2094	7A Prior Avenue	Local
1204	6 Prior Avenue	Regional
0768	5 Priory Road, The Priory	State
2045	2 Queens Avenue	Local
2046	4 Queens Avenue	Local
2044	8 Queens Avenue	Local
2043	10 Queens Avenue	Local
1144	19 Rangers Road, Neutral Bay House	Local
1633	14 Raymond Road (20 Harriette Street), Beaumoris	Local
0877	11 Ridge Street	Local
0876	63 Ridge Street	Local
0883	71 Ridge Street	Local
1793	73 Ridge Street	Local
0884	75 Ridge Street	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0885	81 Ridge Street	Local
0880	85 Ridge Street	Local
1794	87 Ridge Street	Local
0881	89 Ridge Street	Local
0879	91 Ridge Street, St Helens	Regional
0878	95 Ridge Street, St Malo	Regional
0970	2 Ridge Street, Playfair House	Regional
1795	4 Ridge Street	Regional
1796	6 Ridge Street	Regional
1797	8 Ridge Street	Regional
1798	10 Ridge Street	Regional
1799	12 Ridge Street	Regional
1800	14 Ridge Street	Regional
1012	48 Ridge Street, St Mary's Presbytery	Local
0841	48 Ridge Street, (Miller St) St Mary's Church	Regional
0840	48 Ridge Street, St Marys Primary School	Regional
0391	8 Riley Street	Local
2715	2 Rose Avenue	Local
	4 Rose Avenue (sandstone rock wall and cliff face)	Local
0983	17 Ross Street	Local
0984	21 Ross Street	Regional
0704	Sawmiller's Reserve	Regional
0911	St Leonards Park	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1279	11 Shellcove Road, "Englemere"	Regional
1213	13 Shellcove Road	Regional
1247	27 Shellcove Road	Regional
1248	29 Shellcove Road, Keynsham	Regional
1249	31 Shellcove Road, Brent Knowle	State
1250	33 Shellcove Road, Ailsa	Regional
1251	37 Shellcove Road, St Anne's	Regional
1252	39 Shellcove Road, Gundamaine	Regional
1253	49 Shellcove Road, The Cobbles	State
1299	55 Shellcove Road, Honda	Regional
1298	61 Shellcove Road	Regional
1291	73 Shellcove Road	Regional
1222	75 Shellcove Road, St Augustine's Church of England	Regional
1321	4 Shellcove Road, Casa Loma	Local
1254	36 Shellcove Road, Roun	Local
1297	42 Shellcove Road	Regional
1293	52 Shellcove Road	Local
1292	54 Shellcove Road	Local
1271	56 Shellcove Road	Local
1278	60A Shellcove Road, San Michele	Regional
1281	64 Shellcove Road	Regional
1220	66 Shellcove Road, Bovington	Local
1282	70 Shellcove Road, Cossington	Regional

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
1283	72 Shellcove Road, Trequean	Regional
1287	80 Shellcove Road	Regional
1288	84 Shellcove Road	Regional
1137	Shirley Road, Berry Island Reserve	State
0944	25 Shirley Road, Carpenter House	Regional
0895	99 Shirley Road, Crows Nest Fire Station	Regional
0816	8 Shirley Road	Regional
0811	26 Shirley Road	Regional
0945	36 Shirley Road	Regional
0946	40 Shirley Road	Regional
0947	42 Shirley Road	Regional
0948	46 Shirley Road	Regional
0943	62 Shirley Road	Local
0955	96 Shirley Road, Illaroo	Regional
0888	122 Shirley Road, Corner Nicholson Street, Uniting Church	Regional
0910	7 Sinclair Street Former Mater Misericordiae Maternity Hospital	State
1270	Spains Wharf Road, Site of Spains Wharf	Local
1145	10 Spofforth Street, Mount Pleasant	Local
1173	14 Spofforth Street	Local
1276	15 Spruson Street	Local
1274	17 Spruson Street	Local
1803	19 Spruson Street	Local

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NHS No	Address	Heritage significance
1273	21 Spruson Street	Local
1804	23 Spruson Street	Local
1272	31 Spruson Street	Local
1207	16 Spruson Street, The Gables	Regional
*0894	St Thomas Rest Park including Sexton's Cottage and cemetery fence	Regional
0030	Sydney Harbour Bridge and approach viaducts	State
0030	2-4 Ennis Road bays	Regional
0030	2-74 Middlemiss Street bays	Regional
0076	Sydney Harbour Bridge, north pylons	State
0954	1 Telopea Street, former Stationmaster's cottage	Regional
0953	3 Telopea Street, The Briars	Local
0952	11 Telopea Street, Tullamore	Local
0951	2 Telopea Street	Local
0941	4A Telopea Street	Local
1039	5 The Boulevarde	Regional
0908	49 The Boulevarde	Local
0502	4 Thomas Street	Local
1807	6 Thomas Street	Local
0505	16 Thomas Street	Local
0507	22 Thomas Street	Local
0508	26 Thomas Street	Local
0509	28 Thomas Street	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
1406	18 Thrupp Street	Regional
1322	20 Thrupp Street, Nazareth	Local
	26 Toongarah Road	Local
0903	Tunks Park, sewerage viaduct	Regional
0929	2 Tunks Street	Local
0988	16 Tunks Street, Luton	Regional
1431	23 Undercliff Street	Local
1936	25 Undercliff Street	Local
1432	27 Undercliff Street	Local
1433	29 Undercliff Street	Local
1434	29A Undercliff Street	Local
1342	4 Undercliff Street	Regional
	6 Undercliff Street	Regional
1424	8 Undercliff Street	Local
1425	10 Undercliff Street	Local
1426	12 Undercliff Street	Local
1427	14 Undercliff Street	Local
1428	16 Undercliff Street	Local
1429	18 Undercliff Street	Local
1430	20 Undercliff Street	Local
1217	22 Undercliff Street, Hermon	Local
0481	35 Union Street	Local
0490	77 Union Street	Local

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1816	79 Union Street	Local
0491	81 Union Street	Local
0493	93 Union Street	Local
0463	2 Union Street	Local
0469	20A Union Street	Local
0470	20 Union Street	Local
1828	22 Union Street	Local
1829	24 Union Street	Local
0471	26 Union Street	Local
0472	28 Union Street	Local
1830	30 Union Street	Local
0473	32 Union Street	Local
0474	34 Union Street	Local
1831	36 Union Street	Local
0475	38 Union Street	Local
1832	40 Union Street	Local
0476	42 Union Street	Local
0832	44 Union Street, Kailoa	State
0784	70–76 Union Street	Local
2716	49 Upper Pitt Street	Local
2038	59 Upper Pitt Street	Local
	61 Upper Pitt Street	Local
0142	67 Upper Pitt Street, Greenmount	State

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0143	69 Upper Pitt Street, The Grange	Regional
0141	46 Upper Pitt Street, Wyalla	Regional
0975	2 Vale Street	Regional
0252	Victoria Street, adjacent to bridge, Signal footing	Local
2063	7 Victoria Street	Local
0749	11 Victoria Street	Regional
0750	13 Victoria Street	Regional
0751	37 Victoria Street	Regional
0752	43 Victoria Street	Regional
1839	45 Victoria Street	Regional
0753	51 Victoria Street, Kilmorey Terrace	Regional
1840	53 Victoria Street	Regional
1841	55 Victoria Street	Regional
0742	8 Victoria Street	Regional
1842	10 Victoria Street	Regional
1843	12 Victoria Street	Regional
1844	14 Victoria Street	Regional
1845	16 Victoria Street	Regional
0743	26 Victoria Street	Regional
0745	36 Victoria Street	Regional
0746	38 Victoria Street	Regional
0747	40 Victoria Street	Regional
0748	62 Victoria Street	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1846	64 Victoria Street	Regional
1847	66 Victoria Street	Regional
1848	68 Victoria Street	Regional
0588	1 Waiwera Street	Local
0589	3 Waiwera Street	Local
1849	5 Waiwera Street	Local
0560	15 Waiwera Street	Local
0555	23 Waiwera Street, Bellarion Court	Local
0583	4 Waiwera Street	Local
0584	6 Waiwera Street	Local
1850	8 Waiwera Street	Local
1851	10 Waiwera Street	Local
1852	12 Waiwera Street	Local
1853	14 Waiwera Street	Local
0585	16 Waiwera Street	Local
0586	18 Waiwera Street	Local
1854	20 Waiwera Street	Local
1855	22 Waiwera Street	Local
0587	24 Waiwera Street	Local
1856	26 Waiwera Street	Local
1857	28 Waiwera Street	Local
0921	Walker Street, stone wall near Hampden Street	Local
0373	1 Walker Street	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0373	3 Walker Street	Local
0303	9 Walker Street, Mercedes	State
0377	11 Walker Street, Brenda	Regional
1858	11A Walker Street, Glenlewis	Regional
0378	15 Walker Street, Merryula	Regional
1859	17 Walker Street, Kiengal	Regional
0380	19 Walker Street	Regional
0379	21 Walker Street	Regional
0381	23 Walker Street	Regional
0382	25–27 Walker Street, Royal Art Society of NSW	Regional
1860	29 Walker Street	Regional
1861	31 Walker Street	Regional
1862	33 Walker Street	Regional
1863	35 Walker Street	Regional
1864	37 Walker Street	Regional
0874	189 Walker Street	Local
1038	207 Walker Street	Local
1037	209 Walker Street	Local
0244	2 Walker Street, Berowra	Regional
*0306	10 Walker Street, Christchurch Anglican Church Lavender Bay	State
0383	20 Walker Street	Regional
0384	22 Walker Street	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1865	24 Walker Street	Regional
1866	26 Walker Street	Regional
1867	28 Walker Street	Regional
1868	30 Walker Street	Regional
0872	86 Walker Street, former fire station	Regional
0923	186 Walker Street, Wenona—part of Wenona Girls School (179 Walker Street)	Regional
1035	186 Walker Street (184 Walker Street), Ralston House—part of Wenona Girls School	Regional
0886	186 Walker Street (79 Ridge Street)	Local
0887	186 Walker Street (83 Ridge Street)	Local
1036	186 Walker Street, Karakatta—part of Wenona Girls School	Regional
*1243	5 Wallaringa Avenue, Nutcote	State
1381	7 Wallaringa Avenue	Regional
1380	9 Wallaringa Avenue	Regional
0065	29 Waruda Street, The Regent Apartments	Regional
0145	8 Waruda Street, Redlynn	Local
0071	10 Waruda Street	Local
1869	12 Waruda Street	Local
0674	3 Warung Street	Local
0675	5 Warung Street	Local
0676	7 Warung Street	Local
1870	9 Warung Street	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
1175	29 Waters Road, St Peters Anglican Church (corner Gerard and Winnie Streets)	Regional
1208	7 Watson Street	Local
1871	9 Watson Street	Local
1136	Watt Park	Regional
0754	1 Webb Street	Regional
1872	3 Webb Street	Regional
0755	5 Webb Street	Regional
0756	7 Webb Street	Regional
0757	9 Webb Street	Regional
0758	8 Webb Street	Regional
1029	33 West Street	Local
1873	35 West Street	Local
1030	41 West Street	Local
1874	43 West Street	Local
1875	45 West Street	Local
1034	67 West Street	Local
1404	87 West Street	Local
1565	89 West Street	Local
1566	89A West Street	Local
1015	169 West Street	Regional
1016	179 West Street	Regional
0969	205 West Street	Local

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1017	36 West Street, Courtney Creche	Local
1031	44 West Street, Vera Loblay House	Local
0965	58A West Street	Local
1876	58 West Street	Local
1014	192 West Street	Regional
0972	220 West Street	Local
0967	236 West Street	Local
0889	280 West Street	Local
	7 West Crescent Street	Regional
0708	12 West Crescent Street	Regional
0162	1 Whaling Road	Local
1877	3 Whaling Road	Local
0163	5 Whaling Road	Local
1878	7 Whaling Road	Local
0164	9 Whaling Road	Local
1879	11 Whaling Road	Local
0165	15 Whaling Road	Local
0166	17 Whaling Road	Local
1880	19 Whaling Road	Local
0167	21 Whaling Road	Local
1881	23 Whaling Road	Local
0168	25 Whaling Road	Local
1882	27 Whaling Road	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
0169	29 Whaling Road	Local
1883	31 Whaling Road	Local
0170	33 Whaling Road	Local
1884	35 Whaling Road	Local
0171	37 Whaling Road	Local
1885	39 Whaling Road	Local
0172	41 Whaling Road	Local
0173	43 Whaling Road	Local
0174	45 Whaling Road	Local
1886	47 Whaling Road	Local
0175	49 Whaling Road	Local
1887	51 Whaling Road	Local
1888	53 Whaling Road	Local
1889	55 Whaling Road	Local
1890	57 Whaling Road	Local
0176	2 Whaling Road	Local
0177	12 Whaling Road	Local
1891	14 Whaling Road	Local
0178	20 Whaling Road	Local
0179	22 Whaling Road	Local
1892	24 Whaling Road	Local
0180	26 Whaling Road	Local
0181	28 Whaling Road	Local

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
0182	30 Whaling Road	Local
1893	32 Whaling Road	Local
0183	34 Whaling Road	Local
1894	36 Whaling Road	Local
0184	38 Whaling Road	Local
1895	40 Whaling Road	Local
0185	42 Whaling Road	Local
1896	44 Whaling Road	Local
0186	46 Whaling Road	Local
1897	48 Whaling Road	Local
1149	Wharf Road, former Tram terminus shed	Regional
0784	William Street, Shore Sydney Church of England Grammar School	Regional
0551	6 William Street, Waiweer	Local
1898	8 William Street	Local
1004	1-3 Willoughby Road, Crows Nest Hotel	Regional
0961	63 Willoughby Road, Northside Baptist Church	Regional
0147	29 Willoughby Street	Regional
1899	31 Willoughby Street	Regional
0149	45 Willoughby Street	Regional
0154	58 Willoughby Street	Local
0155	60 Willoughby Street	Local
0115	62 Willoughby Street, Patons Slipways	Regional

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
2462	28 Wilson Street	Local
0056	6 Winslow Street, Fern Lodge	Regional
0061	22 Winslow Street	Local
2718	2 Winter Avenue	Local
1134	Wollstonecraft foreshore reserves—east and west of peninsula	Local
0926	11 Woolcott Avenue, Robs Cottage	Regional
0789	2 Woolcott Street	Regional
1178	3 Wulworra Avenue, The Gloucester Flats	Regional
1177	5 Wulworra Avenue, The Windsor Flats	Regional
1180	8 Wulworra Avenue, 2 Storey Residence	Regional
1179	8 Wulworra Avenue, The Montana Flats	Regional
2719	17 Wyagdon Street (sandstone rock wall and cliff face)	Local
1242	19 Wycombe Road, Wallaringa Mansions	Regional
1365	21 Wycombe Road	Regional
1363	23 Wycombe Road, St Julians	Regional
1371	23A Wycombe Road	Local
1361	31 Wycombe Road, Tenalba	Regional
1360	49 Wycombe Road, Tendring	Regional
0924	59 Wycombe Road	Local
1358	75 Wycombe Road	Regional
1223	89 Wycombe Road, St Augustine's Rectory and Curate's Lodge	Regional
1368	89 Wycombe Road, Isla	Regional

North Sydney Local Environmental Plan 2001

Heritage items

Schedule 3

NSHS No	Address	Heritage significance
1221	95 Wycombe Road, Arlington	Regional
1256	143 Wycombe Road	Local
1257	145 Wycombe Road	Local
1258	149 Wycombe Road	Local
1259	151 Wycombe Road	Local
1260	153 Wycombe Road	Local
1367	2-4 Wycombe Road	Regional
1364	18 Wycombe Road	Regional
1366	28 Wycombe Road, Wycombe Private Hotel	Regional
1341	40 Wycombe Road, Rilstone	Local
1359	56 Wycombe Road	Regional
1219	68 Wycombe Road, Dartmouth	Regional
2667	82 Wycombe Road	Local
1340	104 Wycombe Road, Yarran	Regional
1261	120 Wycombe Road	Local
1262	122 Wycombe Road	Local
1263	124 Wycombe Road	Local
1264	126 Wycombe Road	Local
1919	128 Wycombe Road	Local
1211	130 Wycombe Road	Local
1920	132 Wycombe Road	Local
1212	134 Wycombe Road	Local
1214	144 Wycombe Road	Local

North Sydney Local Environmental Plan 2001

Schedule 3 Heritage items

NSHS No	Address	Heritage significance
1209	49 Yeo Street, St John's Uniting Church, formerly Presbyterian Church	State
1277	28 Yeo Street, Neutral Bay Fire Station	Regional
1095	Young Street, Folly Point Sewage Works (within Primrose Park)	State

North Sydney Local Environmental Plan 2001

Contributory items

Schedule 4

Schedule 4 Contributory items

(Schedule 2)

Contributory item—address

90 Albany Street, Crows Nest
 92 Albany Street, Crows Nest
 94 Albany Street, Crows Nest
 96 Albany Street, Crows Nest
 120 Alexander Street, Crows Nest
 122 Alexander Street, Crows Nest
 126 Alexander Street, Crows Nest
 130 Alexander Street, Crows Nest
 132 Alexander Street, Crows Nest
 134 Alexander Street, Crows Nest
 136 Alexander Street, Crows Nest
 141 Alexander Street, Crows Nest
 143 Alexander Street, Crows Nest
 145 Alexander Street, Crows Nest
 159 Alexander Street, Crows Nest
 161 Alexander Street, Crows Nest
 163 Alexander Street, Crows Nest
 165 Alexander Street, Crows Nest
 167 Alexander Street, Crows Nest
 59 Amherst Street, Cammeray
 61 Amherst Street, Cammeray
 63 Amherst Street, Cammeray
 65 Amherst Street, Cammeray
 67 Amherst Street, Cammeray
 72 Amherst Street, Cammeray
 73 Amherst Street, Cammeray
 74 Amherst Street, Cammeray
 75 Amherst Street, Cammeray
 76 Amherst Street, Cammeray
 77 Amherst Street, Cammeray
 78 Amherst Street, Cammeray
 79 Amherst Street, Cammeray
 80 Amherst Street, Cammeray
 81 Amherst Street, Cammeray
 83 Amherst Street, Cammeray
 84 Amherst Street, Cammeray
 86 Amherst Street, Cammeray
 98 Amherst Street, Cammeray
 100 Amherst Street, Cammeray
 102 Amherst Street, Cammeray

Contributory item—address

25 Ancrum Street, Waverton
 34 Ancrum Street, Waverton
 36 Ancrum Street, Waverton
 37 Ancrum Street, Waverton
 59 Ancrum Street, Waverton
 63 Atchison Street, Crows Nest
 65 Atchison Street, Crows Nest
 67 Atchison Street, Crows Nest
 73 Atchison Street, Crows Nest
 75 Atchison Street, Crows Nest
 77 Atchison Street, Crows Nest
 79 Atchison Street, Crows Nest
 87 Atchison Street, Crows Nest
 89 Atchison Street, Crows Nest
 91 Atchison Street, Crows Nest
 92 Atchison Street, Crows Nest
 93 Atchison Street, Crows Nest
 94 Atchison Street, Crows Nest
 95 Atchison Street, Crows Nest
 96 Atchison Street, Crows Nest
 97 Atchison Street, Crows Nest
 100 Atchison Street, Crows Nest
 102 Atchison Street, Crows Nest
 103 Atchison Street, Crows Nest
 104 Atchison Street, Crows Nest
 105 Atchison Street, Crows Nest
 107 Atchison Street, Crows Nest
 109 Atchison Street, Crows Nest
 111 Atchison Street, Crows Nest
 113 Atchison Street, Crows Nest
 115 Atchison Street, Crows Nest
 117 Atchison Street, Crows Nest
 118 Atchison Street, Crows Nest
 122 Atchison Street, Crows Nest
 124 Atchison Street, Crows Nest
 126 Atchison Street, Crows Nest
 127 Atchison Street, Crows Nest
 128 Atchison Street, Crows Nest
 130 Atchison Street, Crows Nest
 132 Atchison Street, Crows Nest

North Sydney Local Environmental Plan 2001

Schedule 4 Contributory items

138 Atchison Street, Crows Nest	40–42 Bay Road, Waverton
140 Atchison Street, Crows Nest	46 Bay Road, Waverton
142 Atchison Street, Crows Nest	48 Bay Road, Waverton
148 Atchison Street, Crows Nest	52 Bay Road, Waverton
150 Atchison Street, Crows Nest	54 Bay Road, Waverton
152 Atchison Street, Crows Nest	56 Bay Road, Waverton
154 Atchison Street, Crows Nest	58 Bay Road, Waverton
156 Atchison Street, Crows Nest	61 Bay Road, Waverton
158 Atchison Street, Crows Nest	63 Bay Road, Waverton
160 Atchison Street, Crows Nest	71 Bay Road, Waverton
162 Atchison Street, Crows Nest	73 Bay Road, Waverton
1 Bank Lane, North Sydney	77 Bay Road, Waverton
1 Bank Street, North Sydney	79 Bay Road, Waverton
5 Bank Street, North Sydney	81 Bay Road, Waverton
9 Bank Street, North Sydney	85 Bay Road, Waverton
11 Bank Street, North Sydney	87 Bay Road, Waverton
13 Bank Street, North Sydney	88 Bay Road, Waverton
15 Bank Street, North Sydney	89 Bay Road, Waverton
38 Bank Street, North Sydney	91 Bay Road, Waverton
42 Bank Street, North Sydney	93 Bay Road, Waverton
46 Bank Street, North Sydney	95 Bay Road, Waverton
48 Bank Street, North Sydney	99 Bay Road, Waverton
52 Bank Street, North Sydney	101 Bay Road, Waverton
54 Bank Street, North Sydney	103 Bay Road, Waverton
56 Bank Street, North Sydney	116 Bay Road, Waverton
58 Bank Street, North Sydney	118 Bay Road, Waverton
67 Bank Street, North Sydney	44 Bellevue Street, Cammeray
69 Bank Street, North Sydney	46 Bellevue Street, Cammeray
70 Bank Street, North Sydney	53 Bellevue Street, Cammeray
71 Bank Street, North Sydney	55 Bellevue Street, Cammeray
72 Bank Street, North Sydney	57 Bellevue Street, Cammeray
73 Bank Street, North Sydney	58 Bellevue Street, Cammeray
78 Bank Street, North Sydney	59 Bellevue Street, Cammeray
83 Bank Street, North Sydney	60 Bellevue Street, Cammeray
85 Bank Street, North Sydney	64 Bellevue Street, Cammeray
89 Bank Street, North Sydney	65 Bellevue Street, Cammeray
91 Bank Street, North Sydney	69 Bellevue Street, Cammeray
96–98 Bank Street, North Sydney	70 Bellevue Street, Cammeray
102 Bank Street, North Sydney	72 Bellevue Street, Cammeray
104 Bank Street, North Sydney	73 Bellevue Street, Cammeray
17 Bay Road, Waverton	76 Bellevue Street, Cammeray
15 Bay Road, Waverton	78 Bellevue Street, Cammeray
11A Bay Road, Waverton	95 Bellevue Street, Cammeray
21 Bay Road, Waverton	97–99 Bellevue Street, Cammeray
22 Bay Road, Waverton	101 Bellevue Street, Cammeray
24 Bay Road, Waverton	107 Bellevue Street, Cammeray
26 Bay Road, Waverton	113 Bellevue Street, Cammeray
38 Bay Road, Waverton	125 Bellevue Street, Cammeray

North Sydney Local Environmental Plan 2001

Contributory items

Schedule 4

133 Bellevue Street, Cammeray	125 Blues Point Road, McMahons Point
137 Bellevue Street, Cammeray	127 Blues Point Road, McMahons Point
214 Ben Boyd Road, Cremorne	128 Blues Point Road, McMahons Point
216 Ben Boyd Road, Cremorne	128A Blues Point Road, McMahons Point
3 Bennett Street, Neutral Bay	129 Blues Point Road, McMahons Point
21 Bennett Street, Cremorne	130 Blues Point Road, McMahons Point
25 Bennett Street, Cremorne	130A Blues Point Road, McMahons Point
31 Bennett Street, Cremorne	131 Blues Point Road, McMahons Point
41 Bennett Street, Cremorne	132 Blues Point Road, McMahons Point
43 Bernard Lane, Crows Nest	132A Blues Point Road, McMahons Point
2 Bertha Road, Cremorne	133 Blues Point Road, McMahons Point
35 Blues Point Road, McMahons Point	134 Blues Point Road, McMahons Point
42 Blues Point Road, McMahons Point	135 Blues Point Road, McMahons Point
45 Blues Point Road, McMahons Point	137 Blues Point Road, McMahons Point
46 Blues Point Road, McMahons Point	139 Blues Point Road, McMahons Point
47 Blues Point Road, McMahons Point	34 Boyle Street, Cremorne
51 Blues Point Road, McMahons Point	44 Boyle Street, Cremorne
57 Blues Point Road, McMahons Point	4 Bradly Avenue, North Sydney
59 Blues Point Road, McMahons Point	6 Bradly Avenue, North Sydney
60 Blues Point Road, McMahons Point	8 Bradly Avenue, North Sydney
61 Blues Point Road, McMahons Point	10 Bradly Avenue, North Sydney
62 Blues Point Road, McMahons Point	12 Bradly Avenue, North Sydney
63 Blues Point Road, McMahons Point	14 Bradly Avenue, North Sydney
64 Blues Point Road, McMahons Point	1 Bromley Avenue, Cremorne Point
66 Blues Point Road, McMahons Point	27 Burlington Street, Crows Nest
68 Blues Point Road, McMahons Point	31 Burlington Street, Crows Nest
73 Blues Point Road, McMahons Point	38 Burlington Street, Crows Nest
75 Blues Point Road, McMahons Point	40 Burlington Street, Crows Nest
77 Blues Point Road, McMahons Point	41 Burlington Street, Crows Nest
79 Blues Point Road, McMahons Point	42 Burlington Street, Crows Nest
85 Blues Point Road, McMahons Point	44 Burlington Street, Crows Nest
86 Blues Point Road, McMahons Point	45 Burlington Street, Crows Nest
87 Blues Point Road, McMahons Point	46 Burlington Street, Crows Nest
91 Blues Point Road, McMahons Point	47 Burlington Street, Crows Nest
94 Blues Point Road, McMahons Point	48 Burlington Street, Crows Nest
96 Blues Point Road, McMahons Point	50 Burlington Street, Crows Nest
98 Blues Point Road, McMahons Point	52 Burlington Street, Crows Nest
100 Blues Point Road, McMahons Point	54 Burlington Street, Crows Nest
104 Blues Point Road, McMahons Point	56 Burlington Street, Crows Nest
106 Blues Point Road, McMahons Point	58 Burlington Street, Crows Nest
108 Blues Point Road, McMahons Point	60 Burlington Street, Crows Nest
110 Blues Point Road, McMahons Point	61 Burlington Street, Crows Nest
115 Blues Point Road, McMahons Point	62 Burlington Street, Crows Nest
116 Blues Point Road, McMahons Point	63 Burlington Street, Crows Nest
117 Blues Point Road, McMahons Point	64 Burlington Street, Crows Nest
118 Blues Point Road, McMahons Point	65 Burlington Street, Crows Nest
121 Blues Point Road, McMahons Point	66 Burlington Street, Crows Nest
123 Blues Point Road, McMahons Point	67 Burlington Street, Crows Nest

North Sydney Local Environmental Plan 2001

Schedule 4 Contributory items

68 Burlington Street, Crows Nest	5 Cable Street, Wollstonecraft
69 Burlington Street, Crows Nest	9 Cable Street, Wollstonecraft
70 Burlington Street, Crows Nest	46 Cairo Street, Cammeray
72 Burlington Street, Crows Nest	48 Cairo Street, Cammeray
74 Burlington Street, Crows Nest	57 Cairo Street, Cammeray
75 Burlington Street, Crows Nest	26 Cairo Street, Cammeray
76 Burlington Street, Crows Nest	28 Cairo Street, Cammeray
77 Burlington Street, Crows Nest	11 Cairo Street, Cammeray
78 Burlington Street, Crows Nest	13 Cairo Street, Cammeray
79 Burlington Street, Crows Nest	7 Cairo Street, Cammeray
80 Burlington Street, Crows Nest	5 Cairo Street, Cammeray
82 Burlington Street, Crows Nest	17 Cairo Street, Cammeray
83 Burlington Street, Crows Nest	4 Cairo Street, Cammeray
84 Burlington Street, Crows Nest	30 Cairo Street, Cammeray
89 Burlington Street, Crows Nest	32 Cairo Street, Cammeray
91 Burlington Street, Crows Nest	34 Cairo Street, Cammeray
94 Burlington Street, Crows Nest	60 Cairo Street, Cammeray
96 Burlington Street, Crows Nest	64 Cairo Street, Cammeray
98 Burlington Street, Crows Nest	66 Cairo Street, Cammeray
99 Burlington Street, Crows Nest	14 Carabella Street, Kirribilli
100 Burlington Street, Crows Nest	49 Carabella Street, Kirribilli
101 Burlington Street, Crows Nest	63 Carabella Street, Kirribilli
102 Burlington Street, Crows Nest	74 Carabella Street, Kirribilli
103 Burlington Street, Crows Nest	76 Carabella Street, Kirribilli
104 Burlington Street, Crows Nest	78 Carabella Street, Kirribilli
105 Burlington Street, Crows Nest	90 Carabella Street, Kirribilli
106 Burlington Street, Crows Nest	92 Carabella Street, Kirribilli
107 Burlington Street, Crows Nest	94 Carabella Street, Kirribilli
108 Burlington Street, Crows Nest	96 Carabella Street, Kirribilli
109 Burlington Street, Crows Nest	98 Carabella Street, Kirribilli
112 Burlington Street, Crows Nest	110 Carabella Street, Kirribilli
114 Burlington Street, Crows Nest	117 Carabella Street, Kirribilli
116 Burlington Street, Crows Nest	121–123 Carabella Street, Kirribilli
118 Burlington Street, Crows Nest	129 Carabella Street, Kirribilli
126 Burlington Street, Crows Nest	131 Carabella Street, Kirribilli
128 Burlington Street, Crows Nest	137 Carabella Street, Kirribilli
130 Burlington Street, Crows Nest	139 Carabella Street, Kirribilli
132 Burlington Street, Crows Nest	141 Carabella Street, Kirribilli
134 Burlington Street, Crows Nest	143 Carabella Street, Kirribilli
140 Burlington Street, Crows Nest	6 Carlow Street, North Sydney
18 Burroway Street, Neutral Bay	8 Carlow Street, North Sydney
1 Burroway Street, Neutral Bay	10 Carlow Street, North Sydney
6 Burroway Street, Neutral Bay	12 Carlow Street, North Sydney
10 Burroway Street, Neutral Bay	14 Carlow Street, North Sydney
14 Burroway Street, Neutral Bay	16 Carlow Street, North Sydney
1 Cable Street, Wollstonecraft	18 Carlow Street, North Sydney
2 Cable Street, Wollstonecraft	20 Carlow Street, North Sydney
4 Cable Street, Wollstonecraft	22 Carlow Street, North Sydney

North Sydney Local Environmental Plan 2001

Contributory items

Schedule 4

24 Carlow Street, North Sydney	171 Chandos Street, Crows Nest
26 Carlow Street, North Sydney	173 Chandos Street, Crows Nest
28 Carlow Street, North Sydney	175 Chandos Street, Crows Nest
30 Carlow Street, North Sydney	177 Chandos Street, Crows Nest
32 Carlow Street, North Sydney	179 Chandos Street, Crows Nest
34 Carlow Street, North Sydney	181 Chandos Street, Crows Nest
36 Carlow Street, North Sydney	183 Chandos Street, Crows Nest
27 Carr Street, Waverton	185 Chandos Street, Crows Nest
33 Carr Street, Waverton	187 Chandos Street, Crows Nest
35 Carr Street, Waverton	189 Chandos Street, Crows Nest
39 Carr Street, Waverton	191 Chandos Street, Crows Nest
39A Carr Street, Waverton	193 Chandos Street, Crows Nest
41 Carr Street, Waverton	195 Chandos Street, Crows Nest
5-7 Carter Street, Cammeray	197 Chandos Street, Crows Nest
6 Carter Street, Cammeray	199 Chandos Street, Crows Nest
8 Carter Street, Cammeray	203 Chandos Street, Crows Nest
117 Chandos Street, Crows Nest	205 Chandos Street, Crows Nest
124 Chandos Street, Crows Nest	207 Chandos Street, Crows Nest
125 Chandos Street, Crows Nest	211 Chandos Street, Crows Nest
126 Chandos Street, Crows Nest	213 Chandos Street, Crows Nest
127 Chandos Street, Crows Nest	215 Chandos Street, Crows Nest
128 Chandos Street, Crows Nest	217 Chandos Street, Crows Nest
129 Chandos Street, Crows Nest	12 Chuter Street, McMahons Point
130 Chandos Street, Crows Nest	14 Chuter Street, McMahons Point
131 Chandos Street, Crows Nest	15 Chuter Street, McMahons Point
132 Chandos Street, Crows Nest	16 Chuter Street, McMahons Point
133 Chandos Street, Crows Nest	18 Chuter Street, McMahons Point
134 Chandos Street, Crows Nest	20 Chuter Street, McMahons Point
140 Chandos Street, Crows Nest	22 Chuter Street, McMahons Point
142 Chandos Street, Crows Nest	24 Chuter Street, McMahons Point
143 Chandos Street, Crows Nest	26 Chuter Street, McMahons Point
144 Chandos Street, Crows Nest	28 Chuter Street, McMahons Point
145 Chandos Street, Crows Nest	30 Chuter Street, McMahons Point
146 Chandos Street, Crows Nest	32 Chuter Street, McMahons Point
149 Chandos Street, Crows Nest	1 Claude Avenue, Cremorne
150 Chandos Street, Crows Nest	3 Claude Avenue, Cremorne
152 Chandos Street, Crows Nest	7 Claude Avenue, Cremorne
153 Chandos Street, Crows Nest	25 Clifton Street, Waverton
154 Chandos Street, Crows Nest	39 Clifton Street, Waverton
156 Chandos Street, Crows Nest	6 Colin Street, Cammeray
159 Chandos Street, Crows Nest	15 Colin Street, Cammeray
161 Chandos Street, Crows Nest	16 Colin Street, Cammeray
162 Chandos Street, Crows Nest	17 Colin Street, Cammeray
163 Chandos Street, Crows Nest	18 Colin Street, Cammeray
165 Chandos Street, Crows Nest	19 Colin Street, Cammeray
167 Chandos Street, Crows Nest	36 Colin Street, Cammeray
168 Chandos Street, Crows Nest	37 Colin Street, Cammeray
170 Chandos Street, Crows Nest	40 Colin Street, Cammeray

North Sydney Local Environmental Plan 2001

Schedule 4 Contributory items

42 Colin Street, Cammeray	41 Crows Nest Road, Waverton
50 Colin Street, Cammeray	44 Crows Nest Road, Waverton
51 Colin Street, Cammeray	46 Crows Nest Road, Waverton
62 Colin Street, Cammeray	47 Crows Nest Road, Waverton
69 Colin Street, Cammeray	49 Crows Nest Road, Waverton
71 Colin Street, Cammeray	50 Crows Nest Road, Waverton
3 Cremorne Road, Cremorne Point	51 Crows Nest Road, Waverton
6 Cremorne Road, Cremorne Point	52 Crows Nest Road, Waverton
23 Cremorne Road, Cremorne Point	53 Crows Nest Road, Waverton
25 Cremorne Road, Cremorne Point	55 Crows Nest Road, Waverton
29 Cremorne Road, Cremorne Point	56 Crows Nest Road, Waverton
33 Cremorne Road, Cremorne Point	57 Crows Nest Road, Waverton
34 Cremorne Road, Cremorne Point	58 Crows Nest Road, Waverton
36 Cremorne Road, Cremorne Point	59 Crows Nest Road, Waverton
38 Cremorne Road, Cremorne Point	60 Crows Nest Road, Waverton
39 Cremorne Road, Cremorne Point	61 Crows Nest Road, Waverton
42 Cremorne Road, Cremorne Point	63 Crows Nest Road, Waverton
42A Cremorne Road, Cremorne Point	65 Crows Nest Road, Waverton
47 Cremorne Road, Cremorne Point	67 Crows Nest Road, Waverton
59 Cremorne Road, Cremorne Point	69 Crows Nest Road, Waverton
63 Cremorne Road, Cremorne Point	71 Crows Nest Road, Waverton
68 Cremorne Road, Cremorne Point	1 Devonshire Street, Crows Nest
74 Cremorne Road, Cremorne Point	3 Devonshire Street, Crows Nest
76 Cremorne Road, Cremorne Point	5 Devonshire Street, Crows Nest
78 Cremorne Road, Cremorne Point	6 Devonshire Street, Crows Nest
82 Cremorne Road, Cremorne Point	7 Devonshire Street, Crows Nest
84 Cremorne Road, Cremorne Point	9 Devonshire Street, Crows Nest
85 Cremorne Road, Cremorne Point	11 Devonshire Street, Crows Nest
86 Cremorne Road, Cremorne Point	12 Devonshire Street, Crows Nest
87 Cremorne Road, Cremorne Point	13 Devonshire Street, Crows Nest
88 Cremorne Road, Cremorne Point	14 Devonshire Street, Crows Nest
93–95 Cremorne Road, Cremorne Point	15 Devonshire Street, Crows Nest
97 Cremorne Road, Cremorne Point	16 Devonshire Street, Crows Nest
100 Cremorne Road, Cremorne Point	18 Devonshire Street, Crows Nest
103 Cremorne Road, Cremorne Point	22 Devonshire Street, Crows Nest
104 Cremorne Road, Cremorne Point	22A Devonshire Street, Crows Nest
105 Cremorne Road, Cremorne Point	25 Devonshire Street, Crows Nest
107 Cremorne Road, Cremorne Point	27 Devonshire Street, Crows Nest
109 Cremorne Road, Cremorne Point	31 Devonshire Street, Crows Nest
115 Cremorne Road, Cremorne Point	31A Devonshire Street, Crows Nest
125 Cremorne Road, Cremorne Point	32 Devonshire Street, Crows Nest
127 Cremorne Road, Cremorne Point	33 Devonshire Street, Crows Nest
32 Crows Nest Road, Waverton	37 Devonshire Street, Crows Nest
33 Crows Nest Road, Waverton	39 Devonshire Street, Crows Nest
35 Crows Nest Road, Waverton	41 Devonshire Street, Crows Nest
36 Crows Nest Road, Waverton	43 Devonshire Street, Crows Nest
39A Crows Nest Road, Waverton	45 Devonshire Street, Crows Nest
40 Crows Nest Road, Waverton	47 Devonshire Street, Crows Nest

North Sydney Local Environmental Plan 2001

Contributory items

Schedule 4

49 Devonshire Street, Crows Nest	56 Emmett Street, Crows Nest
1 Doris Street, North Sydney	46 Ernest Street, Crows Nest
11 Dumbarton Street, McMahons Point	47 Ernest Street, Crows Nest
45 East Crescent Street, Lavender Bay	48 Ernest Street, Crows Nest
4 Echo Street, Cammeray	49 Ernest Street, Crows Nest
8 Echo Street, Cammeray	51 Ernest Street, Crows Nest
15 Edward Street, North Sydney	52 Ernest Street, Crows Nest
17 Edward Street, North Sydney	53 Ernest Street, Crows Nest
19 Edward Street, North Sydney	54 Ernest Street, Crows Nest
21 Edward Street, North Sydney	57 Ernest Street, Crows Nest
23 Edward Street, North Sydney	58 Ernest Street, Crows Nest
24 Edward Street, North Sydney	59 Ernest Street, Crows Nest
25 Edward Street, North Sydney	60 Ernest Street, Crows Nest
26 Edward Street, North Sydney	63 Ernest Street, Crows Nest
27 Edward Street, North Sydney	64 Ernest Street, Crows Nest
29 Edward Street, North Sydney	73 Ernest Street, Crows Nest
36 Edward Street, North Sydney	80 Ernest Street, Crows Nest
3 Ellalong Road, Cremorne	82 Ernest Street, Crows Nest
5 Ellalong Road, Cremorne	83 Ernest Street, Crows Nest
8 Emmett Street, Crows Nest	84 Ernest Street, Crows Nest
11 Emmett Street, Crows Nest	88 Ernest Street, Crows Nest
13 Emmett Street, Crows Nest	90 Ernest Street, Crows Nest
14 Emmett Street, Crows Nest	91 Ernest Street, Crows Nest
15 Emmett Street, Crows Nest	92 Ernest Street, Crows Nest
16 Emmett Street, Crows Nest	93 Ernest Street, Crows Nest
17 Emmett Street, Crows Nest	94 Ernest Street, Crows Nest
18 Emmett Street, Crows Nest	95 Ernest Street, Crows Nest
19 Emmett Street, Crows Nest	96 Ernest Street, Crows Nest
20 Emmett Street, Crows Nest	97 Ernest Street, Crows Nest
21 Emmett Street, Crows Nest	98 Ernest Street, Crows Nest
23 Emmett Street, Crows Nest	100 Ernest Street, Crows Nest
24 Emmett Street, Crows Nest	102 Ernest Street, Crows Nest
25 Emmett Street, Crows Nest	104 Ernest Street, Crows Nest
26 Emmett Street, Crows Nest	106 Ernest Street, Crows Nest
27 Emmett Street, Crows Nest	109 Ernest Street, Crows Nest
28 Emmett Street, Crows Nest	110 Ernest Street, Crows Nest
29 Emmett Street, Crows Nest	111 Ernest Street, Crows Nest
30 Emmett Street, Crows Nest	112A Ernest Street, Crows Nest
31 Emmett Street, Crows Nest	113 Ernest Street, Crows Nest
32 Emmett Street, Crows Nest	114 Ernest Street, Crows Nest
33 Emmett Street, Crows Nest	115 Ernest Street, Crows Nest
34 Emmett Street, Crows Nest	116 Ernest Street, Crows Nest
36 Emmett Street, Crows Nest	119 Ernest Street, Crows Nest
38 Emmett Street, Crows Nest	121 Ernest Street, Crows Nest
40 Emmett Street, Crows Nest	122 Ernest Street, Crows Nest
42 Emmett Street, Crows Nest	123 Ernest Street, Crows Nest
44 Emmett Street, Crows Nest	124 Ernest Street, Crows Nest
48 Emmett Street, Crows Nest	125 Ernest Street, Crows Nest

North Sydney Local Environmental Plan 2001

Schedule 4 Contributory items

126 Ernest Street, Crows Nest	41 Hayberry Street, Crows Nest
127 Ernest Street, Crows Nest	47–49 Hayberry Street, Crows Nest
128 Ernest Street, Crows Nest	51 Hayberry Street, Crows Nest
129 Ernest Street, Crows Nest	52 Hayberry Street, Crows Nest
131 Ernest Street, Crows Nest	53 Hayberry Street, Crows Nest
1 Euroka Street, Waverton	54 Hayberry Street, Crows Nest
25 Euroka Street, Waverton	55 Hayberry Street, Crows Nest
27 Euroka Street, Waverton	57 Hayberry Street, Crows Nest
29 Euroka Street, Waverton	61 Hayberry Street, Crows Nest
31 Euroka Street, Waverton	62 Hayberry Street, Crows Nest
33 Euroka Street, Waverton	63 Hayberry Street, Crows Nest
56 Euroka Street, North Sydney	64 Hayberry Street, Crows Nest
58 Euroka Street, North Sydney	66 Hayberry Street, Crows Nest
60 Euroka Street, North Sydney	68 Hayberry Street, Crows Nest
63–65 Euroka Street, Waverton	72A Hayberry Street, Crows Nest
67 Euroka Street, Waverton	73 Hayberry Street, Crows Nest
11 Fifth Avenue, Cremorne	74 Hayberry Street, Crows Nest
13 Fifth Avenue, Cremorne	75 Hayberry Street, Crows Nest
15 Fifth Avenue, Cremorne	76 Hayberry Street, Crows Nest
16 Fifth Avenue, Cremorne	77 Hayberry Street, Crows Nest
18 Fifth Avenue, Cremorne	78 Hayberry Street, Crows Nest
19 Fifth Avenue, Cremorne	79 Hayberry Street, Crows Nest
10 Florence Street, Cremorne	80 Hayberry Street, Crows Nest
12 Florence Street, Cremorne	81 Hayberry Street, Crows Nest
18 Florence Street, Cremorne	83 Hayberry Street, Crows Nest
42 Harriette Street, Neutral Bay	84 Hayberry Street, Crows Nest
44 Harriette Street, Neutral Bay	86 Hayberry Street, Crows Nest
1–3 Harrison Street, Cremorne	90 Hayberry Street, Crows Nest
7 Harrison Street, Cremorne	92 Hayberry Street, Crows Nest
9 Harrison Street, Cremorne	94 Hayberry Street, Crows Nest
11 Hayberry Street, Crows Nest	96 Hayberry Street, Crows Nest
13 Hayberry Street, Crows Nest	98 Hayberry Street, Crows Nest
15 Hayberry Street, Crows Nest	100 Hayberry Street, Crows Nest
16 Hayberry Street, Crows Nest	110 Hayberry Street, Crows Nest
17 Hayberry Street, Crows Nest	112 Hayberry Street, Crows Nest
18 Hayberry Street, Crows Nest	114 Hayberry Street, Crows Nest
19 Hayberry Street, Crows Nest	11 Hayes Street, Neutral Bay
20 Hayberry Street, Crows Nest	13 Hayes Street, Neutral Bay
21 Hayberry Street, Crows Nest	14 Hayes Street, Neutral Bay
22 Hayberry Street, Crows Nest	15 Hayes Street, Neutral Bay
24 Hayberry Street, Crows Nest	17 Hayes Street, Neutral Bay
26 Hayberry Street, Crows Nest	31 Hayes Street, Neutral Bay
28 Hayberry Street, Crows Nest	33 Hayes Street, Neutral Bay
30 Hayberry Street, Crows Nest	3 Hazelbank Road, Wollstonecraft
32 Hayberry Street, Crows Nest	9 Hazelbank Road, Wollstonecraft
34 Hayberry Street, Crows Nest	11 Hazelbank Road, Wollstonecraft
36 Hayberry Street, Crows Nest	11A Hazelbank Road, Wollstonecraft
39 Hayberry Street, Crows Nest	15 Hazelbank Road, Wollstonecraft

North Sydney Local Environmental Plan 2001

Contributory items

Schedule 4

17 Hazelbank Road, Wollstonecraft	87 Holtermann Street, Crows Nest
19 Hazelbank Road, Wollstonecraft	89 Holtermann Street, Crows Nest
21 Hazelbank Road, Wollstonecraft	90 Holtermann Street, Crows Nest
23 Hazelbank Road, Wollstonecraft	91 Holtermann Street, Crows Nest
27 Hazelbank Road, Wollstonecraft	92 Holtermann Street, Crows Nest
115 High Street, North Sydney	93 Holtermann Street, Crows Nest
127 High Street, North Sydney	94 Holtermann Street, Crows Nest
143 High Street, North Sydney	95 Holtermann Street, Crows Nest
147 High Street, North Sydney	96 Holtermann Street, Crows Nest
149 High Street, North Sydney	97 Holtermann Street, Crows Nest
12 Hodgson Avenue, Cremorne Point	98 Holtermann Street, Crows Nest
16 Hodgson Avenue, Cremorne Point	99 Holtermann Street, Crows Nest
18 Hodgson Avenue, Cremorne Point	99A Holtermann Street, Crows Nest
20 Hodgson Avenue, Cremorne Point	100 Holtermann Street, Crows Nest
24 Hodgson Avenue, Cremorne Point	102 Holtermann Street, Crows Nest
4 Holbrook Avenue, Kirribilli	104 Holtermann Street, Crows Nest
16 Holtermann Street, Crows Nest	105 Holtermann Street, Crows Nest
18 Holtermann Street, Crows Nest	107 Holtermann Street, Crows Nest
20 Holtermann Street, Crows Nest	108 Holtermann Street, Crows Nest
22 Holtermann Street, Crows Nest	109 Holtermann Street, Crows Nest
24 Holtermann Street, Crows Nest	110 Holtermann Street, Crows Nest
26 Holtermann Street, Crows Nest	111 Holtermann Street, Crows Nest
28 Holtermann Street, Crows Nest	112 Holtermann Street, Crows Nest
30 Holtermann Street, Crows Nest	113 Holtermann Street, Crows Nest
30A Holtermann Street, Crows Nest	115 Holtermann Street, Crows Nest
32 Holtermann Street, Crows Nest	116 Holtermann Street, Crows Nest
34 Holtermann Street, Crows Nest	119 Holtermann Street, Crows Nest
36 Holtermann Street, Crows Nest	121 Holtermann Street, Crows Nest
38 Holtermann Street, Crows Nest	123 Holtermann Street, Crows Nest
42A Holtermann Street, Crows Nest	125 Holtermann Street, Crows Nest
44 Holtermann Street, Crows Nest	127 Holtermann Street, Crows Nest
46 Holtermann Street, Crows Nest	129 Holtermann Street, Crows Nest
48 Holtermann Street, Crows Nest	131 Holtermann Street, Crows Nest
50 Holtermann Street, Crows Nest	133 Holtermann Street, Crows Nest
51 Holtermann Street, Crows Nest	135 Holtermann Street, Crows Nest
52 Holtermann Street, Crows Nest	137 Holtermann Street, Crows Nest
53 Holtermann Street, Crows Nest	139 Holtermann Street, Crows Nest
56 Holtermann Street, Crows Nest	141 Holtermann Street, Crows Nest
60 Holtermann Street, Crows Nest	143 Holtermann Street, Crows Nest
66 Holtermann Street, Crows Nest	145 Holtermann Street, Crows Nest
70 Holtermann Street, Crows Nest	147 Holtermann Street, Crows Nest
72 Holtermann Street, Crows Nest	149 Holtermann Street, Crows Nest
75 Holtermann Street, Crows Nest	2 Honda Road, Neutral Bay
77 Holtermann Street, Crows Nest	11 Huntington Street, Crows Nest
79 Holtermann Street, Crows Nest	31 Huntington Street, Crows Nest
81 Holtermann Street, Crows Nest	32 Huntington Street, Crows Nest
83 Holtermann Street, Crows Nest	33 Huntington Street, Crows Nest
84 Holtermann Street, Crows Nest	38 Huntington Street, Crows Nest

North Sydney Local Environmental Plan 2001

Schedule 4 Contributory items

43 Huntington Street, Crows Nest	124 Kirribilli Avenue, Kirribilli
44 Huntington Street, Crows Nest	45 Kurraba Road, Neutral Bay
45 Huntington Street, Crows Nest	83 Kurraba Road, Neutral Bay
46 Huntington Street, Crows Nest	42 Lavender Street, Lavender Bay
47 Huntington Street, Crows Nest	44 Lavender Street, Lavender Bay
48 Huntington Street, Crows Nest	46 Lavender Street, Lavender Bay
49 Huntington Street, Crows Nest	48 Lavender Street, Lavender Bay
50 Huntington Street, Crows Nest	50 Lavender Street, Lavender Bay
51 Huntington Street, Crows Nest	52 Lavender Street, Lavender Bay
53 Huntington Street, Crows Nest	54 Lavender Street, Lavender Bay
55 Huntington Street, Crows Nest	56 Lavender Street, Lavender Bay
57 Huntington Street, Crows Nest	58 Lavender Street, Lavender Bay
59 Huntington Street, Crows Nest	1 Little Alfred Street, North Sydney
61 Huntington Street, Crows Nest	9 Little Alfred Street, North Sydney
6 Iredale Avenue, Cremorne	1 Lumsden Street, Cammeray
10 Iredale Avenue, Cremorne	2 Lumsden Street, Cammeray
12–14 Iredale Avenue, Cremorne	3 Lumsden Street, Cammeray
16 Iredale Avenue, Cremorne	9 Lumsden Street, Cammeray
18 Iredale Avenue, Cremorne	11 Lumsden Street, Cammeray
22 Iredale Avenue, Cremorne	12 Lumsden Street, Cammeray
24 Iredale Avenue, Cremorne	13 Lumsden Street, Cammeray
26 Iredale Avenue, Cremorne	14 Lumsden Street, Cammeray
28 Iredale Avenue, Cremorne	16 Lumsden Street, Cammeray
3 Kareela Road, Cremorne Point	17 Lumsden Street, Cammeray
7 Kareela Road, Cremorne Point	19 Lumsden Street, Cammeray
20 Kareela Road, Cremorne Point	21 Lumsden Street, Cammeray
22 Kareela Road, Cremorne Point	22 Lumsden Street, Cammeray
25 Kareela Road, Cremorne Point	24 Lumsden Street, Cammeray
32 Kareela Road, Cremorne Point	26 Lumsden Street, Cammeray
36 Kareela Road, Cremorne Point	28 Macpherson Street, Cremorne
47 Kareela Road, Cremorne Point	30 Macpherson Street, Cremorne
49 Kareela Road, Cremorne Point	32 Macpherson Street, Cremorne
53 Kareela Road, Cremorne Point	46 Macpherson Street, Cremorne
55 Kareela Road, Cremorne Point	1 Mchatton Street, Waverton
57 Kareela Road, Cremorne Point	1A Mchatton Street, Waverton
59 Kareela Road, Cremorne Point	5 Mchatton Street, Waverton
1 King George Street, McMahons Point	6 Mchatton Street, Waverton
85 Kirribilli Avenue, Kirribilli	8 Mchatton Street, Waverton
87 Kirribilli Avenue, Kirribilli	10 Mchatton Street, Waverton
89 Kirribilli Avenue, Kirribilli	12 Mchatton Street, Waverton
91 Kirribilli Avenue, Kirribilli	18 Mchatton Street, Waverton
93 Kirribilli Avenue, Kirribilli	22 Mchatton Street, North Sydney
95 Kirribilli Avenue, Kirribilli	28 Mchatton Street, North Sydney
112 Kirribilli Avenue, Kirribilli	30 Mchatton Street, North Sydney
114 Kirribilli Avenue, Kirribilli	28 Middle Street, McMahons Point
116 Kirribilli Avenue, Kirribilli	30 Middle Street, McMahons Point
118 Kirribilli Avenue, Kirribilli	56 Middle Street, McMahons Point
120 Kirribilli Avenue, Kirribilli	58 Middle Street, McMahons Point

North Sydney Local Environmental Plan 2001

Contributory items

Schedule 4

68 Middle Street, McMahons Point	31 Montague Road, Cremorne
2 Mil Mil Street, McMahons Point	32 Montague Road, Cremorne
3 Mil Mil Street, McMahons Point	34 Montague Road, Cremorne
5 Milray Avenue, Wollstonecraft	36 Montague Road, Cremorne
7 Milson Road, Cremorne Point	37 Montague Road, Cremorne
9 Milson Road, Cremorne Point	38 Montague Road, Cremorne
20 Milson Road, Cremorne Point	40 Montague Road, Cremorne
23 Milson Road, Cremorne Point	42 Montague Road, Cremorne
24 Milson Road, Cremorne Point	44 Montague Road, Cremorne
26 Milson Road, Cremorne Point	5 Morden Street, Cammeray
36 Milson Road, Cremorne Point	6 Morden Street, Cammeray
40 Milson Road, Cremorne Point	7 Morden Street, Cammeray
44 Milson Road, Cremorne Point	8 Morden Street, Cammeray
52 Milson Road, Cremorne Point	9 Morden Street, Cammeray
75 Milson Road, Cremorne Point	10 Morden Street, Cammeray
77 Milson Road, Cremorne Point	11 Morden Street, Cammeray
83 Milson Road, Cremorne Point	12 Morden Street, Cammeray
115 Milson Road, Cremorne Point	22 Morden Street, Cammeray
103 Milson Road, Cremorne Point	5 Murdoch Street, Cremorne
107 Milson Road, Cremorne Point	10 Murdoch Street, Cremorne
109 Milson Road, Cremorne Point	12 Murdoch Street, Cremorne
111 Milson Road, Cremorne Point	14 Murdoch Street, Cremorne
113 Milson Road, Cremorne Point	15 Murdoch Street, Cremorne
125 Milson Road, Cremorne Point	16 Murdoch Street, Cremorne
129 Milson Road, Cremorne Point	18 Murdoch Street, Cremorne
148 Milson Road, Cremorne Point	20 Murdoch Street, Cremorne
2 Montague Road, Cremorne	21 Murdoch Street, Cremorne
6 Montague Road, Cremorne	22 Murdoch Street, Cremorne
7 Montague Road, Cremorne	23 Murdoch Street, Cremorne
11 Montague Road, Cremorne	24 Murdoch Street, Cremorne
13 Montague Road, Cremorne	25 Murdoch Street, Cremorne
14 Montague Road, Cremorne	26 Murdoch Street, Cremorne
15 Montague Road, Cremorne	28 Murdoch Street, Cremorne
16 Montague Road, Cremorne	30–34 Murdoch Street, Cremorne
17 Montague Road, Cremorne	31 Murdoch Street, Cremorne
18 Montague Road, Cremorne	37 Murdoch Street, Cremorne
19 Montague Road, Cremorne	38 Murdoch Street, Cremorne
20 Montague Road, Cremorne	40 Murdoch Street, Cremorne
21 Montague Road, Cremorne	42 Murdoch Street, Cremorne
22 Montague Road, Cremorne	43 Murdoch Street, Cremorne
23 Montague Road, Cremorne	46 Murdoch Street, Cremorne
24 Montague Road, Cremorne	48 Murdoch Street, Cremorne
25 Montague Road, Cremorne	50 Murdoch Street, Cremorne
26 Montague Road, Cremorne	54 Murdoch Street, Cremorne
27 Montague Road, Cremorne	56 Murdoch Street, Cremorne
28 Montague Road, Cremorne	20 Myrtle Street, North Sydney
29 Montague Road, Cremorne	22 Myrtle Street, North Sydney
30 Montague Road, Cremorne	24 Myrtle Street, North Sydney

North Sydney Local Environmental Plan 2001

Schedule 4 Contributory items

26 Myrtle Street, North Sydney	19 Princes Street, McMahons Point
29 Myrtle Street, North Sydney	20 Princes Street, McMahons Point
31 Myrtle Street, North Sydney	21 Princes Street, McMahons Point
32 Myrtle Street, North Sydney	22 Princes Street, McMahons Point
33 Myrtle Street, North Sydney	24 Princes Street, McMahons Point
34 Myrtle Street, North Sydney	26 Princes Street, McMahons Point
36 Myrtle Street, North Sydney	28 Princes Street, McMahons Point
38 Myrtle Street, North Sydney	30 Princes Street, McMahons Point
40 Myrtle Street, North Sydney	32 Princes Street, McMahons Point
46 Myrtle Street, North Sydney	34 Princes Street, McMahons Point
1 Oaks Avenue, Cremorne	36 Princes Street, McMahons Point
3 Oaks Avenue, Cremorne	38 Princes Street, McMahons Point
4 Oaks Avenue, Cremorne	40 Princes Street, McMahons Point
5 Oaks Avenue, Cremorne	1 Priory Road, Waverton
6 Oaks Avenue, Cremorne	2 Priory Road, Waverton
7 Oaks Avenue, Cremorne	5A Priory Road, Waverton
9 Oaks Avenue, Cremorne (excludes 2 houses at rear of property)	6 Priory Road, Waverton
8 Oaks Avenue, Cremorne	7 Priory Road, Waverton
14 Oaks Avenue, Cremorne	8 Priory Road, Waverton
19 Oaks Avenue, Cremorne	9 Priory Road, Waverton
21 Oaks Avenue, Cremorne	11 Priory Road, Waverton
190 Pacific Highway, North Sydney	15 Priory Road, Waverton
69–71 Palmer Street, Cammeray	1 Queens Avenue, McMahons Point
37 Park Avenue, Cremorne	3 Queens Avenue, McMahons Point
39 Park Avenue, Cremorne	5 Queens Avenue, McMahons Point
43 Park Avenue, Cremorne	7 Queens Avenue, McMahons Point
45 Park Avenue, Cremorne	9 Queens Avenue, McMahons Point
49 Park Avenue, Cremorne	11 Queens Avenue, McMahons Point
1 Parker Street, McMahons Point	13 Queens Avenue, McMahons Point
2 Peel Street, Kirribilli	15 Queens Avenue, McMahons Point
4 Peel Street, Kirribilli	17 Queens Avenue, McMahons Point
18 Peel Street, Kirribilli	8 Raleigh Street, Cammeray
4 Penshurst Avenue, Neutral Bay	10 Raleigh Street, Cammeray
2 Penshurst Avenue, Neutral Bay	12 Raleigh Street, Cammeray
4 Princes Street, McMahons Point	14 Raleigh Street, Cammeray
6 Princes Street, McMahons Point	22 Raleigh Street, Cammeray
8 Princes Street, McMahons Point	33 Rangers Road, Cremorne
9 Princes Street, McMahons Point	36 Rangers Road, Cremorne
10 Princes Street, McMahons Point	38 Rangers Road, Cremorne
11 Princes Street, McMahons Point	40 Rangers Road, Cremorne
12 Princes Street, McMahons Point	56 Rangers Road, Cremorne
13 Princes Street, McMahons Point	58 Rangers Road, Cremorne
14 Princes Street, McMahons Point	60 Rangers Road, Cremorne
15 Princes Street, McMahons Point	62 Rangers Road, Cremorne
16 Princes Street, McMahons Point	64 Rangers Road, Cremorne
17 Princes Street, McMahons Point	66 Rangers Road, Cremorne
18 Princes Street, McMahons Point	1 Reed Street, Cremorne
	16 Reed Street, Cremorne

North Sydney Local Environmental Plan 2001

Contributory items

Schedule 4

8 Richmond Avenue, Cremorne	78 Shellcove Road, Neutral Bay
10 Richmond Avenue, Cremorne	1 Shirley Road, Wollstonecraft
12 Richmond Avenue, Cremorne	7 Shirley Road, Wollstonecraft
14 Richmond Avenue, Cremorne	9 Shirley Road, Wollstonecraft
16 Richmond Avenue, Cremorne	11 Shirley Road, Wollstonecraft
18 Richmond Avenue, Cremorne	17 Shirley Road, Wollstonecraft
20 Richmond Avenue, Cremorne	21 Shirley Road, Wollstonecraft
22 Richmond Avenue, Cremorne	22 Shirley Road, Wollstonecraft
26 Richmond Avenue, Cremorne	24 Shirley Road, Wollstonecraft
27 Richmond Avenue, Cremorne	12 Sophia Street, Crows Nest
28 Richmond Avenue, Cremorne	13 Sophia Street, Crows Nest
29 Richmond Avenue, Cremorne	14 Sophia Street, Crows Nest
30 Richmond Avenue, Cremorne	15 Sophia Street, Crows Nest
31 Richmond Avenue, Cremorne	16 Sophia Street, Crows Nest
33 Richmond Avenue, Cremorne	18 Sophia Street, Crows Nest
35 Richmond Avenue, Cremorne	6 Spofforth Street, Cremorne
9 Riley Street, North Sydney	8 Spofforth Street, Cremorne
10 Riley Street, North Sydney	12 Spofforth Street, Cremorne
11 Riley Street, North Sydney	16 Spofforth Street, Cremorne
12 Riley Street, North Sydney	44 Spofforth Street, Cremorne
13 Riley Street, North Sydney	46 Spofforth Street, Cremorne
14 Riley Street, North Sydney	52 Spofforth Street, Cremorne
15 Riley Street, North Sydney	54 Spofforth Street, Cremorne
17 Riley Street, North Sydney	4 Stannards Place, Kirribilli
19 Riley Street, North Sydney	10 Thomas Street, McMahons Point
21 Riley Street, North Sydney	12 Thomas Street, McMahons Point
5 Shellcove Road, Neutral Bay	14 Thomas Street, McMahons Point
7 Shellcove Road, Neutral Bay	15 Thomas Street, McMahons Point
8 Shellcove Road, Neutral Bay	17 Thomas Street, McMahons Point
9 Shellcove Road, Neutral Bay	18 Thomas Street, McMahons Point
10 Shellcove Road, Neutral Bay	19 Thomas Street, McMahons Point
12 Shellcove Road, Neutral Bay	20 Thomas Street, McMahons Point
14 Shellcove Road, Neutral Bay	27 Thomas Street, McMahons Point
15 Shellcove Road, Neutral Bay	29 Thomas Street, McMahons Point
17 Shellcove Road, Neutral Bay	30 Thomas Street, McMahons Point
19 Shellcove Road, Neutral Bay	31 Thomas Street, McMahons Point
21 Shellcove Road, Neutral Bay	32 Thomas Street, McMahons Point
23 Shellcove Road, Neutral Bay	33 Thomas Street, McMahons Point
26 Shellcove Road, Neutral Bay	34 Thomas Street, McMahons Point
41 Shellcove Road, Neutral Bay	35 Thomas Street, McMahons Point
43 Shellcove Road, Neutral Bay	36 Thomas Street, McMahons Point
44 Shellcove Road, Neutral Bay	37 Thomas Street, McMahons Point
58 Shellcove Road, Neutral Bay	38–40 Thomas Street, McMahons Point
60 Shellcove Road, Neutral Bay	39 Thomas Street, McMahons Point
63 Shellcove Road, Neutral Bay	42 Thomas Street, McMahons Point
71 Shellcove Road, Neutral Bay	44 Thomas Street, McMahons Point
74 Shellcove Road, Neutral Bay	46 Thomas Street, McMahons Point
76 Shellcove Road, Neutral Bay	48 Thomas Street, McMahons Point

North Sydney Local Environmental Plan 2001

Schedule 4 Contributory items

50 Thomas Street, McMahons Point	92 Union Street, McMahons Point
52 Thomas Street, McMahons Point	94 Union Street, McMahons Point
54 Thomas Street, McMahons Point	95 Union Street, McMahons Point
56 Thomas Street, McMahons Point	96 Union Street, McMahons Point
58 Thomas Street, McMahons Point	97 Union Street, McMahons Point
60 Thomas Street, McMahons Point	98 Union Street, McMahons Point
1 Toongarah Road, Waverton	103 Union Street, McMahons Point
2 Toongarah Road, Waverton	105 Union Street, McMahons Point
3 Toongarah Road, Waverton	107 Union Street, McMahons Point
4 Toongarah Road, Waverton	109 Union Street, McMahons Point
6 Toongarah Road, Waverton	111 Union Street, McMahons Point
9 Toongarah Road, Waverton	113 Union Street, McMahons Point
10 Toongarah Road, Waverton	115 Union Street, McMahons Point
12 Toongarah Road, Waverton	117 Union Street, McMahons Point
14 Toongarah Road, Waverton	119 Union Street, McMahons Point
18 Toongarah Road, Waverton	63 Upper Pitt Street, Kirribilli
20 Toongarah Road, Waverton	28 Victoria Street, McMahons Point
22 Toongarah Road, Waverton	17 Waiwera Street, Lavender Bay
24 Toongarah Road, Waverton	10–12 Wallaringa Avenue, Neutral Bay
2A Union Street, McMahons Point	28 Warringa Road, Cammeray
2B Union Street, McMahons Point	6 Warringa Road, Cammeray
4 Union Street, McMahons Point	8 Warringa Road, Cammeray
6 Union Street, McMahons Point	10 Warringa Road, Cammeray
8 Union Street, McMahons Point	12 Warringa Road, Cammeray
10 Union Street, McMahons Point	14 Warringa Road, Cammeray
14 Union Street, McMahons Point	16 Warringa Road, Cammeray
16 Union Street, McMahons Point	18 Warringa Road, Cammeray
18 Union Street, McMahons Point	20 Warringa Road, Cammeray
41 Union Street, McMahons Point	22 Warringa Road, Cammeray
47 Union Street, McMahons Point	24 Warringa Road, Cammeray
49 Union Street, McMahons Point	26 Warringa Road, Cammeray
51 Union Street, McMahons Point	34 Warringa Road, Cammeray
61 Union Street, McMahons Point	46 Warringa Road, Cammeray
63 Union Street, McMahons Point	1 Waruda Street, Kirribilli
65 Union Street, McMahons Point	11 Waruda Street, Kirribilli
67 Union Street, McMahons Point	14–16 Waruda Street, Kirribilli
69–71 Union Street, McMahons Point	21 West Street, North Sydney
80 Union Street, North Sydney	23 West Street, North Sydney
82 Union Street, North Sydney	31 West Street, North Sydney
83 Union Street, McMahons Point	47 West Street, North Sydney
84 Union Street, North Sydney	49 West Street, North Sydney
85 Union Street, McMahons Point	50 West Street, North Sydney
86 Union Street, McMahons Point	51 West Street, North Sydney
87 Union Street, McMahons Point	52 West Street, North Sydney
88 Union Street, McMahons Point	53 West Street, North Sydney
89 Union Street, McMahons Point	54 West Street, North Sydney
90 Union Street, McMahons Point	55 West Street, North Sydney
91 Union Street, McMahons Point	56 West Street, North Sydney

North Sydney Local Environmental Plan 2001

Contributory items

Schedule 4

57 West Street, North Sydney	130 West Street, Crows Nest
59 West Street, North Sydney	154 West Street, Crows Nest
60 West Street, North Sydney	156 West Street, Crows Nest
61 West Street, North Sydney	158 West Street, Crows Nest
62 West Street, North Sydney	160 West Street, Crows Nest
63 West Street, North Sydney	162 West Street, Crows Nest
64 West Street, North Sydney	164 West Street, Crows Nest
65 West Street, North Sydney	166 West Street, Crows Nest
66 West Street, North Sydney	180 West Street, Crows Nest
68 West Street, North Sydney	182 West Street, Crows Nest
69 West Street, Crows Nest	184 West Street, Crows Nest
70 West Street, North Sydney	204 West Street, Crows Nest
71 West Street, Crows Nest	206 West Street, Crows Nest
71A West Street, Crows Nest	208 West Street, Crows Nest
72 West Street, North Sydney	210 West Street, Crows Nest
73 West Street, Crows Nest	212 West Street, Crows Nest
73A West Street, Crows Nest	214 West Street, Crows Nest
74 West Street, North Sydney	216 West Street, Crows Nest
75 West Street, Crows Nest	218 West Street, Crows Nest
76 West Street, North Sydney	224 West Street, Crows Nest
77 West Street, North Sydney	226 West Street, Crows Nest
78 West Street, North Sydney	230 West Street, Crows Nest
79 West Street, North Sydney	232 West Street, Crows Nest
80 West Street, North Sydney	234 West Street, Crows Nest
81 West Street, North Sydney	246 West Street, Crows Nest
82 West Street, North Sydney	248 West Street, Crows Nest
83 West Street, North Sydney	248A West Street, Crows Nest
84 West Street, North Sydney	16 Whaling Road, North Sydney
85 West Street, North Sydney	18 Whaling Road, North Sydney
91 West Street, Crows Nest	25 Willoughby Street, Kirribilli
95 West Street, Crows Nest	27 Willoughby Street, Kirribilli
97 West Street, Crows Nest	27A Willoughby Street, Kirribilli
98 West Street, Crows Nest	33 Willoughby Street, Kirribilli
99 West Street, Crows Nest	35 Willoughby Street, Kirribilli
100A West Street, Crows Nest	37 Willoughby Street, Kirribilli
101 West Street, Crows Nest	39 Willoughby Street, Kirribilli
103 West Street, Crows Nest	47 Willoughby Street, Kirribilli
104 West Street, Crows Nest	50 Willoughby Street, Kirribilli
106 West Street, Crows Nest	51 Willoughby Street, Kirribilli
108 West Street, Crows Nest	52 Willoughby Street, Kirribilli
110 West Street, Crows Nest	54 Willoughby Street, Kirribilli
112 West Street, Crows Nest	55 Willoughby Street, Kirribilli
114 West Street, Crows Nest	56 Willoughby Street, Kirribilli
116 West Street, Crows Nest	56A Willoughby Street, Kirribilli
122 West Street, Crows Nest	1 Wilona Avenue, Lavender Bay
124 West Street, Crows Nest	2 Wilona Avenue, Lavender Bay
126 West Street, Crows Nest	3 Wilona Avenue, Lavender Bay
128 West Street, Crows Nest	4 Wilona Avenue, Lavender Bay

North Sydney Local Environmental Plan 2001

Schedule 4 Contributory items

5 Wilona Avenue, Lavender Bay	16 Winslow Street, Kirribilli
6 Wilona Avenue, Lavender Bay	18 Winslow Street, Kirribilli
7 Wilona Avenue, Lavender Bay	20 Winslow Street, Kirribilli
8 Wilona Avenue, Lavender Bay	1 Wulworra Avenue, Cremorne Point
9 Wilona Avenue, Lavender Bay	6 Wulworra Avenue, Cremorne Point
10 Wilona Avenue, Lavender Bay	6 Wycombe Road, Neutral Bay
11 Wilona Avenue, Lavender Bay	6A Wycombe Road, Neutral Bay
12 Wilona Avenue, Lavender Bay	8 Wycombe Road, Neutral Bay
13 Wilona Avenue, Lavender Bay	10 Wycombe Road, Neutral Bay
14 Wilona Avenue, Lavender Bay	11 Wycombe Road, Neutral Bay
2 Wilson Street, Cammeray	12 Wycombe Road, Neutral Bay
4 Wilson Street, Cammeray	14 Wycombe Road, Neutral Bay
6 Wilson Street, Cammeray	15 Wycombe Road, Neutral Bay
8 Wilson Street, Cammeray	17 Wycombe Road, Neutral Bay
30 Wilson Street, Cammeray	25 Wycombe Road, Neutral Bay
34 Wilson Street, Cammeray	27 Wycombe Road, Neutral Bay
2 Winslow Street, Kirribilli	29 Wycombe Road, Neutral Bay
3 Winslow Street, Kirribilli	43 Wycombe Road, Neutral Bay
5 Winslow Street, Kirribilli	44 Wycombe Road, Neutral Bay
7 Winslow Street, Kirribilli	45 Wycombe Road, Neutral Bay
8 Winslow Street, Kirribilli	57 Wycombe Road, Neutral Bay
9 Winslow Street, Kirribilli	63 Wycombe Road, Neutral Bay
10 Winslow Street, Kirribilli	65 Wycombe Road, Neutral Bay
11 Winslow Street, Kirribilli	72 Wycombe Road, Neutral Bay
12 Winslow Street, Kirribilli	78 Wycombe Road, Neutral Bay
13 Winslow Street, Kirribilli	80 Wycombe Road, Neutral Bay
14 Winslow Street, Kirribilli	84 Wycombe Road, Neutral Bay
15 Winslow Street, Kirribilli	

North Sydney Local Environmental Plan 2001

Uncharacteristic elements

Schedule 5

Schedule 5 Uncharacteristic elements

(Schedule 2)

Uncharacteristic element—address

124 Alexander Street, Crows Nest
 140–144 Alexander Street, Crows Nest
 155 Alexander Street, Crows Nest
 101 Atchison Street, Crows Nest
 108 Atchison Street, Crows Nest
 110 Atchison Street, Crows Nest
 146 Atchison Street, Crows Nest
 83 Atchison Street, Crows Nest
 85 Atchison Street, Crows Nest
 99 Atchison Street, Crows Nest
 10–12 Bannerman Street, Cremorne
 14 Bannerman Street, Cremorne
 16 Bannerman Street, Cremorne
 18 Bannerman Street, Cremorne
 2 Bannerman Street, Cremorne
 2A Bannerman Street, Cremorne
 4 Bannerman Street, Cremorne
 6 Bannerman Street, Cremorne
 65 Bay Road, Waverton
 83 Bay Road, Waverton
 51 Bellevue Street, Cammeray
 83–87 Bellevue Street, Cammeray
 10 Bells Avenue, Cammeray
 2 Bells Avenue, Cammeray
 4 Bells Avenue, Cammeray
 1 Bennett Street, Neutral Bay
 43–45 Bennett Street, Cremorne
 22 Bertha Road, Cremorne
 1 Billong Street, Neutral Bay
 3 Billong Street, Neutral Bay
 49 Blues Point Road, McMahons Point
 126 Blues Point Road, McMahons Point
 120 Burlington Street, Crows Nest
 136 Burlington Street, Crows Nest
 33 Burlington Street, Crows Nest
 37 Burlington Street, Crows Nest
 39 Burlington Street, Crows Nest
 51 Burlington Street, Crows Nest
 57 Burlington Street, Crows Nest
 59 Burlington Street, Crows Nest

Uncharacteristic element—address

81 Burlington Street, Crows Nest
 85–87 Burlington Street, Crows Nest
 86 Burlington Street, Crows Nest
 92 Burlington Street, Crows Nest
 93 Burlington Street, Crows Nest
 19–23 Cairo Street, Cammeray
 74 Cairo Street, Cammeray
 18 Carabella Street, Kirribilli
 20 Carabella Street, Kirribilli
 29 Carabella Street, Kirribilli
 33 Carabella Street, Kirribilli
 49 Carr Street, Waverton
 29 Carter Street, Cammeray
 2A Carter Street, Cammeray
 2B Carter Street, Cammeray
 2C Carter Street, Cammeray
 2D Carter Street, Cammeray
 110 Chandos Street, Crows Nest
 112 Chandos Street, Crows Nest
 114 Chandos Street, Crows Nest
 116–118 Chandos Street, Crows Nest
 119 Chandos Street, Crows Nest
 120 Chandos Street, Crows Nest
 121 Chandos Street, Crows Nest
 123 Chandos Street, Crows Nest
 136 Chandos Street, Crows Nest
 138 Chandos Street, Crows Nest
 164 Chandos Street, Crows Nest
 169 Chandos Street, Crows Nest
 172 Chandos Street, Crows Nest
 201 Chandos Street, Crows Nest
 201A Chandos Street, Crows Nest
 17 Claude Avenue, Cremorne
 24–32 Colin Street, Cammeray
 12 Commodore Street, McMahons Point
 15 Commodore Street, McMahons Point
 11 Cremorne Road, Cremorne Point
 44 Cremorne Road, Cremorne Point
 67 Cremorne Road, Cremorne Point
 48 Crows Nest Road, Waverton

Page 159

North Sydney Local Environmental Plan 2001

Schedule 5 Uncharacteristic elements

54 Crows Nest Road, Waverton	42 Holtermann Street, Crows Nest
54A Crows Nest Road, Waverton	58 Holtermann Street, Crows Nest
17 Devonshire Street, Crows Nest	62–64 Holtermann Street, Crows Nest
2 Devonshire Street, Crows Nest	68 Holtermann Street, Crows Nest
23 Devonshire Street, Crows Nest	49 Holtermann Street, Crows Nest
24 Devonshire Street, Crows Nest	59 Holtermann Street, Crows Nest
24A Devonshire Street, Crows Nest	101 Holtermann Street, Crows Nest
29 Devonshire Street, Crows Nest	103 Holtermann Street, Crows Nest
2A Devonshire Street, Crows Nest	61–69 Holtermann Street, Crows Nest
30 Devonshire Street, Crows Nest	67 Huntington Street, Crows Nest
34 Devonshire Street, Crows Nest	29 Huntington Street, Crows Nest
35 Devonshire Street, Crows Nest	30 Huntington Street, Crows Nest
36 Devonshire Street, Crows Nest	36 Huntington Street, Crows Nest
42 Devonshire Street, Crows Nest	42 Huntington Street, Crows Nest
45–47 Dumbarton Street, McMahons Point	40 Huntington Street, Crows Nest
9 Ellalong Road, Cremorne	1 Iredale Avenue, Cremorne
6 Emmett Street, Crows Nest	2 Kareela Road, Cremorne Point
50 Emmett Street, Crows Nest	4–8 Kareela Road, Cremorne Point
46 Emmett Street, Crows Nest	12 Kareela Road, Cremorne Point
69 Ernest Street, Crows Nest	14–18 Kareela Road, Cremorne Point
118–120 Ernest Street, Crows Nest	30 Kareela Road, Cremorne Point
130 Ernest Street, Crows Nest	58 Kareela Road, Cremorne Point
50 Ernest Street, Crows Nest	60 Kareela Road, Cremorne Point
62 Ernest Street, Crows Nest	63–65 Kirribilli Avenue, Kirribilli
66 Ernest Street, Crows Nest	71 Kirribilli Avenue, Kirribilli
78 Ernest Street, Crows Nest	73 Kirribilli Avenue, Kirribilli
99 Ernest Street, Crows Nest	120 Kurraba Road, Neutral Bay
99A Ernest Street, Crows Nest	162 Kurraba Road, Neutral Bay
1 Florence Street, Cremorne	32–40 Lavender Street, Lavender Bay
20 Florence Street, Cremorne	16 Mackenzie Street, Lavender Bay
4 Green Street, Cremorne	4–6 Margaret Street, North Sydney
2A Guthrie Avenue, Cremorne	26 McHatton Street, North Sydney
25 Harriette Street, Neutral Bay	123 Milson Road, Cremorne Point
46 Harriette Street, Neutral Bay	5 Milson Road, Cremorne Point
25 Hayberry Street, Crows Nest	1 Montague Road, Cremorne
59 Hayberry Street, Crows Nest	1–3 Morden Street, Cammeray
59A Hayberry Street, Crows Nest	15 Morden Street, Cammeray
9 Hayes Street, Neutral Bay	19 Morden Street, Cammeray
1 Hazelbank Road, Wollstonecraft	24 Morden Street, Cammeray
22 Hodgson Avenue, Cremorne Point	26 Morden Street, Cammeray
100 Holtermann Street, Crows Nest (property fronting Huntington St, No 53a)	2A Morden Street, Cammeray
114 Holtermann Street, Crows Nest	19 Murdoch Street, Cremorne
78 Holtermann Street, Crows Nest	27 Murdoch Street, Cremorne
82 Holtermann Street, Crows Nest	29 Murdoch Street, Cremorne
80 Holtermann Street, Crows Nest	36 Murdoch Street, Cremorne
86 Holtermann Street, Crows Nest (property fronting Huntington St, no 41)	35 Myrtle Street, North Sydney
	42–44 Myrtle Street, North Sydney
	12 Neutral Street, North Sydney

North Sydney Local Environmental Plan 2001

Uncharacteristic elements

Schedule 5

2 Oaks Avenue, Cremorne	22 Spofforth Street, Cremorne
10–12 Oaks Avenue, Cremorne	30–40 Spofforth Street, Cremorne
18 Oaks Avenue, Cremorne	21 Thomas Street, McMahons Point
20 Oaks Avenue, Cremorne	1A Waiwera Street, Lavender Bay
9 Oaks Avenue, Cremorne (two houses at rear, fronting Ernest Street)	7 Waiwera Street, Lavender Bay
9 Penshurst Avenue, Neutral Bay	13 Waiwera Street, Lavender Bay
3 Plunkett Street, Kirribilli	22 Waruda Street, Kirribilli
17 Priory Road, Waverton	1 Warung Street, McMahons Point
19 Priory Road, Waverton	6 Warung Street, McMahons Point
21 Priory Road, Waverton	25 West Street, North Sydney
2 Powell Street, Neutral Bay	37 West Street, North Sydney
35–37 Rangers Road, Cremorne	39 West Street, North Sydney
2–4 Reed Street, Cremorne	59A West Street, North Sydney
12 Reed Street, Cremorne	46 West Street, North Sydney
13–15 Reed Street, Cremorne	105 West Street, Crows Nest
7–7A Reed Street, Cremorne	97A West Street, Crows Nest
4 Richmond Avenue, Cremorne	93 West Street, Crows Nest
4A Richmond Avenue, Cremorne	96 West Street, Crows Nest
6 Richmond Avenue, Cremorne	94 West Street, Crows Nest
93 Ridge Street, North Sydney	100 West Street, Crows Nest
5 Riley Street, North Sydney	222 West Street, Crows Nest
33A–33B Shellcove Road, Neutral Bay	178 West Street, Crows Nest
35A Shellcove Road, Neutral Bay	168 West Street, Crows Nest
35B Shellcove Road, Neutral Bay	170 West Street, Crows Nest
48 Shellcove Road, Neutral Bay	190 West Street, Crows Nest
69 Shellcove Road, Neutral Bay	4 Whaling Road, North Sydney
19 Shirley Road, Wollstonecraft	110 Wycombe Road, Neutral Bay
23 Shirley Road, Wollstonecraft	116 Wycombe Road, Neutral Bay
3 Sophia Street, Crows Nest	3 Wycombe Road, Neutral Bay
2 Spofforth Street, Cremorne	48–52 Wycombe Road, Neutral Bay
4 Spofforth Street, Cremorne	5–7 Wycombe Road, Neutral Bay
	61 Wycombe Road, Neutral Bay

North Sydney Local Environmental Plan 2001

Schedule 6 Exempt development

Schedule 6 Exempt development

(Clause 12)

Erection and use, or carrying out, of any of the following:

Requirements

Any exempt development listed in this column

Complies with the “deemed-to-satisfy” provisions of the *Building Code of Australia* that are applicable to the relevant site

Meets all relevant Australian Standards

Does not contravene any valid consents that are applicable to the relevant site

Does not obstruct drainage of the site

Is carried out at least 1 metre from any easement or public sewer main

Stormwater is connected to an existing system and not redirected onto an adjoining property

Does not require a tree to be removed

Does not reduce the structural integrity of any building

All equipment is installed according to manufacturer’s specifications and by qualified tradespeople where relevant

Meets all WorkCover requirements—particularly for work involving hoarding, scaffolding, removal of lead paint and asbestos

Access ramps for the disabled

Heritage	Not on the site of a heritage item or on the street elevation in a conservation area
Size	Maximum height 1m (above natural ground level)
	Maximum grade 1:14 and in compliance with Australian Standard <i>AS 1428.1-1998—Design for access and mobility—General requirements for access—New building work</i>

ADVERTISING—see after “Replacement of windows, glazed areas, external doors”

North Sydney Local Environmental Plan 2001

Exempt development

Schedule 6

Erection and use, or carrying out, of any of the following:	Requirements	
Aerials/antennae/ microwave antennae (not including satellite dishes—dealt with as separate provision)	Heritage	Not attached to a heritage item or adjacent to a heritage item
	Usage	For domestic use only Maximum of one per residential building
	Size	Maximum height 3m above roof ridge
Air conditioning/central heating/heat pump units for residential buildings	Heritage	Not attached to a heritage item or on the street elevation in a conservation area
	Siting	Attached to an external wall or ground mounted Behind the building line Minimum 1.5m from boundary
	Noise	Noise level does not exceed 5dB (A) above ambient background noise level measured at property boundary
Awnings, canopies, storm blinds	Heritage	Not attached to a heritage item or on the street elevation in a conservation area
	Usage	On residential buildings only
	Siting	Located wholly within property boundaries
	Size	Maximum area 10m ²
Barbecues	Foreshore	Not within foreshore building area
	Siting	Located in rear yard Minimum 0.9m from property boundary
	Size	Maximum area 2m ² Maximum height 1.8m

North Sydney Local Environmental Plan 2001

Schedule 6 Exempt development

Erection and use, or carrying out, of any of the following:	Requirements	
Bed and breakfast accommodation	Usage	Involves the use of an existing lawful dwelling by its permanent residents for the temporary accommodation of visitors for commercial purposes No employees other than permanent residents of the dwelling No display or sale of goods from the premises Would not have required the registration of the premises under sections 10–13 of the <i>Shops and Industries Act 1962</i> as in force immediately before their repeal
	Amenity	No interference with the amenity of the surrounding residents or neighbourhood
	Advertising	No display of advertisements on the premises (other than a notice or sign exhibited on that dwelling to indicate the name and occupation of the resident)
	Dwelling	A maximum of 3 guest bedrooms
	Type	A minimum of 2 bathrooms
	Fire safety	Has a smoke detection system that complies with Australian Standards: <i>AS 3786-1993—Smoke alarms</i> , and <i>AS 3000:2000 Electrical installations</i> (known as the <i>Australian/New Zealand Wiring Rules</i>) Has a fire extinguisher and fire blanket in the kitchen
	Approval	Approval has been obtained from the owners corporation, or the community, precinct or neighbourhood association, where a dwelling is subject to the <i>Strata Schemes Management Act 1996</i> or the <i>Community Land Management Act 1989</i>
Bird aviaries	Foreshore	Not within foreshore building area
	Usage	Used only for domestic purposes (but not for the keeping of poultry)
	Siting	Located in rear yard Minimum 0.9m from boundary
	Size	Maximum area 10m ² Maximum height 1.8m

North Sydney Local Environmental Plan 2001

Exempt development

Schedule 6

Erection and use, or carrying out, of any of the following:	Requirements
Cabanas, gazebos, greenhouses	Foreshore Not within foreshore building line
	Usage Not used as a dwelling
	Siting Located in rear yard Minimum 0.9m from property boundary
	Size Maximum area 10m ² Maximum height 1.8m
	Materials Non-reflective surface finishes
Clothes hoist/lines	Siting Located in rear yard Not visible from street or public place
Decks	Heritage Not on the site of a heritage item Behind the building line in a conservation area
	Siting Side setbacks minimum 0.9m from property boundary or match those for existing dwelling, whichever is less Minimum 10m setback from any adjoining land in the Bushland zone
	Size Maximum area 10m ² Finished level not greater than 0.5m above natural ground level
	Structure Uncovered
	Materials Made of timber
Driveways and pathways	Heritage Not on the site of a heritage item or on the street elevation in a conservation area
	Siting Not over public land Does not require new gutter crossing
	Structure Not elevated or suspended above natural ground level Replacement only

North Sydney Local Environmental Plan 2001

Schedule 6 Exempt development

Erection and use, or carrying out, of any of the following:	Requirements	
Display of goods on the footpath	Usage	Used in conjunction with an existing shop for which consent has been granted in an area of commercial/mixed use zoning Permit must be obtained from the Council Must not involve any live or recorded entertainment including music, broadcast programs or the like
	Location	Area is immediately adjoining the shop front and does not obstruct access to this, or to adjacent shops
	Siting	A minimum of 1.8m of footpath, immediately adjacent to the roadway, remains clear of goods
	Size	Area is no greater than 5m ²
	Structure	Goods are displayed at ground level or on stable, temporary structures no higher than 1.5m Goods are not stacked
	Advertising	Signs or advertising displayed on footpath All goods, materials and equipment are temporary and removed from the footpath at close of business
	Amenity	No construction work involved

North Sydney Local Environmental Plan 2001

Exempt development

Schedule 6

Erection and use, or carrying out, of any of the following:	Requirements	
Fences (other than fences required to be erected by the Swimming Pools Act 1992):	Heritage	Not on the site of a heritage item or adjacent to a heritage item Not in a conservation area
	Foreshore	Not within foreshore building area
1 Boundary fences:		
(a) Front and side (between the building line and street or any other public place)	Materials:	Constructed of timber, metal or lightweight materials
	Size	Maximum height 1m
(b) Side (between the building line and the rear boundary) and rear	Size	Maximum height 1.8m
2 Masonry or brick fences	Size	Maximum height 0.9m
	Structure	Constructed in accordance with Australian Standards: <i>AS 1170—Minimum design loads on structures (known as the SAA Loading Code):</i> <i>Part 1—1989—Dead and live loads and load combinations</i> <i>Part 2—1989—Wind loads</i> <i>Part 4—1993—Earthquake loads</i> <i>AS 3600—1994—Concrete structures</i> <i>AS 3700—1998—Masonry structures</i>

North Sydney Local Environmental Plan 2001

Schedule 6 Exempt development

Erection and use, or carrying out, of any of the following:	Requirements	
Flagpoles	Heritage	Not attached to a heritage item or adjacent to a heritage item Not in a conservation area
	Siting	Only 1 per property
	Size	Does not project beyond property boundaries Maximum flag area 1m ² Maximum height 6m above ground level
	Structure	Internal halliards Structurally stable and securely anchored
Garden sheds	Foreshore	Not within foreshore building area
	Usage	Only 1 per property
	Siting	Located in the rear yard
	Size	Maximum floor area 10m ² Maximum height 2.1m
	Structure	Free standing and pre-fabricated Structurally stable and securely anchored
	Materials	Non-reflective materials

North Sydney Local Environmental Plan 2001

Exempt development

Schedule 6

Erection and use, or carrying out, of any of the following:**Requirements****Hoardings
(in conjunction with a structure which is to be erected or demolished)**

Usage	The vertical height above footpath level of the structure being erected or demolished must be less than 4m
Siting	The least horizontal distance between the common boundary of the site and a footpath or public thoroughfare, and the nearest part of the structure, is to be greater than twice the height of the structure being erected or demolished Not to encroach onto public footway or thoroughfare
Structure	Structurally stable and securely anchored Materials and size A hoarding is to be constructed of solid materials to a height not less than 2.4m above level of the footpath or thoroughfare In instances where the horizontal distance between where the building is situated and the boundary is more than twice the measurement of the height of the building, other non-solid hoardings may be provided subject to appropriate signage being provided and provision being made to minimise dust from the site
Signage	Appropriate signage is to be provided in accordance with Australian Standard <i>AS 1319-1994—Safety signs for the occupational environment</i>

Home occupations

Usage	No employees other than permanent residents of the dwelling-house No display or sale of goods from the premises Would not have required the registration of the premises under sections 10–13 of the <i>Shops and Industries Act 1962</i> as in force immediately before their repeal
Amenity	No interference with the amenity of the surrounding residents or neighbours
Advertising	No display of advertisements on the premises (other than a notice or sign exhibited on that dwelling to indicate the name and occupation of the resident)

North Sydney Local Environmental Plan 2001

Schedule 6 Exempt development

Erection and use, or carrying out, of any of the following:		Requirements	
Letterbox	Usage		Designed for use and used in conjunction with a single residential premises
	Size		Maximum height of 1.2m above ground level
	Structure		Free standing Structurally stable with adequate footings
	Numbering		Approved numbering visible from street alignment
Minor internal alterations:			
1 Residential premises	Heritage		Not to a heritage item
	Type		Renovation of bathrooms, kitchens, inclusion of built-in fixtures such as vanities, cupboards and wardrobes Replacement: <ul style="list-style-type: none"> • doors, and • wall, ceiling or floor linings, • deteriorated frame members, and with materials of equal or improved specifications Does not involve changes to the internal layout of the dwelling Does not reduce or increase area provided for light and ventilation or enclose any open area Does not involve the removal of decorative detailing
2 Non-residential premises	Type		Non-structural work such as shelving, displays, benches, partitions
	Size		Floor area not to exceed 100m ²
	Work		Complies with fire safety requirements of the <i>Building Code of Australia</i>

North Sydney Local Environmental Plan 2001

Exempt development

Schedule 6

Erection and use, or carrying out, of any of the following:	Requirements	
Outdoor seating	Usage	Used in conjunction with an existing, refreshment room for which consent has been granted in an area of commercial/mixed use zoning Permit must be obtained from the Council Must not involve any live or recorded entertainment including music, broadcast programs or the like
	Location	Area is immediately adjoining refreshment room and does not obstruct access to this, or to adjacent shops
	Siting	A minimum of 1.8m of footpath adjacent to the roadway remains clear of seating
	Size	No greater than 5m ²
	Structure	Area is not to be enclosed via any additional awnings, canopies or storm blinds
	Amenity	All materials and equipment are temporary and are removed from the footpath at close of business No construction work involved
	Advertising	No signs or advertising displayed on the footpath
Park and street furniture (seats, bins, picnic tables, minor shelters and the like, not including bus shelters)	Heritage	Not on the site of a heritage item Not in a conservation area
	Location	Located on land under control of the Council
	Siting	Does not affect sight lines or restrict pedestrian movement
	Structure	Structurally stable and securely anchored
Patio/paving (for use incidental to the use of a dwelling)	Heritage	Not on the site of a heritage item Behind the building line in a conservation area
	Siting	At natural ground level
	Size	Maximum area 20m ²
	Drainage	Measures taken to prevent the entry of water into the dwelling

North Sydney Local Environmental Plan 2001

Schedule 6 Exempt development

Erection and use, or carrying out, of any of the following:	Requirements	
Pergola	Heritage	Not on the site of a heritage item or on the street elevation in a conservation area
	Type	Not roofed or enclosed
	Siting	Minimum 0.9m from property boundary
	Size	Maximum area 20m ² Maximum height 2.4m
	Structure	Structurally stable and securely anchored
Playground equipment, cubby houses etc:		
1 If for residential use only	Siting	Minimum 0.9m from side property boundary Rear yard only
	Size	Maximum height 2.1m Maximum area 10m ²
	Structure	Structurally stable and securely anchored
2 If for non-residential use	Type	Not for commercial use
	Siting	Minimum 3m from side property boundary
	Size	Maximum height 2.1m
	Structure	Structurally stable and securely anchored
3 On community land (as defined by the Local Government Act 1993)	Type	Replacing existing equipment only
Re-cladding of roofs or walls	Heritage	Not carried out on a heritage item or adjacent to a heritage item Not in a conservation area
	Type	Replacing existing materials with similar materials which are compatible with the existing building and finish Does not involve structural alterations or change to the external configuration of the building

North Sydney Local Environmental Plan 2001

Exempt development

Schedule 6

Erection and use, or carrying out, of any of the following:

Requirements

Retaining walls

- | | |
|-----------|---|
| Foreshore | Not within the foreshore building area |
| Usage | Retains soil at existing ground level only
Does not restrict or alter stormwater drainage |
| Size | Does not increase height of finished ground level
Maximum height 0.6m |
| Structure | Masonry walls to comply with Australian Standards:
<i>AS 1170—Minimum design loads on structures (known as the SAA Loading Code) Part 1—1989—Dead and live loads and load combinations, Amdt 1—Jan 1993</i>
<i>Part 4—1993—Earthquake loads, Amdt 1—Oct 1994</i>
<i>AS 3600—1994—Concrete structures</i>
<i>AS 3700—1998—Masonry structures</i>
Timber walls to comply with Australian Standards:
<i>AS 1170—Minimum design loads on structures (known as the SAA Loading Code) Part 1—1989—Dead and live loads and load combinations, Amdt 1—Jan 1993</i>
<i>Part 4—1993—Earthquake loads, Amdt 1—Oct 1994</i>
<i>AS 1720—Timber structures (known as the SAA Timber Structures Code) Part 1—1997—Design methods, Amdt 1—July 1998</i> |

North Sydney Local Environmental Plan 2001

Schedule 6 Exempt development

Erection and use, or carrying out, of any of the following:	Requirements	
Scaffolding	Heritage	Not on or alongside a heritage item
	Siting	Does not encroach onto footpath, public thoroughfare or public park Must enclose the work area
	Structure	Must comply with Australian Standards: <i>AS/NZS 1576.1:1995—Scaffolding—General requirements</i> <i>AS 1576.2-1991—Scaffolding—Couplers and accessories</i> <i>AS/NZS 1576.3:1995—Scaffolding—Prefabricated and tube-and-coupler scaffolding</i> <i>AS 1576.4-1991—Scaffolding—Suspended scaffolding</i> <i>AS/NZS 1576.5:1995—Scaffolding—Prefabricated spliheads and trestles</i>
Solar water heater (attached to a residential building)	Heritage	Not attached to a heritage item
	Foreshore	Not within the foreshore building area
	Siting	Located on rear of property Not visible from street, foreshores or reserves
	Structure	Installation must be flush with a roof alignment
Skylight/rooflight/air vent	Heritage	Not attached to a heritage item Not on the front of a building in a conservation area
	Usage	Not more than one installation per 25m ² of roof area
	Siting	Minimum 0.9m from property boundary Minimum 0.9m from any common wall between attached dwellings Minimum 1.8m from any roof light in another building on the lot or in a detached part of the same building
	Size	Maximum area of skylight not to exceed 20% of the roof or part of the roof

North Sydney Local Environmental Plan 2001

Exempt development

Schedule 6

Erection and use, or carrying out, of any of the following:	Requirements	
Water heaters (excluding solar systems, which are dealt with separately in this table)	Siting	At ground level Behind building line
Water tanks	Usage	Maximum of one per dwelling or residential building
	Siting	At or above ground level Located in the rear yard or positioned so as not to be visible from a public place or cause impact on a neighbour's amenity
	Size	Maximum installed height 1.8m above ground level (including any stand) Maximum stand height 0.45m Maximum storage capacity of 2,000 litres
	Noise	Pumps and overflows will not cause noise nuisance to neighbours
Replacement of windows, glazed areas, external doors	Heritage	Not involving a heritage item, adjacent to a heritage item or on the street elevation in a conservation area
	Size	Does not reduce or increase light and ventilation
	Materials	Replacement in residential premises with materials that comply with Australian Standards: <i>AS 1288-1994—Glass in buildings—Selection and installation</i> <i>AS/NZS 2208:1996—Safety glazing materials in buildings</i> When carried out in a conservation area, replacement windows and doors match existing original windows and doors

North Sydney Local Environmental Plan 2001

Schedule 6 Exempt development

Erection and use, or carrying out, of any of the following:	Requirements	
ADVERTISING		
Business identification sign (flush wall sign)	Heritage	Not attached to a heritage item or adjacent to a heritage item Not in a conservation area
	Illumination	Not illuminated
	Usage	Maximum one per site (residential building) Maximum two per site (non-residential use or building for which consent granted)
	Size	Maximum 0.45m in length and 0.3m in height
	Content	Sign contains only: <ul style="list-style-type: none"> <li data-bbox="786 1037 1166 1095">(a) identification of the place or premises <li data-bbox="786 1095 1235 1180">(b) identification of an occupation or activities carried out at the place or premises <li data-bbox="786 1180 1203 1238">(c) necessary directions or cautions relating to the place or premises <li data-bbox="786 1238 1259 1317">(d) statutory notifications required or permitted to be displayed at the place or premises
Community notice sign (a notice or display by a public authority)	Heritage	Not attached to a heritage item or adjacent to a heritage item Not in a conservation area
	Illumination	Not illuminated
	Content	Contains only a notice or display of public information giving information or directions about services provided by the authority
Fascia sign (a sign on the fascia or return end of an awning)	Heritage	Not attached to a heritage item or adjacent to a heritage item Not in a conservation area
	Illumination	Not illuminated
	Usage	Maximum one per site
	Size	Does not project above or below the fascia or return end of the awning Is flush with the fascia

North Sydney Local Environmental Plan 2001

Exempt development

Schedule 6

Erection and use, or carrying out, of any of the following:	Requirements	
Real estate sign	Heritage	Not attached to a heritage item or adjacent to a heritage item Not in a conservation area
	Illumination	Not illuminated
	Size	No return exceeds 0.2m Residential premises or premises containing serviced apartments—does not exceed 2.5 m ² in total area Commercial/industrial premises—does not exceed 4.5 m ² in total area
	Content	Contains only a notice that the building or site to which it is fixed is for sale or letting
	Duration	Use of the sign is not exempt development later than 14 days after letting or sale of the premises to which sign relates
	Temporary sign (a sign announcing a local event—religious, educational, cultural, political, social or recreational)	Heritage
	Illumination	Not illuminated
	Content	Sponsors names or logos are less prominent than message
	Duration	Displayed no earlier than 28 days before an event Use of the sign is not exempt development later than 14 days after the event
Top hamper sign (a sign painted on or attached to the transom of a doorway or display window at the ground floor level of a building)	Heritage	Not attached to a heritage item or adjacent to a heritage item Not in a conservation area
	Illumination	Not illuminated
	Usage	Maximum one per premises
	Size	Does not extend below the head of the doorway or window to which it is attached Does not extend more than 0.2m beyond any building alignment

North Sydney Local Environmental Plan 2001

Schedule 6 Exempt development

Erection and use, or carrying out, of any of the following:	Requirements	
Under awning sign (a sign which is attached to and hangs below an awning)	Heritage	Not attached to a heritage item or adjacent to a heritage item Not in a conservation area
	Illumination	Not illuminated
	Usage	Maximum one per premises
	Siting	Securely fixed to awning Erected horizontal to the ground
	Size	Does not project beyond the awning Not less than 2.6m from the ground or footpath Maximum length of 2.5m Maximum height of 0.5m
Window sign (a sign displayed on a shop window)	Heritage	Not attached to a heritage item or adjacent to a heritage item Not in a conservation area
	Illumination	Not illuminated
	Usage	Maximum one per shop front
	Siting	Located on ground level façade
	Size	At least 50% of shop front window remains uncovered
BUSHFIRE HAZARD REDUCTION		
Bushfire hazard reduction	Work	Work to be carried out consistently with a plan of operations and a bush fire risk management plan under the <i>Rural Fires Act 1997</i>
CHANGE OF USE		
Changed use from: one shop to another shop (excluding food shops)	Type	Previous use was a lawful use
	Duration	Hours of operation do not extend beyond: 8am– 6pm Monday–Friday, 8am–5pm Saturday, 9am–4pm Sunday
Changed use from: a food shop to a non-food shop	Type	Previous use was a lawful use
	Duration	No extension to hours outside existing hours of operation

North Sydney Local Environmental Plan 2001

Exempt development

Schedule 6

Erection and use, or carrying out, of any of the following:**Requirements****Changed use from: one office to another office**

Type	Previous use was a lawful use
Duration	No extension to hours outside existing hours of operation

FIRE UPGRADING**Fire upgrading of a building**

Heritage	Not in relation to a heritage item Not in relation to a building in a conservation area
Type	Does not involve structural alterations or changes to the external configuration of the building
Work	Work to be carried out in compliance with the requirements of an order of the Council or as an approved voluntary fire safety upgrade

DEMOLITION OF BUILDING**Demolition**

Heritage	Not of a heritage item Not of a building in a conservation area unless the building is an uncharacteristic element in the conservation area
Type	Not involving the complete demolition of a building Demolition of part of a building (other than a retaining wall) the erection of which would be exempt development for the purpose of this plan May involve demolition associated with decommissioning a building, but not involving any change to the external fabric of the building May involve stripping of internal, non-structural elements only of a building for maintenance or repair purposes
Works	Provision is made for erosion and sediment control in accordance with the Council's brochure "Erosion and Sediment Control for Urban Redevelopment"

North Sydney Local Environmental Plan 2001

Schedule 6 Exempt development

Erection and use, or carrying out, of any of the following:

Requirements**RADIO TELECOMMUNICATIONS FACILITIES**

Satellite dishes:	Heritage	Not involving a heritage item or adjacent to a heritage item Not in a conservation area
1 Residential ground mounted	Usage Siting Size	Maximum 1 per residential building Located so as not to be visible from a public place A minimum of 0.9m from a property boundary Maximum height 1.8m Maximum diameter 1m
2 Residential roof mounted	Usage Siting Size Materials	Maximum 1 per residential building Located on rear section of roof Not visible from public place Maximum diameter 0.6m Colour and materials blend with the building
3 Commercial ground mounted	Usage Siting	Maximum 1 installation per property Situated a minimum of 0.9m from the boundary if the adjoining property is residential
4 Commercial roof mounted	Size Usage Siting Size	Maximum height of 1.8m Maximum 1 installation per building Located wholly within property boundaries Maximum diameter 2m
Subscriber connection (deployed by radio terminal, antenna or dish)	Heritage Siting Size Materials	Not involving a heritage item or adjacent to a heritage item Not in a conservation area Set back from wall roof parapet and placed central to the roof Maximum diameter 1.2m Colour-matched to its background or in a colour agreed in writing between the carrier and the Council

North Sydney Local Environmental Plan 2001

Exempt development

Schedule 6

Erection and use, or carrying out, of any of the following:	Requirements	
Panel antenna	Heritage	Not involving a heritage item or adjacent to a heritage item Not in a conservation area
1 Flush mounted to existing structure	Siting	Set back from wall roof parapet and placed central to the roof
	Materials	Colour-matched to its background or in a colour agreed in writing between the carrier and the Council
2 Attached to existing structure	Siting	Set back from wall roof parapet and placed central to the roof
	Size	Maximum length 2.8m Does not protrude more than 3m from structure
	Materials	Colour-matched to its background or in a colour agreed in writing between the carrier and the Council

UNDERGROUND TELECOMMUNICATIONS FACILITIES

Pit	Heritage	Not involving a heritage item or adjacent to a heritage item Not in a conservation area
	Size	Maximum surface area 2m ²
	Works	Use of the pit is not exempt development if any sandstone curbing affected has not been reinstated to original state later than two weeks after completion of work No damage to trees
Manhole	Heritage	Not involving a heritage item or adjacent to a heritage item Not in a conservation area
	Size	Maximum surface area 2m ²

North Sydney Local Environmental Plan 2001

Schedule 6 Exempt development

Erection and use, or carrying out, of any of the following:	Requirements	
Underground equipment shelter or housing	Heritage	Not involving a heritage item or adjacent to a heritage item Not in a conservation area
	Works	Use of the shelter or housing is not exempt development if any sandstone curbing affected has not been reinstated to original state later than two weeks after completion of work No damage to trees
	Size	Maximum surface area 2m ²
Underground conduit or cable:	Heritage	Not involving a heritage item or adjacent to a heritage item Not in a conservation area
	1 Deployed by narrow trench	Size Maximum length 150m Maximum width 0.15m Works Use of the conduit or cable is not exempt development if any sandstone curbing affected has not been reinstated to original state later than two weeks after completion of work No damage to trees
2 Deployed by drill hole	Size Maximum diameter 0.15m Minimum 0.6m below the surface Works Use of the conduit or cable is not exempt development if any sandstone curbing affected has not been reinstated to original state later than two weeks after completion of work No damage to trees	
Cable location marking post/sign	Heritage	Not involving a heritage item or adjacent to a heritage item Not in a conservation area
	Siting	Does not cause obstruction

North Sydney Local Environmental Plan 2001

Exempt development

Schedule 6

Erection and use, or carrying out, of any of the following:

Requirements

PUBLIC PAY PHONES

Public pay phone instrument

Heritage	Not involving a heritage item or adjacent to a heritage item Not in a conservation area
Usage	Used solely for carriage and content services Not designed, or fitted with devices or facilities, for other uses (such as vending) Not used to display advertising other than advertising related to the supply of standard telephone services
Siting	Does not interrupt streetscape vista/views

EMERGENCY TELECOMMUNICATIONS FACILITIES

Temporary facility

Usage	Installed in an emergency to provide assistance to an emergency services organisation
Duration	Use of the facility is exempt development only for duration of emergency

CO-LOCATED TELECOMMUNICATIONS FACILITIES

Conduit or cabling (co-located with an existing facility)

Heritage	Not involving a heritage item or adjacent to a heritage item Not in a conservation area
Type	Laid in an existing trench or in a trench created by a developer, relevant local government authority, public utility or carrier

North Sydney Local Environmental Plan 2001

Schedule 7 Complying development

Schedule 7 Complying development

(Clause 13)

A Detached single storey dwellings—not in conservation areas

Development categories:

- construction of detached, single storey dwelling, or
- alterations and single storey additions to a detached single storey dwelling, or
- construction of carport, garage or outbuilding associated with a detached, single storey dwelling.

Requirements:

All building work must comply with the “deemed-to-satisfy” provisions of the *Building Code of Australia*.

Development must not contravene any valid consents that are applicable to the relevant site.

Design element—streetscape

Standards

- All building work is set back behind the front building line. (The front building line is defined as the line projected between the principal façades of the buildings on adjoining properties.)
- All building work is set back by an average of the setback of the dwellings on land either side of the subject property, from the side boundary of the property, but not by less than 0.9m.

Carports and garages which are visible from a public place:

- face the public street or accessway to which they provide access, and
- complement the design of the associated dwelling by having the same or similar roof form, materials, colours and detailing.

The street elevation of dwellings have:

- a front door or living room window facing the street, and
- a maximum unarticulated length of no more than 6 metres elevation facing the public street.

North Sydney Local Environmental Plan 2001

Complying development

Schedule 7

Alterations, additions and outbuildings visible from a public place:

- face the public street or public accessway from which they are visible, and
- match the design of the main dwelling by having the same or similar roof form, materials, colours and detailing.

Design element—energy efficiency

Standards

Dwelling achieves a minimum 3.5 Star Rating when assessed in accordance with nationally accredited *National House Energy Rating Scheme* (NatHERS).

Design element—bulk and scale

Standards

- Maximum roof pitch of 36 degrees for a roof visible from any public place.
- Minimum roof pitch of 14 degrees for a roof not visible from any public place.
- Roof openings for skylights not visible on the primary street elevation of the dwelling.
- No increase in overshadowing to principal area of ground level private open space or habitable rooms of any adjoining properties, between the hours of 9 am and 3 pm on 21 June.
- The external wall of any dwelling or addition is set back from the rear boundary a minimum of the average of the rear setbacks of the dwellings on land either side of the subject property, but not by less than 0.9m.
- The eaves and roof gutter of any structure are a minimum distance from the boundary of 0.675m.

Design element—privacy

Standards

- Skylights are a minimum of 1.5m above the floor level.

If a window will have a direct outlook to the windows of habitable rooms of an adjacent dwelling, the window in the proposed dwelling:

- is offset from the edge of one window to the edge of the other by a distance of at least 0.5m to limit views into the adjacent window, or
- has sill heights of at least 1.5m above floor level, or
- has fixed obscure glazing in any part of the window below 1.5m above floor level.

North Sydney Local Environmental Plan 2001

Schedule 7 Complying development

Design element—site access and circulation**Standards**

- No new gutter or footpath crossing is to be created.
- The finished level of the driveway is within a maximum of 0.25m from existing ground level.
- Driveways are a minimum of 0.5m from the side boundary.
- Driveways are a minimum of 0.5m clear of all drainage structures on the kerb and gutter and do not interfere with the existing public utility infrastructure, including Council drainage structures, unless prior approval is obtained from the relevant authority.
- Driveways are a minimum distance of 6m from a road intersection.
- Car parking is provided according to *North Sydney Development Control Plan No 1* as approved on 18 December 1990.
- Open car parking spaces, accessways and driveways are surfaced with porous materials or are graded to provide for on-site stormwater management.

Design element—water and soil management**Standards**

- The land surrounding any structure is graded and drained to divert surface water to the street and clear of existing and proposed structures and adjoining premises (and does not require pumpouts, charged lines or on-site disposal).
- No construction over any registered easement without the approval of the body benefiting from the easement.
- No structure is constructed within 3m of a sewer or water main without the prior approval of the relevant service authority.
- The development must comply with an erosion and sediment control plan, which contains measures as to how erosion will be controlled and sediments trapped on building sites, in accordance with the Council's brochure "Erosion and Sediment Control for Urban Development". The plan must accord with the guidelines for preparing an erosion and sediment control plan found in the former Department of Conservation and Land Management's brochure "Preparing an Erosion and Sediment Control Plan" (1994) available from the Council.

North Sydney Local Environmental Plan 2001

Complying development

Schedule 7

-
- Minimum requirements in relation to the erosion and sediment control plan include:
 - providing a single stabilised entry/exit point for site access, and
 - diverting run-off away from disturbed areas and stockpiles towards stabilised areas using banks or channels, and
 - sediment fences being installed downslope to treat site run-off, and
 - gutter protection being used only as a precautionary measure if there is a risk of untreated run-off entering the waterways, and
 - building material stockpiles being located and managed in accordance with the guidelines, and
 - as soon as the roof is complete, temporary or permanent downpipes being installed for roof water drainage, and
 - dust minimisation in accordance with the guidelines.

Design element—open space and landscaping

Standards

- A minimum of 50% of the site is to be landscaped area.
- Meets the private open space soft landscaping requirements of *North Sydney Development Control Plan No 1* as approved on 18 December 1990.
- Does not contravene the Council's Tree Preservation Order.
- No structure to be constructed within the drip line of a tree.

B Detached single storey dwellings—in a conservation area

Development categories:

- alterations and single storey additions behind the rear building line of a detached, single storey dwelling, not visible from a public place, or
- construction of car spaces (not involving carports or garages).

Requirements:

All building work complies with the “deemed-to-satisfy” provisions of the *Building Code of Australia*.

Development must not contravene any valid consents that are applicable to the relevant site.

North Sydney Local Environmental Plan 2001

Schedule 7 Complying development

Design element—streetscape**Standards**

- Car spaces are set back behind the existing front building line.

Design element—heritage**Standards**

- No removal of trees, garden designs or plantings of heritage significance.

Design element—energy efficiency**Standards**

- Dwelling achieves a minimum 3.5 star rating when assessed in accordance with a nationally accredited *National House Energy Rating Scheme* (NatHERS).

Design element—bulk and scale**Standards**

- Minimum roof pitch of 14 degrees for a roof not visible from any public place. Roof openings for skylights not visible on the primary street elevation of the dwelling.
- No increase in overshadowing to principal area of ground level private open space or habitable rooms of any adjoining properties, between the hours of 9 am and 3 pm on 21 June.
- The external wall of any dwelling or addition is set back from the rear boundary a minimum of the average of the rear setbacks of the dwellings on land either side of the subject property, but not less than 0.9m.
- The eaves and roof gutter of any structure are a minimum distance from the boundary of 0.675m.

Design element—privacy**Standards**

- Skylights are a minimum of 1.5m above the floor level.
- If a window will have a direct outlook to the windows of habitable rooms of an adjacent dwelling, the window in the proposed dwelling:
 - is offset from the edge of one window to the edge of the other by a distance of at least 0.5m to limit views into the adjacent window, or

North Sydney Local Environmental Plan 2001

Complying development

Schedule 7

-
- has sill heights of at least 1.5m above floor level, or
 - has fixed obscure glazing in any part of the window below 1.5m above floor level.

Design element—site access and circulation

Standards

- No new gutter or footpath crossings are to be created.
- The finished level of the driveway is within a maximum of 0.25m from existing ground level.
- Driveways are a minimum of 0.5m from the side boundary.
- Driveways are a minimum of 0.5m clear of all drainage structures on the kerb and gutter and do not interfere with the existing public utility infrastructure, including the Council's drainage structures, unless prior approval is obtained from the relevant authority.
- Driveways are a minimum distance of 6m from a road intersection.
- Car parking is provided according to *North Sydney Development Control Plan No 1* as approved on 18 December 1990.
- Open car parking spaces, accessways and driveways are surfaced with porous materials or are graded to provide for on-site stormwater infiltration.

Design element—water and soil management

Standards

- The land surrounding any structure is graded and drained to divert surface water to the street and clear of existing and proposed structures and adjoining premises.
- No construction over any registered easement without the approval of the body benefiting from the easement.
- No structure is constructed within 3m of a sewer or water main without the prior approval of the relevant service authority.
- The development must comply with an erosion and sediment control plan, which contains measures as to how erosion will be controlled and sediments trapped on building sites, in accordance with the Council's brochure "Erosion and Sediment Control for Urban Development". The plan must accord with the guidelines for preparing an erosion and sediment control plan found in the former Department of Conservation and Land Management's brochure "Preparing an Erosion and Sediment Control Plan" (1994) available from Council.

North Sydney Local Environmental Plan 2001

Schedule 7 Complying development

- Minimum requirements in relation to the erosion and sediment control plan include:
 - providing a single stabilised entry/exit point for site access, and
 - diverting run-off away from disturbed areas and stockpiles towards stabilised areas using banks or channels, and
 - sediment fences being installed downslope to treat site run-off, and
 - gutter protection being used only as a precautionary measure if there is a risk of untreated run-off entering the waterways, and
 - building material stockpiles being located and managed in accordance with the guidelines, and
 - temporary or permanent down pipes being installed for roof water drainage as soon as the roof is complete, and
 - dust minimisation in accordance with the guidelines.

Design element—open space and landscaping**Standards**

- A minimum of 50% of the site is to be landscaped area.
- Meets the private open space soft landscaping requirements of *North Sydney Development Control Plan No 1* as approved on 18 December 1990.
- Does not contravene the Council's Tree Preservation Order.
- No structure to be constructed within the drip line of a tree.

C Attached dwellings and apartment buildings—not in conservation areas**Development category:**

- Minor alterations and additions to attached dwellings or apartment buildings,
or
- The construction of garages/carports, or
- The erection of outbuildings associated with these residential buildings.

North Sydney Local Environmental Plan 2001

Complying development

Schedule 7

Requirements:

All building work complies with the “deemed-to-satisfy” provisions of the *Building Code of Australia*.

Development must not contravene any valid consents that are applicable to the relevant site.

Relevant owners corporation approval has been given.

Design element—streetscape

Standards

- All building work is set back behind the existing front building line.
- The structure is set back at least an average of the setback of the dwellings on land either side of the subject property, from the front boundary of the property.
- All building work is set back by an average of the setback of the dwellings on land either side of the subject property, from the side boundary of the property, but not by less than 0.9m.

Carports and garages which are visible from a public place:

- face the public street or access way to which they provide access, and
- are set back behind the front building line of the building, and
- complement the design of the associated dwelling by having the same or similar roof form, materials, colours and detailing, and
- do not create any new gutter or footpath crossings.

Alterations, additions and outbuildings visible from a public place:

- match the design of the main dwelling through roof form, materials, colours and detailing.

Design element—bulk and scale

Standards

- Maximum roof pitch of 36 degrees for a roof visible from any public place.
- Minimum roof pitch of 14 degrees for a roof not visible from any public place.
- Roof openings for skylights not visible on the primary street elevation of the dwelling.
- No increase in overshadowing to principal area of ground level private open space or habitable rooms of any adjoining properties, between the hours of 9 am and 3 pm on 21 June.

North Sydney Local Environmental Plan 2001

Schedule 7 Complying development

- The external wall of any dwelling or addition is set back from the rear boundary a minimum of the average of the rear setbacks of the dwellings on land either side of the subject property, but not by less than 0.9m.
- The eaves and roof gutter of any structure are a minimum distance from the boundary of 0.675m.
- No increase in the number of dwellings.
- No increase in the floor space within any dwelling.

Design element—privacy**Standards**

- Skylights are a minimum of 1.5m above the floor level.
- If a window will have a direct outlook to the windows of habitable rooms of an adjacent dwelling, the window in the proposed structure:
 - is offset from the edge of one window to the edge of the other by a distance of at least 0.5m to limit views into the adjacent window, or
 - has sill heights of at least 1.5m above floor level, or
 - has fixed obscure glazing in any part of the window below 1.5m above floor level.

Design element—water and soil management**Standards**

- The land surrounding any structure is graded to divert surface water to the street and clear of existing and proposed structures and adjoining premises.
- No construction over any registered easement without the approval of the body benefiting from the easement.
- No structure is constructed within 3m of a sewer or water main without the prior approval of the relevant service authority.
- The development must comply with an erosion and sediment control plan which contains measures as to how erosion will be controlled and sediments trapped on building sites, in accordance with the Council's brochure "Erosion and Sediment Control for Urban Development". The plan must accord with the guidelines for preparing an erosion and sediment control plan found in the former Department of Conservation and Land Management's brochure "Preparing an Erosion and Sediment Control Plan" (1994) available from the Council.

North Sydney Local Environmental Plan 2001

Complying development

Schedule 7

-
- Minimum requirements in relation to the erosion and sediment control plan include:
 - providing a single stabilised entry/exit point for site access, and
 - diverting run-off away from disturbed areas and stockpiles towards stabilised areas using banks or channels, and
 - sediment fences being installed downslope to treat site run-off, and
 - gutter protection being used only as a precautionary measure if there is a risk of untreated run-off entering the waterways, and
 - building material stockpiles being located and managed in accordance with the guidelines, and
 - temporary or permanent downpipes being installed for roof water drainage as soon as the roof is complete, and
 - dust minimisation in accordance with the guidelines.

Design element—open space and landscaping

Standards

- A minimum of 50% of the site is to be landscaped area.
- Private open space is provided in accordance with *North Sydney Development Control Plan No 1* as approved on 18 December 1990.
- Does not contravene the Council's Tree Preservation Order.
- No structure is to be located within the drip line of a tree.

D Fitout works to commercial premises and shops—not in conservation areas

Development category:

- Minor alterations and internal fitout work to existing commercial premises or shops that do not change the building classification of the premises under the *Building Code of Australia*.

Requirements:

All building work complies with the “deemed-to-satisfy” provisions of the *Building Code of Australia*.

Development must not contravene any valid consents that are applicable to the relevant site.

North Sydney Local Environmental Plan 2001

Schedule 7 Complying development

Design element—streetscape**Standards**

- All proposed building work is within the existing approved envelope of the building.
- Any new entrance faces directly to the public street or pedestrian way on the property boundary of the building.
- The new use of the building or shop requires no increase in the provision of car spaces to comply with *North Sydney Development Control Plan No 1* as approved on 18 December 1990.

Design element—floor space**Standards**

- There is no increase in the gross floor area.
- There is no decrease in the gross floor area used for pedestrian access paths or access to fire exits and the building work complies with the requirements of the *Building Code of Australia*.
- Complies with this plan with respect to floor space ratios for commercial/non-residential uses.

E Fitout to alter a shop to a food shop—not in conservation areas**Development category:**

- Minor alterations and internal fitout work to alter a shop to a food shop that does not change the building classification of the premises under the *Building Code of Australia*.

Requirements:

All building work complies with the “deemed-to-satisfy” provisions of the *Building Code of Australia*.

Development must not contravene any valid consents that are applicable to the relevant site.

North Sydney Local Environmental Plan 2001

Complying development

Schedule 7

Design element—streetscape

Standards

- All proposed building work is within the existing approved envelope of the shop.
- Any new entrance faces directly to the public street or pedestrian way on the property boundary of the building.
- The new use of the building or shop requires no increase in the provision of car spaces to comply with to *North Sydney Development Control Plan No 1* as approved on 18 December 1990.

Design element—floor space

Standards

- There is no increase in the gross floor area.
- There is no decrease in the gross floor area used for pedestrian access paths or access to fire exits and the work complies with the requirements of the *Building Code of Australia*.
- Complies with this plan with respect to floor space ratios for commercial/non-residential uses.

Design element—compliance with North Sydney Council Food Premises Code

Standard:

- All aspects of the food handling areas and internal shop layout shall comply with the “North Sydney Food Premises Code”, as adopted by the Council on (insert relevant date) and any relevant Australian Standards

Definition:

A food shop for the purposes of this item is any retail outlet where food for consumption is sold, but it is not consumed on the premises. It does not include any form of refreshment room such as a café, milk bar, or restaurant.

North Sydney Local Environmental Plan 2001

Schedule 7 Complying development

F Land subdivision—not in conservation areas

Development category:

Subdivision for the purpose of:

- correcting an encroachment on a lot, or
- boundary adjustments that do not create a different number of lots.

Requirements:

All buildings and works on the land comply with the “deemed-to-satisfy” provisions of the *Building Code of Australia*.

Development must not contravene any valid consents that are applicable to the relevant site.

Design element—street frontage

Standards

- The requirements of the relevant site-related controls are met, in accordance with this plan.
- Must maintain existing, or comply with the requirements for new, lot frontage and access from a public road in accordance with this plan.
- A minimum of 50% of the site of a building is to be landscaped area.
- Meets the private open space soft landscaping requirements of *North Sydney Development Control Plan No 1* as approved on 18 December 1990.
- No structure on the land is constructed within the drip line of a tree.

G Builders’ sheds and portable toilet facilities—not in conservation areas

Development category:

Erection of builders’ sheds or portable toilet facilities, if the sheds or facilities:

- are declared in the application for a complying development certificate to be temporary only (that is to be required for a period not exceeding one year), and
- are not designed for residential purposes, and
- are not designed for the storage or handling of inflammable materials.

North Sydney Local Environmental Plan 2001

Complying development

Schedule 7

Requirements:

All buildings and works on the land comply with the “deemed-to-satisfy” provisions of the *Building Code of Australia*.

Development must not contravene any valid consents that are applicable to the relevant site.

Design element—bulk and scale

Standards

- Maximum height of the building is one storey.
- Building is set back from every boundary of the lot by a minimum of 3 metres.

North Sydney Local Environmental Plan 2001

Schedule 8 Complying development certificate standard conditions

Schedule 8 Complying development certificate standard conditions

(Clause 13)

1 Conditions that apply before work begins

- (1) Two days before any site works, building or demolition begins, the person having the benefit of the complying development certificate must notify adjoining owners that work will commence.
- (2) Before any site works, building or demolition is started, the person having the benefit of the complying development certificate must:
 - (a) notify the Council of the name, address, phone number and licence number of the builder, and
 - (b) erect a sign at the front of the property with the builder's name, licence number, site address, consent number and contact telephone number, and
 - (c) provide a temporary on-site toilet or access to an existing toilet on site, and
 - (d) protect and support any neighbouring buildings that might be affected by the proposed development, and
 - (e) protect any public place from obstruction or inconvenience caused by the carrying out of the proposed development, and
 - (f) set up barriers sufficient to prevent any substance from the site falling onto a public place.

2 Approved plans on site

A copy of all approved certified plans, specifications and documents incorporating conditions of certification shall be kept on site at all times so as to be readily available for perusal by any officer of the Council or the Principal Certifying Authority.

North Sydney Local Environmental Plan 2001

Complying development certificate standard conditions

Schedule 8

3 BCA

All building work must be carried out in accordance with the “deemed-to-satisfy” provisions of the *Building Code of Australia*.

4 Home Building Act 1989

Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be carried out unless the Principal Certifying Authority:

- (a) in the case of work to be done by a licensee under that Act has been informed in writing of the licensee’s name and contractor licence number, or
- (b) in the case of work to be done by any other person has been informed in writing of the person’s name and owner-builder permit number.

5 Excavation/demolition

- (1) All excavations and backfilling associated with the erection or demolition of a building must be executed in accordance with any appropriate Australian Standards including those relating to safety.
- (2) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

6 Retaining walls and drainage

If the soil conditions require it:

- (a) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and
- (b) adequate provision must be made for drainage.

7 Support for neighbouring buildings

- (1) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining lot of land, the person causing the excavation to be made:

North Sydney Local Environmental Plan 2001

Schedule 8 Complying development certificate standard conditions

- (a) must preserve and protect the building from damage, and
 - (b) if necessary, must underpin and support the building in a manner approved by the Council, and
 - (c) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining lot of land, give notice of intention to do so to the owner of the adjoining lot of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- (2) In this clause, *lot of land* includes a public road and any other public place.

8 Protection of public places

- (1) If the work involved in the erection or demolition of a building:
- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or hindered, or
 - (b) involves the enclosure of a public place or any part of a public place,
- a hoarding or fence must be erected between the work site and the public place.
- (2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- (3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- (4) Any such hoarding, fence or awning is to be removed when the work has been completed.

9 Site sign

- (1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- (a) stating that unauthorised entry to the work site is prohibited, and

North Sydney Local Environmental Plan 2001

Complying development certificate standard conditions

Schedule 8

-
- (b) showing the name of the owner of the premises and of the person in charge of the work site, and a telephone number at which that person may be contacted outside working hours.
 - (2) Any such sign is to be removed when the work has been completed.
 - (3) This clause does not apply to:
 - (a) building work carried out inside an existing building, or
 - (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

10 Toilets

- (1) Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- (2) Each toilet provided:
 - (a) must be a standard flushing toilet, and
 - (b) must be connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.
- (3) The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.
- (4) In this clause:
accredited sewage management facility means a sewage management facility to which Division 1 of Part 4 of the *Local Government (Approvals) Regulation 1999* applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 43 of that Regulation.

North Sydney Local Environmental Plan 2001

Schedule 8 Complying development certificate standard conditions

approved by the Council, in relation to a sewage management facility, means a sewage management facility the subject of an approval in force under Division 2 of Part 3 of the *Local Government (Approvals) Regulation 1999*.

public sewer has the same meaning as it has in clause 25 of the *Local Government (Approvals) Regulation 1999*.

sewage management facility has the same meaning as it has in clause 25 of the *Local Government (Approvals) Regulation 1999*.

11 Fire safety (change of use)

- (1) A building in respect of which there is a change of building use must comply with such of the Category 1 fire safety provisions applicable to the proposed use.
- (2) In this clause, ***Category 1 fire safety provision*** has the same meaning as in clause 3 of the *Environmental Planning and Assessment Regulation 2000*.

12 Site management

Where the proposed development may result in water run-off or affect stormwater run-off, the person having the benefit of the complying development certificate must instal run-off and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, by taking the following measures:

- (a) diverting uncontaminated run-off around cleared or disturbed areas,
- (b) erecting a silt fence to prevent debris escaping into drainage systems or waterways,
- (c) preventing tracking of sediment by vehicles onto roads,
- (d) stockpiling topsoil, excavated material, construction and landscaping supplies and debris within the site.

13

Removal or disturbance of vegetation and top soil must be confined to within 3 metres of the approved building area

North Sydney Local Environmental Plan 2001

Complying development certificate standard conditions

Schedule 8

14 Drainage

- (1) Where the proposed development may affect drainage of the site, the land surrounding any structure must be graded to divert surface water to the street and clear of existing and proposed structures and adjoining premises.
- (2) Where the proposed development may affect drainage of the site and the water falls to the rear of the property, it must be collected and drained via a gravity system (and not by pumpouts, charge lines or on-site disposal) to a Council stormwater line or must be disposed of in a manner consistent with the Council's "Soil and Water Management Policy".

Inspections

15 Progress inspections

The Council or the Principal Certifying Authority, unless otherwise agreed in writing, shall be given 48 hours notice:

- (a) for inspection of the following, where applicable:
 - (i) foundations before footings are laid,
 - (ii) reinforcement prior to encasement in concrete,
 - (iii) damp-proofing and flashing prior to covering,
 - (iv) structural steelwork prior to covering,
 - (v) timber framing prior to lining,
 - (vi) stormwater and drainage prior to backfilling, and
- (b) on completion of any building work, and
- (c) if required by any special conditions relevant to the complying development certificate.

16 Progress survey—minor development

In order to ensure compliance with approved plans, a survey certificate, to Australian Height Datum, shall be prepared by a registered surveyor, as follows:

- (a) at the completion of the first structural floor level, indicating the level of that floor and the relationship of the building to the boundaries,
- (b) at the completed height of the building, prior to the placement of concrete inform work, or the laying of roofing materials,

North Sydney Local Environmental Plan 2001

Schedule 8 Complying development certificate standard conditions

- (c) at completion, indicating the relationship of the building, and any projections thereto, to the boundaries.

Progress certifications in response to the stages described in paragraphs (a)–(c) shall be provided to the Council or the Principal Certifying Authority at the time of carrying out relevant progress inspections.

17 Mail boxes

Mail boxes shall be provided in accordance with Australia Post guidelines. In general, a clearly marked mailbox (or group of mailboxes) shall be provided within 500 mm of the footpath alignment for premises at ground level, or adjacent to the main entrance to the development site or the building, where applicable.

18 Sydney Water certificate

The person having the benefit of the complying development certificate shall submit to the Council or the Principal Certifying Authority a certificate from the Sydney Water Corporation under section 73 of the *Water Act 1994* demonstrating that the Authority's requirements, if any, in relation to the development have been met, prior to the release of the stamped building plans.

19 Street numbering

Prior to completion of the development, a street number is to be obtained, in accordance with the *Local Government Act 1993*, from the Council, where applicable.

20 Hours of works

- (1) Demolition, earthworks, building construction and landscaping works are restricted to within the hours of 7.00am to 5.00pm, Monday to Friday and on Saturday to within the hours of 8.00am to 1.00pm inclusive, with no work on Sundays and public holidays.
- (2) Excavation works are restricted to within the hours of 8.00am to 5.00pm, Monday to Friday only. (Excavation work includes the operation of any excavation machinery and the use of jack hammers, rock breakers, excavators and the like, regardless of

North Sydney Local Environmental Plan 2001

Complying development certificate standard conditions

Schedule 8

whether the activities disturb or alter the natural state of the existing ground stratum or involve breaking up or removing materials from the site.)

- (3) The builder and any excavator shall each display on-site their contact telephone number which is to be clearly visible and legible from any public place adjoining the site.

21 Site access

- (1) Where kerb and gutter is provided, driveways are to be a minimum of 500mm clear of all drainage structures on the kerb and gutter and are not to interfere with the existing public utility infrastructure, including the Council drainage structures, unless prior approval is obtained from the relevant authority.
- (2) Where kerb and gutter is not provided, a gravel vehicular entrance incorporating a 375 mm diameter stormwater pipe and concrete head walls or a 6 metre by 6 metre concrete slab dish drain shall be constructed to provide access to the lot.
- (3) Driveways are to be a minimum of 6 metres from a road intersection.
- (4) Driveways are to be constructed in accordance with Australian Standard *AS 2890.1-1993—Parking facilities—Off-street car parking*, with appropriate transition zones.

General amenity issues

22 Service ducts

Service ducts shall be provided to keep external walls free of plumbing or any other utility installations.

23 TV aerial

Only one common television aerial shall be installed.

24 Brickwork to match

Any proposed new brickwork shall match the existing brickwork.

North Sydney Local Environmental Plan 2001

Schedule 8 Complying development certificate standard conditions

25 Reflectivity index of finishes

The reflectivity index of external finishes, including painted surfaces, walls or roof treatment of the proposed development, is to be no greater than 20%.

26 No removal of trees

No trees on public property (footpaths, roads, reserves etc) shall be removed or damaged during construction including the erection of any fences, hoardings or other temporary works.

27 Protection of trees during works

All trees which are to be retained shall be maintained and protected during any demolition, excavation and construction on the site. The protection method shall be provided to the Principal Certifying Authority by an appropriately qualified person prior to commencement of works.

Construction issues

28 Prohibition on use of pavements

Building materials shall not be placed on the Council's footpaths, road ways, parks or grass verges and a suitable sign to this effect shall be erected adjacent to the street alignment.

29 Mobile plant

Where on-street use of mobile plant is approved, such approval will be subject to issue of a permit under section 68 of the *Local Government Act 1993* on each occasion from the Council's Customer Services Unit. Such permit must be obtained and the fee paid at least 2 clear working days in advance of each relevant date.

30 Hazardous materials

- (1) Unless tested by a person with suitable experience and expertise and shown to be otherwise, buildings constructed before 1970 are assumed to:
 - (a) have accumulated hazardous amounts of fine lead dust in ceiling and wall cavities, and
 - (b) contain components and surfaces coated with lead paint.

North Sydney Local Environmental Plan 2001

Complying development certificate standard conditions

Schedule 8

-
- (2) Appropriate measures to minimise hazards and contamination from lead are to be implemented.

31 Equipment noise

Silencing mechanisms of a type approved by the Council shall be provided and maintained in respect of all power-operated plant used in demolition, excavation, earthworks and erection of the building.

32 Dust emission

Suitable screens and/or barricades shall be erected during any demolition, excavation and building works, where necessary to reduce the emission of dust, water effluent or other matter from the site. (Screening is to consist of a minimum 2 metres height of shade cloth or similar material secured to a chain wire fence or the like.)

33 Disposal schedule

A disposal schedule for waste materials arising from any demolition and excavation shall be submitted to the Council prior to the commencement of work, identifying:

- (a) those materials to be recycled, and
- (b) those materials to be reused, and
- (c) those materials to be disposed of.

A maximum amount of materials shall be recycled or reused.

34 Disposal information

On completion of works and prior to occupation, the person with the benefit of the certificate shall provide to the Council the following information,

- (a) the total tonnage of all waste and excavated material disposed of from the site,
- (b) the disposal points and methods used.

Such information shall be categorised in accordance with the forgoing and is required for waste research purposes.

North Sydney Local Environmental Plan 2001

Schedule 8 Complying development certificate standard conditions

35 Prohibition on burning

Materials or rubbish resulting from any land clearing, demolition and building works shall not be burnt on the site.

36 Erosion signage

A durable sign, which is available from the Council, shall be erected during building works in a prominent location on site warning of penalties should appropriate erosion and sedimentation control devices not be maintained.

37 Asbestos conditions

Prior to the commencement of works, a survey of the existing building fabric shall be undertaken identifying the presence or otherwise of asbestos contamination. Any works subsequently required to address asbestos contamination shall be undertaken in strict accordance with the requirements of the WorkCover Authority in relation to the removal, handling and disposal of material containing asbestos and the *Code of Practice for the Safe Removal of Asbestos*.

Environmental health issues

38 Termites

The structural members of the building which are subject to attack by subterranean termites shall be protected in accordance with *AS 3660.1-1995—Protection of buildings from subterranean termites—New buildings*. A durable notice must be permanently fixed to the building in a prominent location, such as a meter box or the like, indicating the following:

- (a) method of protection,
- (b) the date of installation of the system,
- (c) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority for Agricultural and Veterinary Chemicals label,
- (d) the need to maintain and inspect the system on a regular basis.

North Sydney Local Environmental Plan 2001

Complying development certificate standard conditions

Schedule 8

39 Chimney stack

The height of any chimney shall be a minimum 1 metre above the height of any structure (including the applicant's dwelling), or topographical feature within a 15 metres radius of the chimney stack. Exhaust gases shall be discharged vertically and the proposed stack shall be protected by a concentric extended shrouded rain excluder in accordance with the Environment Protection Authority guidelines. It shall terminate in such a position that it is not a risk of fire to nearby combustibles and does not permit the penetration of flue gases through nearby windows or other openings.

40 Noise impact of plant

- (1) All sound producing plant, equipment, machinery or fittings associated with or forming part of any mechanical ventilation system or the refrigeration system involved in the proposed development, shall be sound insulated and/or isolated so that the noise emitted does not exceed 5 dB (A) above the background level, in any octave band from 63.0 Hz centre frequencies inclusive, at any time the plant is in operation, at the boundary of the site.

Note. The method of measurement of sound shall be carried out in accordance with Australian Standard *AS 1055.1-1997—Acoustics—Description and measurement of environmental noise—General procedures*.

- (2) A report prepared by an appropriately qualified or accredited person shall be submitted to the Principal Certifying Authority demonstrating compliance with this condition prior to the occupation of the completed works.

North Sydney Local Environmental Plan 2001

Schedule 9 Local open space reservations

Schedule 9 Local open space reservations

(Clause 35 (1))

DP	Description	Lot	Address	
748772		10	2	Vale Street Cammeray
344820		A	564	Miller Street Cammeray
847444		14	564A	Miller Street Cammeray
847444		12	566	Miller Street Cammeray
11908	Pt/Cnr	1	580	Miller Street Cammeray
4319	Sec 3	21	11	Belmont Avenue Wollstonecraft
4319	Sec 3	20	13	Belmont Avenue Wollstonecraft
925554		1	13	Belmont Avenue Wollstonecraft
4319	Sec 2	18	15	Belmont Avenue Wollstonecraft
	Sec 3	14	21	Belmont Avenue Wollstonecraft
4319	Sec 3	9	29	Belmont Avenue Wollstonecraft
4319	Sec 3	8	31	Belmont Avenue Wollstonecraft
4038	Sec 5	13	6-8	Rocklands Road Wollstonecraft
4038	Sec 5	14	6-8	Rocklands Road Wollstonecraft
69187		5		Kurraba Road Neutral Bay
68287		3		Kurraba Road Neutral Bay

North Sydney Local Environmental Plan 2001

Local open space reservations

Schedule 9

DP	Description	Lot	Address	
333590		3	Kurraba Road	Neutral Bay
935347		B	Stannards Place	Kirribilli
4416		12	Stannards Place	Kirribilli
		13	Stannards Place	Kirribilli
		14	Stannards Place	Kirribilli
		15	Stannards Place	Kirribilli
		16	Stannards Place	Kirribilli
		17	Stannards Place	Kirribilli
773343		1	74 McDougall Street	Kirribilli
607114		1	76 McDougall Street	Kirribilli
326759		2	78 McDougall Street	Kirribilli
931667			62 Willoughby Street	Kirribilli
326760		1	62 Willoughby Street	Kirribilli
326759		1	62 Willoughby Street	Kirribilli
569420		1	1 Bayview Street	McMahons Point
983771		2	23 East Crescent Street	McMahons Point
983771		1	25 East Crescent Street	McMahons Point
618023		2	33 East Crescent Street	McMahons Point
618023		1	33 East Crescent Street	McMahons Point

North Sydney Local Environmental Plan 2001

Schedule 10 Regional open space reservations

Schedule 10 Regional open space reservations

(Clause 35 (2))

DP	Description	Lot	Address	
112369	Part of corner lot	1	580 Miller Street	Cammeray
663588	Part of lot	5	20 The Boulevard	Cammeray
19754		92	23 Churchill Crescent	Cammeray
115700	Part of lot, being the land in CT Volume 7603 Folio 167	1	Shirley Road	Wollstonecraft
409490		A	8 Shirley Road	Wollstonecraft
915829		1	Henry Lawson Avenue	McMahons Point
735191		6	Off Cambridge Street	Cammeray
368807		Y	Cammeray Road	Cammeray

North Sydney Local Environmental Plan 2001

Operational land

Schedule 11

Schedule 11 Operational land

(Clause 52)

Part 1

Description	DP	Lot	Address	
Rear of No 10	184762	Part 1	10 Benelong Road	Cremorne
Olympic Park			Alfred Street South	Milsons Point
North Sydney Olympic Pool			Olympic Drive	Milsons Point
552482			3 Berry Street	North Sydney
Land adjacent to No 1 Wonga Rd, 1-13 Little Wonga Rd, 16 Tobruk Ave, known as Little Wonga Road			Little Wonga Road	Cremorne
Mollie Dive Grandstand and its curtilage	48839	1108	North Sydney Oval, St Leonards Park	North Sydney
Duncan Thompson Grandstand	48839	1108	North Sydney Oval, St Leonards Park	North Sydney
Bill O'Reilly Grandstand	48839	1108	North Sydney Oval, St Leonards Park	North Sydney
Macartney Grandstand	48839	1108	North Sydney Oval, St Leonards Park	North Sydney

Note. The land described in Part 1 of this Schedule was classified, or reclassified, as operational land for the purposes of the *Local Government Act 1999* before the commencement of this plan. Maps showing the land supported *North Sydney Local Environmental Plan 1989 (Amendments Nos 45, 55 and 63)*.

North Sydney Local Environmental Plan 2001

Schedule 11 Operational land

Part 2

North Sydney Local Environmental Plan 2001

Land to be acquired for roads

Schedule 12

Schedule 12 Land to be acquired for roads

(Clause 36)

DP	Description	Lot	Address	
440522		A	288 Falcon Street	Neutral Bay
259885		5	312 Falcon Street	Neutral Bay
812254		31	310 Falcon Street	Neutral Bay
		30	308 Falcon Street	Neutral Bay
439964		2	306 Falcon Street	Neutral Bay
529485		4	302 Falcon Street	Neutral Bay
		3	300 Falcon Street	Neutral Bay
		2	298 Falcon Street	Neutral Bay
		1	296 Falcon Street	Neutral Bay
442218		B	294 Falcon Street	Neutral Bay
		A	292 Falcon Street	Neutral Bay
440522		B	290 Falcon Street	Neutral Bay
259885		1	39 Military Road	Neutral Bay
		2	37 Military Road	Neutral Bay
		3	35 Military Road	Neutral Bay
		4	33 Military Road	Neutral Bay

North Sydney Local Environmental Plan 2001

Schedule 13 Refreshment rooms, Residential D zone, Blues Point Road

Schedule 13 Refreshment rooms, Residential D zone, Blues Point Road

(Clause 60)

Name*	DP	Lot	Address	
R & Aaah Restaurant	447661	A	117	Blues Point Road McMahons Point
Guisseppes Italian Restaurant	92031		123	Blues Point Road McMahons Point
Sawmillers	198680		129	Blues Point Road McMahons Point
Blues Point Café	196999		135	Blues Point Road McMahons Point
The Grape Escape	87411		139	Blues Point Road McMahons Point
Blues Pt Brasserie	110687		147	Blues Point Road McMahons Point

***Note.** The name column contains trade names of the refreshment rooms as at February 2000. These are included as an explanatory note to assist identification and are not part of the description of the premises for the purposes of this Schedule. Trade names are expected to change over time.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**ROCKDALE LOCAL ENVIRONMENTAL PLAN 2000 (AMENDMENT No. 7)**

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under section 70 of the *Environmental Planning and Assessment Act 1979*.
(S00/01476/S69)

ANDREW REFSHAUGE MP
Minister for Urban Affairs and Planning.

Sydney, 29 January 2001.

Citation

1. This plan may be cited as *Rockdale Local Environmental Plan 2000 (Amendment No. 7)*.

Aims of this plan

2. This plan aims to rezone the land to which this plan applies to Zone 6(a) - the Existing Open Space Zone under *Rockdale Local Environmental Plan 2000*, for use of the land by the community for recreational and access purposes and its consolidation with adjoining open space land.

Land to which this plan applies

3. This plan applies to land, being an unused roadway between 3 and 18 Pile Street, Bardwell Park, as shown coloured green on the map marked "Rockdale Local Environmental Plan 2000 (Amendment No. 7)" held by 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 by inserting, in the appropriate order, at the end of the definition of "the map" in clause 8(1) the following words:

Rockdale Local Environmental Plan 2000 (Amendment No. 7)

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 177)

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*.
(W99/00357/S69)

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

Sydney, 17 May 2001.

Clause 1 City of Shoalhaven Local Environmental Plan 1985 (Amendment No 177)

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 177)

1 Name of plan

This plan is *City of Shoalhaven Local Environmental Plan 1985 (Amendment No 177)*.

2 Aims of plan

This plan aims to make changes to the zoning of the land to which this plan applies (which is, and will continue to be, subject to *Jervis Bay Regional Environmental Plan 1996*) from Zone 8 (b) Proposed National Park under the 1996 plan:

- (a) so that part of the land will be zoned to Special Uses “A” (Water and Waste Water Infrastructure) under *City of Shoalhaven Local Environmental Plan 1985* so as to enable the provision of existing and future water and waste water infrastructure, and
- (b) so that part of the land will be zoned to Special Uses “E” (Proposed Local Roads Reservation and Widening of Local Roads Reservation) under the 1985 plan so as to enable road widening and upgrading, and
- (c) so that the remainder of the land will not be zoned under the 1985 plan and will consequently enable the land to be used for the purpose of a road.

3 Land to which plan applies

This plan applies to land situated in the City of Shoalhaven, in the vicinity of Jervis Bay, as shown coloured yellow with scarlet lettering “Water and Waste Water Infrastructure” or coloured grey with a broken black line on one side of the widening on the map marked “City of Shoalhaven Local Environmental Plan 1985 (Amendment No 177)” a copy of which is deposited in the office of the Council of the City of Shoalhaven.

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 177) Clause 4

4 Relationship to other environmental planning instruments

This plan amends:

- (a) *Jervis Bay Regional Environmental Plan 1996* as set out in Schedule 1, and
- (b) *City of Shoalhaven Local Environmental Plan 1985* as set out in Schedule 2.

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 177)

Schedule 1 Amendment of Jervis Bay Regional Environmental Plan 1996

Schedule 1 Amendment of Jervis Bay Regional Environmental Plan 1996

(Clause 4 (a))

[1] Clause 8 Definitions

Insert at the end of the definition of *zoning map* in clause 8 (1):

and by the maps (or specified sheets of maps) marked as follows:

City of Shoalhaven Local Environmental Plan 1985
(Amendment No 177)

[2] Clause 8 (2)

Omit "1996' or". Insert instead "1996',".

[3] Clause 8 (2)

Insert "or 'City of Shoalhaven Local Environmental Plan 1985 (Amendment No 177)' " before "deposited".

Other Notices

ABORIGINAL LAND RIGHTS ACT 1983

Exemption of Aboriginal Land from the Payment of Rates

I, the Honourable Andrew John REFSHAUGE, M.P., Minister for Aboriginal Affairs, being of the opinion that special circumstances exist which warrant my doing so, DECLARE in pursuance of the provisions of section 43 of the Aboriginal Land Rights Act 1983, that the lands described in the Schedule below and vested in the Griffith Local Aboriginal Land Council, be exempt from payment of rates under the Local Government Act 1993.

A. REFSHAUGE, M.P.,
Minister for Aboriginal Affairs

SCHEDULE

L.G.A. — Carrathool Shire Council

Being: Lot 82, DP 722037, Griffith; Lot 27, DP 755140, Bellingerambil South; Lot 28, DP 755140, Bellingerambil South; Lot 29, DP 755166, Griffith; Lot 38, DP 755166, Griffith; Lot 1, DP 758868, Rankin Springs; Lot 12, DP 758868, Rankin Springs; Lot 14, DP 758868, Rankin Springs; Lot 17, DP 758868, Rankin Springs; Lot 18, DP 758868, Rankin Springs; Lot 3, DP 758868, Rankin Springs; Lot 4, DP 758868, Rankin Springs; Lot 7, DP 758868, Rankin Springs; Lot 9, DP 758868, Rankin Springs; Lot 28, DP 820108, Bunda North; Lot 83, DP 820109, Griffith; Lot 84, DP 820109, Griffith; Lot 85, DP 820109, Griffith; Lot 86, DP 820109, Griffith; Lot 24, DP 820110, Carilla; Lot 45, DP 820143, Stackpoole; Lot 87, DP 820186, Griffith.

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, 33 and 51 of the Anti-Discrimination Act 1977, to the Livingstone Road Sexual Health Centre to establish a sexual health clinic for men only to be staffed by a male sexual health doctor, a male sexual health nurse, a male social worker and a male receptionist.

This exemption will remain in force for a period of ten years from the date given.

Dated this 28th day of May 2001.

BOB DEBUS,
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 Sutherland Shire Council to designate and recruit for three positions, a Records Assistant, an Administration Assistant at the Hazelhurst Regional Gallery and a Support Officer in the Cultural Planning and Events Unit, as positions for Indigenous people.

This exemption will remain in force for a period of ten years from the date given.

Dated this 28th day of May 2001.

BOB DEBUS,
Attorney General

CHARITABLE TRUSTS ACT 1993

Order Under Section 12

Proposed Cy-Pres Scheme Relating to the Estate of the Late Lenore Mary Ferguson

THE deceased, Lenore Mary Ferguson, died on 29 May 2000. In her will for which probate was granted on 5 September 2000, the testatrix made a bequest to be held on trust, as follows:

‘...for the NEW SOUTH WALES CANCER FOUNDATION a one sixteenth (1/16th) share of my Residuary Estate PROVIDED THAT if the said New South Wales Cancer Foundation has ceased to exist or has amalgamated with another charity or has changed its name, this gift shall not fail but my Executrices shall pay it to the charitable organisation which they consider most nearly fulfils the objects that I intend to benefit...’

No organisation presently exists or has previously existed by the name of the New South Wales Cancer Foundation, but the Australian Cancer Research Foundation and the New South Wales Cancer Council are involved in research and public education in relation to cancer.

I have formed the view that the gift to the New South Wales Cancer Foundation (a non-existent entity) in the testatrix’s will is a gift for charitable purposes and have approved a recommendation that the Attorney General establish a cy-pres scheme pursuant to section 12 (1) (a) of the Charitable Trusts Act 1993.

The scheme is to be applied to give effect to the gift as equal shares to the Australian Cancer Research Foundation and the New South Wales Cancer Council.

Therefore, pursuant to section 12 of the Charitable Trusts Act 1993, I hereby order that the gift to the New South Wales Cancer Foundation be amended cy-pres to give it effect as equal shares to the Australian Cancer Research Foundation and the New South Wales Cancer Council in accordance with the terms of the testatrix’s will, such order to take effect 21 days after its publication in the *Government Gazette*, in accordance with section 16 (2) of the Charitable Trusts Act 1993.

Date of Order: 23 May 2001.

M. G. SEXTON, S.C.,
Solicitor General

Under delegation from the Attorney General

CHILDREN (PROTECTION AND PARENTAL RESPONSIBILITY) ACT 1997

Safer Community Compact—Order

I, the Honourable Bob DEBUS, Attorney General of the State of New South Wales, in pursuance of section 39 (1) of the Children (Protection and Parental Responsibility) Act 1997, do, by this my Order, approve the Bankstown Youth Crime Prevention Plan as a Safer Community Compact for the purposes of Division 3 of Part 4 of that Act.

This Order takes effect on 1 June 2001 and remains in force until 31 May 2004.

Signed at Sydney, this 24th day of May 2001.

BOB DEBUS,
Attorney General

CHILDREN (PROTECTION AND PARENTAL RESPONSIBILITY) ACT 1997

Safer Community Compact—Order

I, the Honourable Bob DEBUS, Attorney General of the State of New South Wales, in pursuance of section 39 (1) of the Children (Protection and Parental Responsibility) Act 1997, do, by this my Order, approve the Canterbury Youth Crime Prevention Plan as a Safer Community Compact for the purposes of Division 3 of Part 4 of that Act.

This Order takes effect on 1 June 2001 and remains in force until 31 May 2004.

Signed at Sydney, this 24th day of May 2001.

BOB DEBUS,
Attorney General

GEOGRAPHICAL NAMES ACT 1966

Notice of Assignment of Geographical Names and Boundaries for Suburbs in Warringah Council Area

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the names and boundaries of the following Suburbs in Warringah Council area, to be used as the address, as shown on map GNB3704:

Allambie Heights, Beacon Hill, Belrose, Brookvale, Collaroy, Cottage Point, Cromer, Curl Curl, Davidson, Dee Why, Duffys Forest, Frenchs Forest, Forestville, Harbord, Ingleside, Killarney Heights, Ku-Ring-Gai Chase, Manly Vale, Narrabeen, Narrabeena, North Balgowlah, North Curl Curl, North Manly, Oxford Falls and Terrey Hills.

SUBSEQUENT to the determination of names and boundaries for Suburbs in Warringah Council area, the following place names are this day assigned as Urban Place:

Allambie, Akuna Bay, Bantry Bay, Bungaroo, Collaroy Beach, Collaroy Plateau, Cromer Heights, Dee Why Beach, Fishermans Beach, Forestville Bend, Gooseberry Flat, Long Reef, Narrabeen Peninsula, Peach Trees, Queenscliff, Sorlie, Wheeler Heights and Wingala.

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143 BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

Notice of Proposal to Create a New Suburb within Blue Mountains City

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to create the new suburb Sun Valley, reducing the extent of Valley Heights, as indicated on map GNB3726/SV. The map may be viewed at Katoomba Council Chambers, Katoomba Library, Springwood Council Offices, Springwood Library and the office of the Geographical Names Board, Land and Property Information NSW, Panorama Avenue, Bathurst.

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 the objection, setting out the grounds of the objection.

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143 BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 7 (1) of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder.

Assigned:	Belmont Rotary Park
Designation:	Reserve
L.G.A.:	Lake Macquarie
Parish:	Kahibah
County:	Northumberland
Latitude:	33° 02' 06"
Longitude:	151° 39' 20"
L.P.I. Map:	Swansea
1:100 000 Map:	Lake Macquarie

Assigned:	South Belmont Park
Designation:	Reserve
L.G.A.:	Lake Macquarie.
Parish:	Kahibah
County:	Northumberland
Latitude:	33° 03' 02"
Longitude:	151° 39' 00"
L.P.I. Map:	Swansea
1:100 000 Map:	Lake Macquarie

Assigned:	Toby Park
Designation:	Reserve
L.G.A.:	Lake Macquarie
Parish:	Wollarah
County:	Northumberland
Latitude:	33° 35' 30"
Longitude:	151° 38' 00"
L.P.I. Map:	Swansea
1:100 000 Map:	Lake Macquarie

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143 BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 7 (1) of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder.

Assigned: Toronto Sports Ground
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Awaba
 County: Northumberland
 Latitude: 33° 25' 48"
 Longitude: 151° 35' 20"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Webb Park
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Kahibah
 County: Northumberland
 Latitude: 33° 01' 00"
 Longitude: 151° 42' 55"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Wippi Reserve
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Awaba
 County: Northumberland
 Latitude: 33° 02' 32"
 Longitude: 151° 36' 30"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Lenaghan Park
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Kahibah
 County: Northumberland
 Latitude: 33° 01' 37"
 Longitude: 151° 40' 41"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Belmont Lions Park
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Kahibah
 County: Northumberland
 Latitude: 33° 02' 10"
 Longitude: 151° 39' 30"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Marks Oval
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Kahibah
 County: Northumberland
 Latitude: 33° 01' 20"
 Longitude: 151° 39' 55"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie
 Assigned: Nesca Oval

Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Wallarah
 County: Northumberland
 Latitude: 33° 05' 52"
 Longitude: 151° 37' 19"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Nesca Recreation Area
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Wallarah
 County: Northumberland
 Latitude: 33° 06' 00"
 Longitude: 151° 37' 19"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Edward Gain Park
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Awaba
 County: Northumberland
 Latitude: 33° 00' 56"
 Longitude: 151° 35' 54"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Frank Finnan Soccer Ground
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Awaba
 County: Northumberland
 Latitude: 33° 00' 25"
 Longitude: 151° 34' 59"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Goffet Park
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Awaba
 County: Northumberland
 Latitude: 33° 01' 00"
 Longitude: 151° 35' 52"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Gurramba Reserve
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Awaba
 County: Northumberland
 Latitude: 33° 02' 55"
 Longitude: 151° 36' 59"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

W. WATKINS,
 Chairperson

Geographical Names Board
 PO Box 143 BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 7 (1) of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder.

Assigned: Hillshot Park
Designation: Reserve
L.G.A.: Lake Macquarie
Parish: Awaba
County: Northumberland
Latitude: 33° 03' 10"
Longitude: 151° 35' 40"
L.P.I. Map: Swansea
1:100 000 Map: Lake Macquarie

Assigned: Hollis Slipway
Designation: Dock
L.G.A.: Lake Macquarie
Parish: Kahibah
County: Northumberland
Latitude: 33° 03' 30"
Longitude: 151° 38' 35"
L.P.I. Map: Swansea
1:100 000 Map: Lake Macquarie

Assigned: Birriban Park
Designation: Reserve
L.G.A.: Lake Macquarie
Parish: Awaba
County: Northumberland
Latitude: 33° 03' 01"
Longitude: 151° 36' 57"
L.P.I. Map: Swansea
1:100 000 Map: Lake Macquarie

Assigned: Aitchison Reserve
Designation: Reserve
L.G.A.: Lake Macquarie
Parish: Kahibah
County: Northumberland
Latitude: 33° 04' 30"
Longitude: 151° 38' 55"
L.P.I. Map: Swansea
1:100 000 Map: Lake Macquarie

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143 BATHURST NSW 2795

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 names listed hereunder as geographical names.

Any person objecting to these proposals 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.

Proposed Name: Muswellbrook Lioness Park
Designation: Reserve
L.G.A.: Muswellbrook Shire Council
Parish: Rowan
County: Durham
Latitude: 32° 15' 14"
Longitude: 150° 53' 22"
L.P.I. Map: Muswellbrook
1:100 000 Map: Muswellbrook 9033
Reference: GNB 4797

Proposed Name: Red Creek
Designation: Creek
L.G.A.: Shire of Baulkham Hills
Parish: Nelson
County: Cumberland
Latitude: 33° 41' 01"
Longitude: 151° 01' 34"
L.P.I. Map: Hornsby
1:100 000 Map: Sydney 9130
Reference: GNB 4801

Proposed Name: George Alder Reserve
Designation: Reserve
L.G.A.: Blacktown City Council
Parish: Gidley
County: Cumberland
Latitude: 33° 43' 46"
Longitude: 150° 53' 30"
L.P.I. Map: Riverstone
1:100 000 Map: Penrith 9030
Reference: GNB 4802

Proposed Name: Trevenar Reserve
Designation: Reserve
L.G.A.: Shoalhaven City Council
Parish: Farnham
County: St Vincent
Latitude: 35° 09' 47"
Longitude: 150° 35' 20"
L.P.I. Map: Sussex Inlet
1:100 000 Map: Jervis Bay 9027
Reference: GNB 4803

Proposed Name: Taylor Reserve
Designation: Reserve
L.G.A.: Bankstown City Council
Parish: Bankstown
County: Cumberland
Latitude: 33° 57' 31"
Longitude: 150° 59' 14"
L.P.I. Map: Liverpool
1:100 000 Map: Penrith 9030
Reference: GNB 4809

Proposed Name: Sunset Beach
Designation: Beach
L.G.A.: Port Stephens Council
Parish: Tomaree
County: Gloucester
Latitude: 32° 42' 27"
Longitude: 152° 03' 43"
L.P.I. Map: Port Stephens
1:100 000 Map: Port Stephens 9332
Reference: GNB 4800

Proposed Name: Centennial Park
Designation: Reserve
L.G.A.: Port Stephens Council
Parish: Sutton
County: Gloucester
Latitude: 32° 44' 14"
Longitude: 151° 59' 46"
L.P.I. Map: Karuah
1:100 000 Map: Newcastle 9232
Reference: GNB 4806

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143 BATHURST NSW 2795

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 names listed hereunder as geographical names.

Any person objecting to these proposals 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.

Proposed Name: Bill Wakeham Reserve
 Designation: Reserve
 L.G.A.: Sutherland Shire Council
 Parish: Holsworthy
 County: Cumberland
 Latitude: 33° 59' 41"
 Longitude: 151° 03' 50"
 L.P.I. Map: Botany Bay
 1:100 000 Map: Sydney 9130
 Reference: GNB 4808

Proposed Name: John McKinn Park
 Designation: Reserve
 L.G.A.: Sutherland Shire Council
 Parish: Sutherland
 County: Cumberland
 Latitude: 34° 02' 44"
 Longitude: 151° 09' 30"
 L.P.I. Map: Port Hacking
 1:100 000 Map: Port Hacking 9129
 Reference: GNB 4804

Proposed Name: Terrum-bine Reserve
 Designation: Reserve
 Previous Name: Atholbrose Glen
 L.G.A.: Ku-ring-gai Council
 Parish: Gordon
 County: Cumberland
 Latitude: 33° 45' 29"
 Longitude: 151° 09' 40"
 L.P.I. Map: Parramatta River
 1:100 000 Map: Sydney 9130
 Reference: GNB 3557

W. WATKINS,
 Chairperson

Geographical Names Board
 PO Box 143 BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder.

Assigned Name: Kings Park
 Designation: Reserve
 L.G.A.: City of Canada Bay Council
 Parish: Concord
 County: Cumberland
 Latitude: 33° 52' 00"
 Longitude: 151° 07' 11"
 L.P.I. Map: Parramatta River
 1:100 000 Map: Sydney 9130
 Reference: GNB 4765

Assigned Name: Devines Hill
 Designation: Hill
 L.G.A.: Byron Council
 Parish: Billinudgel
 County: Rous
 Latitude: 28° 31' 35"
 Longitude: 153° 32' 10"
 L.P.I. Map: Brunswick Heads
 1:100 000 Map: Ballina 9640
 Reference: GNB 4444

W. WATKINS,
 Chairperson

Geographical Names Board
 PO Box 143 BATHURST NSW 2795

LOCAL GOVERNMENT ACT 1993

Wongarbon Water Supply

Vesting of easement in Dubbo City Council

THE Minister for Land and Water Conservation of the State of New South Wales, declares that the easement described in the Schedule hereto, which was acquired for the purpose of the Wongarbon Water Supply Scheme is vested in Dubbo City Council.

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

SCHEDULE

Interest in Land

Easement rights as described under the heading Water Pipeline in Memorandum E931212, filed in the Land Titles Office over the site shown in:

Deposited Plan 1017033 (SB55096) as 'PROPOSED EASEMENT FOR WATER PIPELINE 5 WIDE'.

DPWS Reference: 107.

NSW SCIENTIFIC COMMITTEE

Notice of Preliminary Determinations

THE Scientific Committee, established by the Threatened Species Conservation Act, has made Preliminary Determinations to list the following in the relevant Schedules of the Act.

Endangered Species (Part 1 of Schedule 1)
 Southern Giant Petrel *Macronectes giganteus* (Gmelin 1789)

The Committee is of the opinion that this species is likely to become extinct in nature in NSW unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Endangered Population (Part 2 of Schedule 1)
Chorizema parviflorum Benth. population in the Wollongong and Shellharbour Local Government Areas

The Committee is of the opinion that the population's habitat has been so drastically reduced that it is in immediate danger of extinction and, it is not a population of a species already listed in Schedule 1 and it is otherwise of significant conservation value.

Endangered Ecological Community (Part 3 of Schedule 1)

Mt Canobolas *Xanthoparmelia* lichen community

White Box-Yellow Box Woodland

The Committee is of the opinion that these Ecological Communities are likely to become extinct in nature in NSW unless the circumstances and factors threatening their survival or evolutionary development cease to operate.

Vulnerable Species (Schedule 2)

Antipodean Albatross *Diomedea antipodensis* Robertson & Warham 1992

Genoplesium vernalis D L Jones, a terrestrial orchid

Gibson's Albatross *Diomedea gibsoni* Robertson & Warham 1992

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 regarding these Preliminary Determinations, which should be forwarded to:

Director General,
National Parks and Wildlife Service,
PO Box 1967,
Hurstville, NSW 2220.

Attention: Suzanne Chate,
Executive Officer,
Scientific Committee.

Submissions must be received by 6th July 2001.

Copies of these Determinations may be inspected at the National Parks Centre, 102 George Street, The Rocks, Sydney and at all NPWS Area Offices/Visitors Centres during business hours.

Associate Professor PAUL ADAM,
Deputy Chairperson

PARLIAMENTARY REMUNERATION ACT 1989

PURSUANT to section 11(2) of the Parliamentary Remuneration Act 1989, I direct that the date for completion by the Parliamentary Remuneration Tribunal of the 2001 Annual Determination of the additional entitlements of Members of the Parliament of New South Wales be extended to on or before 30 June 2001.

Dated: 25 May 2001.

(Justice) F. L. WRIGHT,
President
Industrial Relations Commission of
New South Wales

**POISONS AND THERAPEUTIC GOODS ACT
1966**

Restoration of Drug Authority

IN accordance with the provisions of Clause 151 (1) of the Poisons and Therapeutic Goods Regulation 1994, a direction has been issued that the order prohibiting Graham Paul GREENE of 3/114A Victoria Street, Ashfield 2131, as a nurse from having possession of and supplying drugs of addiction as authorised by Clauses 103 and 105 of the Regulation, shall cease to operate from Monday, 28 May 2001.

MICHAEL REID,
Director-General.

Department of Health, New South Wales,
Sydney, Wednesday, 23 May 2001.

**PRIVACY AND PERSONAL INFORMATION
PROTECTION ACT 1998**

ORDER

I, Robert John DEBUS, Attorney General, in pursuance of section 31 of the Privacy and Personal Information Protection Act 1998, by this order, make the Privacy Code of Practice entitled "Law Enforcement and investigative agency access to personal information contained in public registers", which is annexed to this order, as a privacy code of practice.

This order remains in force until 31 December 2001.

Signed at Sydney, this 30th day of May 2001.

Privacy Code of Practice

Law enforcement and investigative agency access to personal information contained in public registers

1. Objective of code

1.1 This code of practice is intended to ensure that the public register provisions in Part 6 of the Privacy and Personal Information Protection Act:

- (a) enable nominated law enforcement and investigative agencies to access personal information contained in those registers for the purposes of fulfilling their law enforcement or investigative functions; and
- (b) ensure that holders of public registers do not disclose to members of the public the fact that access to that personal information has been provided, if so requested by an authorised officer of the law enforcement or investigative agency.

2. Relevant provisions of the *Privacy and Personal Information Protection Act 1998* ("the Act")

- 2.1 Part 6 of the Act (sections 57-59) regulates the content and maintenance of, and access to, public registers.
- 2.2 Section 3 of the Act defines a public register as "a register of personal information that is required by law to be, or is made, publicly available or open to public inspection (whether or not on payment of a fee)".
- 2.3 Section 57(1) of the Act prevents public sector agencies responsible for keeping public registers from disclosing any personal information kept in a register unless the

agency is satisfied that it is to be used for a purpose relating to the purpose of the register or the Act under which the register is kept (public registers and relevant enabling legislation are not established for law enforcement and investigative purposes).

- 2.4 Section 57(2) of the Act enables such agencies to require any person who inspects personal information contained in a public register to give particulars, in the form of a statutory declaration, as to the intended use of any information obtained through inspection.
- 2.5 Section 58 of the Act provides for the circumstances in which public sector agencies must suppress personal information contained on a public register, at the request of a person the subject of that information.
- 2.6 Division 3 of Part 2 of the Act provides a number of exemptions to the Information Protection Principles contained in Division 1 of Part 2 of the Act. A number of those exemptions enable law enforcement and investigative agencies to appropriately access and use personal information. These exemptions do not apply to the public register provisions of Part 6 of the Act.
- 2.7 Section 30(1) of the Act provides that a privacy code of practice may modify the application of Part 6 to any public sector agency.

3. Requirement that law enforcement and investigative agencies be able to confidentially access personal information contained in public registers

- 3.1 It is recognised that access to personal information held on public registers is often essential for nominated law enforcement and investigative agencies to effectively exercise their law enforcement and investigative functions.
- 3.2 Such law enforcement and investigative functions include, but are not limited to, locating missing persons, persons who are under investigation, persons who are required to give evidence in proceedings (including hearings before a nominated law enforcement or investigative agency), locating the proceeds of crime, locating property in which persons suspected of engaging in criminal activity have an interest, and other investigations leading to or assisting a relevant law enforcement agency confiscate property or proceeds of crime. Public register information is often necessary to ensure that search warrants, listening device warrants, controlled operations authorities and other court processes are properly issued.
- 3.3 The effectiveness of law enforcement and investigate agency operations and the safety of members of the public may be severely jeopardised if nominated law enforcement and investigative agencies are not able to access personal information contained in public registers.
- 3.4 Law enforcement and investigative agencies should not be required to provide public sector agencies that maintain public registers with details of the purposes for which register information is sought, it being sufficient to state that access is required to assist them in effectively fulfilling their law enforcement and investigative functions. The provision of more detailed information could seriously compromise the privacy of individuals, as it could indicate a person has a

criminal record or is suspected of involvement in crime, and could also undermine the integrity of investigations.

- 3.5 It is also essential that a law enforcement and investigative agency is able to request that bodies maintaining public registers do not inform persons that information about them on the register has been accessed by that agency. There are clear public interest matters that should be considered by public sector agencies in releasing information about law enforcement and investigative agency access to registers, such as the potential for the release to compromise investigations, public safety or the safety of law enforcement or investigative officers. The public interest rationale for non-disclosure should be provided with any request to limit the release of this information. Public sector agencies should consider any request in determining whether to release such information under the *Freedom of Information Act 1989* or other relevant legislation.

4. Definitions

- 4.1 Unless otherwise specified, the definitions in the *Privacy and Personal Information Protection Act 1998* apply in this code.
- 4.2 "Access" to personal information in this code includes access by inspection, by request to the public sector agency responsible for keeping a public register that personal information be provided, and access by any other means.
- 4.3 "Authorised officer" in this code refers to an officer of a nominated law enforcement or investigative agency who has been authorised by the CEO of that agency to access public registers in the course of his or her employment.
- 4.4 "Nominated law enforcement or investigative agency" in this code refers to:
 - (a) the Independent Commission Against Corruption;
 - (b) the Police Integrity Commission;
 - (c) the NSW Police Service, or the police force or another State or Territory;
 - (d) the Australian Federal Police;
 - (e) the NSW Crime Commission; and
 - (f) the National Crime Authority.

5. Modification of Part 6 of the Act

Section 57

- 5.1 Subject to paragraphs 5.2-4 of this code an authorised officer of a nominated law enforcement or investigative agency has the same access to personal information on a public register, for the purpose of assisting the nominated agency to exercise its law enforcement or investigative functions, as he or she would have if the provisions of section 57(1) of the Act did not apply.
- 5.2 The application of section 57(2) of the Act is modified to enable the public sector agency, if it deems appropriate, to require an authorised officer who seeks access to the public register to provide:

- (a) information confirming his or her identity as an authorised officer;
- (b) confirmation by the authorised officer, or by another appropriate officer, that the personal information is being accessed to assist a nominated law enforcement or investigative agency to exercise its law enforcement or investigative functions.

- 5.3 The public sector agency may record the details of any access by an authorised officer.
- 5.4 An authorised officer, or a nominated law enforcement or investigative agency, may request that, until further notice, the public sector agency withhold from the subject of the personal information, on specified public interest grounds, details of any such access.

Section 58

- 5.5 An authorised officer of a nominated law enforcement or investigative agency has the same access to personal information that has been removed from the register, not placed on the register, or has been otherwise suppressed in accordance with section 58, where that personal information is still held by the public sector agency, as he or she would have if section 58 of the Act did not apply.
- 5.6 This access is subject to the conditions outlined at 5.2-4 above.

Section 59

- 5.7 The code does not modify section 59.

ROADS ACT 1993

PROCLAMATION

MARIE BASHIR, Governor.

I, Professor Marie BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, on the recommendation of the Deputy Premier, Minister for Urban Affairs and Planning, Minister for Aboriginal Affairs and Minister for Housing and in pursuance of section 13 of the Roads Act 1993, do, by this my Proclamation, dedicate as public road the parcels of land referred to in the Schedule to this Proclamation.

Signed and sealed at Sydney this 23rd day of May 2001.

By Her Excellency's Command,

ANDREW REFSHAUGE, M.P.,
Deputy Premier
Minister for Urban Affairs and Planning
Minister for Aboriginal Affairs
and Minister for Housing

GODSAVE THE QUEEN!

SCHEDULE

The land shown as Lot 3057 in the Deposited Plan 263882 at Oak Flats in the Local Government Area of Shellharbour, Parish of Terragong, County of Camden.

The land shown as Leo Place, Aquarius Crescent, Pegasus Street and the splay corners on the Deposited Plan 776426 at Erskine Park in the Local Government Area of Penrith, Parish of Melville, County of Cumberland.

WORKERS COMPENSATION (PHYSIOTHERAPY FEES) ORDER 2001 NO 1

under the

Workers Compensation Act 1987

I, KATE McKENZIE, General Manager of the WorkCover Authority of New South Wales, pursuant to section 61 of the Workers Compensation Act 1987, make the following Order.

Dated this 30th day of May 2001.

KATE McKENZIE,
General Manager
WorkCover Authority

Explanatory Note

Treatment by a registered physiotherapist is one of the categories of medical or related treatment covered under the Workers Compensation Act 1987. This Order sets the maximum fees that registered physiotherapists can recover under the Act from an employer or the employer's workers compensation insurer for treatment of a worker's work-related injury. The effect of the Order is also to prevent recovery from the injured worker of any extra charge for treatments listed in it.

The Order provides one Schedule of maximum fees for physiotherapists generally and another Schedule at higher maximum fee levels for physiotherapists who meet criteria for WorkCover approval. Those criteria are that the physiotherapist sign and provide a Statement on Outcomes Based Treatment and participate in a WorkCover Outcomes Training Course. It is intended that that Course will start to be available at a later date, and the Order envisages that the date by which a physiotherapist will have to complete the Course, in order to remain in the approved category, will be notified to physiotherapists by WorkCover.

WORKERS COMPENSATION (PHYSIOTHERAPY FEES) ORDER 2001 NO 1

1. Name of Order

This Order is the *Workers Compensation (Physiotherapy Fees) Order 2001 No 1*.

2. Commencement

This Order commences on 1 June 2001.

3. Application of Order

This Order applies to treatment provided on or after the commencement, whether it relates to an injury received before, on or after that date.

4. Maximum fees for physiotherapists generally

- (1) The maximum fee amount for which an employer is liable under the Act for treatment of an injured worker by a physiotherapist, being treatment of a type specified in column 1 of Schedule A, is the corresponding amount specified in column 2 of that Schedule.
- (2) If it is reasonably necessary for a physiotherapist to provide treatment of a type specified in any of

items 8 to 16 in Schedule A at a place other than consulting rooms, the maximum fee amount for which an employer would otherwise be liable under the Act for that type of treatment is increased by an amount calculated at the rate per kilometre (for the number of kilometres of travel reasonably involved) specified for item 17 in Column 2 of Schedule A.

- (3) This clause does not apply to treatment by a WorkCover approved physiotherapist.

5. Higher maximum fees for WorkCover approved physiotherapists

- (1) The maximum fee amount for which an employer is liable under the Act for treatment of an injured worker by a physiotherapist who is a WorkCover approved physiotherapist, being treatment of a type specified in column 1 of Schedule B, is the corresponding amount specified in column 2 of that Schedule.
- (2) If it is reasonably necessary for a physiotherapist to provide treatment of a type specified in any of items 8 to 16 in Schedule B at a place other than consulting rooms, the maximum fee amount for which an employer would otherwise be liable under the Act for that type of treatment is increased by an amount calculated at the rate per kilometre (for the number of kilometres of travel reasonably involved) specified for item 17 in Column 2 of Schedule B.

6. Definitions

In this Order:

consulting rooms means premises in or from which a physiotherapist regularly operates a physiotherapy practice and treats patients.

distinct areas means different body areas (affected by a worker's injury) requiring a separate approach to treatment.

employer consultations means meetings or discussions (in person, by telephone or otherwise) between a physiotherapist and a worker's employer or a person representing the employer, in connection with the worker's treatment.

extended treatment means treatment that is extremely complex.

initial consultation and treatment means the first examination and treatment of a worker by the physiotherapist in respect of an injury.

physiotherapist means a registered physiotherapist.

standard consultation and treatment means treatment provided after the initial consultation and treatment, or treatment involving reassessment.

the Act means the Workers Compensation Act 1987.

treatment in classes means treatment provided by a physiotherapist when more than one patient is treated at the same time, whether the treatment takes place in consulting rooms or elsewhere.

WorkCover means the WorkCover Authority of New South Wales.

WorkCover approved physiotherapist means a physiotherapist who:

- (a) has, either before or after the commencement of this Order, signed and provided to WorkCover a Statement on Outcomes Based Treatment in a form approved by WorkCover, and
- (b) has, by a date notified by WorkCover, participated in the WorkCover Outcomes Training Course approved by WorkCover (if any) for the purposes of this Order.

7. Schedules etc

Schedules A-B and the notes on those Schedules form part of this Order. The explanatory note does not form part of this Order.

Schedule A

Maximum fees for physiotherapists generally

Item	Column 1	Column 2
	Type of Treatment	Maximum amount (\$)
<i>In consulting rooms</i>		
1.	Initial consultation and treatment that take place in consulting rooms	50
2.	Standard consultation and treatment that take place in consulting rooms	40
3.	Initial consultation and treatment where 2 distinct areas are treated, that take place in consulting rooms	75
4.	Consultation and treatment where 2 distinct areas are treated, that take place in consulting rooms	60
5.	Initial consultation and treatment where 3 distinct areas are treated, that take place in consulting rooms	100
6.	Consultation and treatment where 3 distinct areas are treated, that take place in consulting rooms	80
7.	Extended treatment that takes place in consulting rooms	80
<i>Other than in consulting rooms</i>		
8.	Initial consultation and treatment other than in consulting rooms	62
9.	Standard consultation and treatment other than in consulting rooms	50
10.	Initial consultation and treatment where 2 distinct areas are treated other than in consulting rooms	94
11.	Consultation and treatment where 2 distinct areas are treated other than in consulting rooms	75
12.	Initial consultation and treatment where 3 distinct areas are treated other than in consulting rooms	125
13.	Consultation and treatment where 3 distinct areas are treated other than in consulting rooms	100
14.	Extended treatment other than in consulting rooms	100
<i>Miscellaneous</i>		
15.	Treatment in classes	30
16.	Other aspects of treatment not covered under any of items 1 to 15, eg case conferencing and employer consultations	100 per hour
17.	Any of items 8 to 16 where reasonably necessary for physiotherapist to travel away from consulting rooms	Amount for other relevant item plus 0.90 per kilometre

Schedule B

Notes on Schedules A and B

Maximum fees for WorkCover approved physiotherapists

Item	Column 1 Type of Treatment	Column 2 Maximum amount (\$)
	<i>In consulting rooms</i>	
1.	Initial consultation and treatment that take place in consulting rooms	55
2.	Standard consultation and treatment that take place in consulting rooms	45
3.	Initial consultation and treatment where 2 distinct areas are treated, that take place in consulting rooms	85
4.	Consultation and treatment where 2 distinct areas are treated, that take place in consulting rooms	67.50
5.	Initial consultation and treatment where 3 distinct areas are treated, that take place in consulting rooms	112.50
6.	Consultation and treatment where 3 distinct areas are treated, that take place in consulting rooms	90
7.	Extended treatment that takes place in consulting rooms	90
	<i>Other than in consulting rooms</i>	
8.	Initial consultation and treatment other than in consulting rooms	70
9.	Standard consultation and treatment other than in consulting rooms	56
10.	Initial consultation and treatment where 2 distinct areas are treated other than in consulting rooms	105
11.	Consultation and treatment where 2 distinct areas are treated other than in consulting rooms	85
12.	Initial consultation and treatment where 3 distinct areas are treated other than in consulting rooms	141
13.	Consultation and treatment where 3 distinct areas are treated other than in consulting rooms	112.50
14.	Extended treatment other than in consulting rooms	112.50
	<i>Miscellaneous</i>	
15.	Treatment in classes	40
16.	Other aspects of treatment not covered under any of items 1 to 15, eg case conferencing and employer consultations	112.50 per hour
17.	Any of items 8 to 16 where reasonably necessary for physiotherapist to travel away from consulting rooms	Amount for other relevant item plus 0.90 per kilometre

- (i) Physiotherapy treatment of an injured worker is covered under the Workers Compensation Act if the treatment is reasonably necessary as a result of his or her work injury.
- (ii) The treatments to which this Order applies do not include hospital treatment (as defined in section 59 of the Act) or occupational rehabilitation services provided by an accredited provider of such services (as defined in the same section).
- (iii) Where it is reasonably necessary for a physiotherapist to travel to a place away from consulting rooms for matters covered by item 16 in either Schedule, the hourly rate for that item does not apply to time spent travelling to or from that place. See item 17 in each Schedule for treatments that require travel.

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 177)

Amendment of City of Shoalhaven Local Environmental Plan 1985

Schedule 2

Schedule 2 Amendment of City of Shoalhaven Local Environmental Plan 1985

(Clause 4 (b))

Clause 6 Interpretation

Insert in appropriate order at the end of the definition of *the map* in clause 6 (1):

City of Shoalhaven Local Environmental Plan 1985
(Amendment No 177)

Roads and Traffic Authority

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Carramar
in the Fairfield City Council Area

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act 1993.

D J Lorsch
Manager Statutory Processes
Roads and Traffic Authority of New South Wales

SCHEDULE

All those pieces or parcels of land situated in the Fairfield City Council area, Parish of St John and County of Cumberland, shown as:

Lots 14, 20 to 23 inclusive, 25 and 26 Deposited Plan 1024664, being parts of the land remaining in Certificate of Title Volume 3419 Folio 54;

Lot 15 Deposited Plan 1024664, being part of the land in Certificate of Title 1/173405;

Lots 16 and 24 Deposited Plan 1024664, being parts of the land in Certificate of Title 10/839819;

Lot 17 Deposited Plan 1024664, being part of the land in Certificate of Title 45/9468; and

Lots 18 and 19 Deposited Plan 1024664, being parts of the land remaining in Certificate of Title Volume 3421 Folio 239.

The land is said to be in the possession of the State Rail Authority of New South Wales.

(RTA Papers 1M1967; RO 156.12295)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Shellharbour
in the Shellharbour City Council area.

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act 1993.

D J Lorsch
Manager, Statutory Processes
Roads and Traffic Authority of New South Wales

SCHEDULE

All those pieces or parcels of land situated in the Shellharbour City Council area, Parish of Terragong and County of Camden, shown as Lots 52 and 54 Deposited Plan 1013688, being parts of the land in Certificate of Title 5/221297.

The land is said to be in the possession of Clive Benson Goodwin, Joan Edith Cutler and Margaret Goodwin Jones.

(RTA Papers FPP 1M1128; RO 1/401.1480)

ROADS ACT 1993

Section 10

Notice of dedication of land as public road at The Oaks in the Wollondilly Shire Council area

THE Roads and Traffic Authority of New South Wales dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

D J Lorsch
Manager Statutory Processes
Roads and Traffic Authority
of New South Wales

SCHEDULE

All those pieces or parcels of land situated in the Wollondilly Shire Council area, Parish of Burratorang and County of Camden, shown as:

Lots 24 to 27 inclusive Deposited Plan 264139; and
Lots 29 to 38 inclusive Deposited Plan 264140.

(RTA Papers 496.1443)

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road at The Oaks in the Wollondilly Shire Council Area

THE Roads and Traffic Authority of New South Wales dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

D J Lorsch
Manager Statutory Processes
Roads and Traffic Authority
of New South Wales

SCHEDULE

All those pieces or parcels of land situated in the Wollondilly Shire Council area, Parish of Weromba and County of Camden, shown as:

Lot 7 Deposited Plan 870810;
Lots 16, 17 and 20 Deposited Plan 264141;
Lots 104, 105 and 106 Deposited Plan 818999;
Lots 3 and 4 Deposited Plan 716537;
Lots 9 and 10 Deposited Plan 262065;
Lot 103 Deposited Plan 705712; and
Lot 8 Deposited Plan 262004.

(RTA Papers 496.1443)

ROADS ACT 1993

Order - Sections 46, 49, 54 and 67

Maclean Council Area

Declaration as a Controlled Access Road of Part of the Pacific Highway at Tyndale

I, the Minister for Roads, pursuant to Sections 46, 49, 54 and 67 of the Roads Act, 1993, by this order -

1. dedicate as public road the land described in Schedule 1 under;
2. declare to be a main road the said public road described in Schedule 1;
3. declare to be a controlled access road the said main road described in Schedule 1 and the main road described in Schedule 2 under;
4. declare that access to the said controlled access road is restricted; and
5. specify in Schedule 3 under, the point along the controlled access road at which access may be gained to or from another public road.

CARL SCULLY, MP.,
Minister for Roads

SCHEDULE 1

All those pieces or parcels of land situated in the Maclean Council area, Parish of Tyndale and County of Clarence shown as:

Lot 9 Deposited Plan 882987;
Lot 2 Deposited Plan 1024565; and
Lots 19 to 24 inclusive Deposited Plan 877827.

The above Lots comprise the whole of the land in the correspondingly numbered Certificates of Title and are all shown on RTA Plan 0010 274 AC 2661.

SCHEDULE 2

All those pieces or parcels of main road situated in the Maclean Council area, Parish of Tyndale and County of Clarence shown as Lots 25 and 26 Deposited Plan 877827 and shown on RTA Plan 0010 274 AC 2661.

SCHEDULE 3

Between the points A and B shown on RTA Plan 0010 274 AC 2661.

(RTA Papers 10/274.1258)

ROADS ACT 1993

Order - Sections 46, 49, 54 and 67

Shoalhaven City Council Area

Dedication as Public Road of Land at Yatte Yattah and Myrtle Gully and Declaration as a Controlled Access Road of Part of the Princes Highway at Yatte Yattah and Myrtle Gully.

I, the Minister for Roads, pursuant to Sections 46, 49, 54 and 67 of the Roads Act, 1993, by this order -

1. dedicate as public road the land described in Schedules 1 and 2 under;
2. declare to be a main road the said public road described in Schedule 2 and the public road described in Schedule 3 under;
3. declare to be a controlled access road the said main road described in Schedules 2 and 3 and the main road described in Schedule 4 under;
4. declare that access to the said controlled access road is restricted; and
5. specify in Schedule 5 under, the points along the controlled access road at which access may be gained to or from other public roads.

CARL SCULLY, M.P.,
Minister for Roads

SCHEDULE 1

All those pieces or parcels of land situated in the Shoalhaven City Council area, Parish of Conjola and County of St Vincent shown as:

Lot 29 Deposited Plan 845151; and
Lot 21 Deposited Plan 846160.

The above Lots comprise the whole of the land in the correspondingly numbered Certificates of Title and are both shown on RTA Plan 0001 404 AC 3092.

SCHEDULE 2

All those pieces or parcels of land situated in the Shoalhaven City Council area, Parish of Conjola and County of St Vincent shown as:

Lots 18 to 23 inclusive and 25 Deposited Plan 845151;
Lots 1 and 4 Deposited Plan 116716;
Lot 2 Deposited Plan 506356;
Lot 21 Deposited Plan 806758; and
Lots 11 to 17 inclusive Deposited Plan 846160.

The above Lots comprise the whole of the land in the correspondingly numbered Certificates of Title and are all shown RTA Plan 0001 404 AC 3092.

SCHEDULE 3

All those pieces or parcels of public road situated in the Shoalhaven City Council area, Parish of Conjola and County of St Vincent, shown as:

Lot 28 Deposited Plan 845151; and
Lot 19 Deposited Plan 846160.

The above Lots are both shown on RTA Plan 0001 404 AC 3092.

SCHEDULE 4

All those pieces or parcels of main road situated in the Shoalhaven City Council area, Parish of Conjola and County of St Vincent, shown as:

Lots 26 and 27 Deposited Plan 845151; and
Lots 18 and 20 Deposited Plan 846160.

The above Lots are all shown on RTA Plan 0001 404 AC 3092.

SCHEDULE 5

Between the points A and B;
between the points C and D;
between the points E and F;
between the points G and H;
between the points J and K;
between the points L and M; and
between the points N and P all shown on RTA Plan 0001 404 AC 3092.

(RTA Papers 1/404.1718)

ROADS ACT 1993

Order -Sections 46, 49, 54 and 67

Port Stephens Council area

Dedication as Public Road of Land at Heatherbrae and Declaration as a Controlled Access Road of part of the Pacific Highway at Hexham, Tomago, Motto Farm and Heatherbrae.

I, the Minister for Roads, pursuant to Sections 46, 49, 54 and 67 of the Roads Act, 1993, by this order -

1. dedicate as public road the land described in Schedules 1 and 2 under;
2. declare to be a main road the said public road described in Schedule 2 and the public road described in Schedule 3 under;
3. declare to be a controlled access road the said main road described in Schedules 2 and 3 and the main road described in Schedule 4 under;
4. declare that access to the said controlled access road is restricted; and
5. specify in Schedule 5 under, the points along the controlled access road at which access may be gained to or from other public roads.

CARL SCULLY M.P.,
Minister for Roads

SCHEDULE 1

All those pieces or parcels of land situated in the Port Stephens Council area, Parish of Eldon and County of Gloucester shown as Lots 8, 9 and 10 Deposited Plan 434911 and shown on sheet 2 in RTA Plan 0010 362 AC 2635.

SCHEDULE 2

All those pieces or parcels of land situated in the Port Stephens Council area, Parishes of Stockton and Eldon and County of Gloucester shown as:
Lot 4 Deposited Plan 633813;
Lot 54 Deposited Plan 739336;
Lot 2 Deposited Plan 727985; and
Lot 11 Deposited Plan 718236.

The above Lots are all shown on sheets 1 or 2 in RTA Plan 0010 362 AC 2635.

SCHEDULE 3

All those pieces or parcels of public road situated in the Port Stephens Council area, Parish of Stockton and County of Gloucester shown as:
Lot 3 Deposited Plan 633813; and

Lot 53 Deposited Plan 739336.

The above Lots are both shown on sheet 1 in RTA Plan 0010 362 AC 2635.

SCHEDULE 4

All those pieces or parcels of main road situated in the Port Stephens Council area, Parishes of Stockton and Eldon and County of Gloucester shown as:

Lots 10, 11 and 13 to 16 inclusive Deposited Plan 1021974; and
Lot 121 Deposited Plan 1024846.

The above Lots are all shown on sheets 1 or 2 in RTA Plan 0010 362 AC 2635

SCHEDULE 5

Between the points A and B;
between the points C and D;
between the points E and F;
between the points G and H;
between the points J and K;
between the points L and M;
between the points N and P; and
between the points Q and R, all shown on sheets 1 or 2 in RTA Plan 0010 362 AC 2635.

(RTA Papers FPP 10/362.1309)

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 BLUE MOUNTAINS, AT LEURA: Contract Number 411944F8, Project Number 361811. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving GLADSTONE ROAD and NORTHCOTE ROAD.

CITY OF BLUE MOUNTAINS, AT FAULCONBRIDGE: Contract Number 961902S1, Project Number 362348. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving GREAT WESTERN HIGHWAY and CHALMERS PATHWAY.

CITY OF BLUE MOUNTAINS, AT LAWSON: Contract Number 966112S3, Project Number 3001632. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving ESSEX STREET and SUFFOLK STREET.

CITY OF HAWKESBURY, AT NORTH RICHMOND: Contract Number 966088S8, Project Number 3000721. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving MONTI PLACE and MOKARI STREET.

CITY OF PENRITH, AT ERSKINE PARK: Contract Number 967790S7, Project Number 3001244. Line 1 to 2, inclusive and its appurtenant junctions, sidelines and inlets serving BLACKWELL AVENUE, WALKERS LANE and COOK PARADE.

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

1 June 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 CAMDEN, AT MOUNT ANNAN: Contract Number 964765S2, Project Number 3000786. Lines 1-5, inclusive and its appurtenant junctions, sidelines and inlets serving BIRRIWA CCT, LOCHVIEW CRES, HOGAN PL and O'DEA RD.

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

1 June 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 PRESTONS: Contract Number 967101S0, Project Number 3001147. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving JEDDA ROAD.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

KEVIN HASTIE,
Developer Activity Officer
Liverpool Commercial Centre

1 June 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/MUNICIPALITY OF HORNSBY, AT HORNSBY: Contract Number 972524S0, Project Number 3001731. Line 1 and property connection sewer line 1, inclusive and their appurtenant junctions, sidelines and inlets serving CLARKE ROAD.

CITY/MUNICIPALITY OF HORNSBY, AT HORNSBY: Contract Number 965497S5, Project Number 3001479. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving GALSTON ROAD.

CITY/MUNICIPALITY OF WARRINGAH, AT BROOKVALE: Contract Number 957149S7, Project Number 353140. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving PITTWATER ROAD.

CITY/MUNICIPALITY OF WARRINGAH, AT DEE WHY: Contract Number 965494S2, Project Number 3001407. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving OAKS AVENUE.

CITY/MUNICIPALITY OF RYDE, AT GLADESVILLE: Contract Number 972652S3, Project Number 3001824. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving HIGH STREET and THE STRAND.

CITY/MUNICIPALITY OF RYDE, AT NORTH RYDE: Contract Number MX416407F4, Project Number 353445. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving PLASSEY ROAD.

CITY/MUNICIPALITY OF WILLOUGHBY, AT CHATSWOOD: Contract Number 960251S5, Project Number 353377. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving PACIFIC HIGHWAY and BROWN STREET.

CITY/MUNICIPALITY OF MANLY, AT BALGOWLAH: Contract Number 972357S7, Project Number 3001857. Property connection sewer line 1, inclusive and its appurtenant junctions, sidelines and inlets serving LOWER BEACH STREET.

CITY/MUNICIPALITY OF MOSMAN, AT MOSMAN: Contract Number 959961S3, Project Number 353311. Line 1, inclusive and its appurtenant junctions, sideline and inlets serving AVENUE 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.

MARTHA AMADOR,
Developer Activity Officer
Chatswood

1 June 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 PLUMPTON: Contract Number 968793S6, Project Number 3000893. Line 1 inclusive and their appurtenant junctions, sidelines and inlets serving CANNERY ROAD.

CITY OF BLACKTOWN, AT GLENWOOD: Contract Number 958188SA, Project Number 3001541. Lines 1 & 2 inclusive and their appurtenant junctions, sidelines and inlets serving AMBERLEA STREET and KNIGHTSBRIDGE AVENUE.

CITY OF BLACKTOWN, AT QUAKERS HILL: Contract Number 968974S1, Project Number 3001437. Lines 1 to 4 inclusive and their appurtenant junctions, sidelines and inlets serving GREENDALE CIRCUIT and QUAKERS ROAD.

CITY OF BLACKTOWN, AT QUAKERS HILL: Contract Number 966798S3, Project Number 3001572. Line 1 inclusive and their appurtenant junctions, sidelines and inlets serving GREENDALE CIRCUIT and QUAKERS ROAD.

CITY OF BLACKTOWN, AT BLACKTOWN: Contract Number 968599SA, Project Number 3002018. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving DINA BETH AVENUE and BUNGARRIBEE ROAD.

CITY OF BLACKTOWN, AT GLENWOOD: Contract Number 967007SB, Project Number 3000773. Lines 1 to 3 inclusive and their appurtenant junctions, sidelines and inlets serving VALIS ROAD and MALVERN ROAD.

SHIRE OF BAULKHAM HILLS, AT CASTLE HILL: Contract Number 966932SB, Project Number 3000725. Lines 1 to 11 and sideline 1 inclusive and their appurtenant junctions, sidelines and inlets serving WONGAJONG CLOSE, SETTLERS CLOSE, OLD CASTLE HILL ROAD and FIRST FARM DRIVE.

SHIRE OF BAULKHAM HILLS, AT WEST PENNANT HILLS: Contract Number 963694S0, Project Number 3001037. Lines 1 to 8 and Sideline 1 and 2, inclusive and their appurtenant junctions, sidelines and inlets serving VIEW STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VICKI MAWBY,
Developer Activity Officer

1 June 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 FAIRFIELD, AT CABRAMATTA: Contract Number 967260S2, Project Number 3000808. Line 1, inclusive, and its appurtenant junctions, sidelines and inlets serving BOLD STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

G. MAIMONE,
Developer Activity Officer
Liverpool Commercial Centre

1 June 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 WOLLONGONG, AT PRIMBEE: Contract Number 964364S5, Project Number 3001782. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving JAMES AVENUE, LAKEVIEW PARADE.

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

1 June 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 CAMDEN, AT MOUNT ANNAN: Contract Number 964765W6, Project Number 1000354. Water mains are now laid and capable of serving identified properties in BIRRIWA CCT, LOCHVIEW CRES and O'DEA RD.

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

1 June 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 967101W4, Project Number 1000469. Water mains are now laid and capable of serving identified properties in JEDDA ROAD.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

KEVIN HASTIE,
Developer Activity Officer
Liverpool Commercial Centre

1 June 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 FAIRFIELD, AT ABBOTSBURY: Contract Number 963532WB, Project Number 1000206. Water mains are now laid and capable of serving identified properties in HACKETT ROAD, RAFTER CRESCENT and KIERNAN CRESCENT.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

CLAUDIO FILIPPI,
Developer Activity Officer
Liverpool Commercial Centre

1 June 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 ST MARYS: Contract Number 964060W4, Project Number 1000781. Water mains are now laid and capable of serving identified properties in GREAT WESTERN HIGHWAY and WERRINGTON 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.

ROBERT ROACH,
Developer Activity Officer
Blacktown Commercial Centre

1 June 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 BLACKTOWN, AT GLENWOOD: Contract Number 967007W3, Project Number 7000037. Recycled water mains are now laid and capable of serving identified properties at VALIS ROAD, CURRAWONG STREET and MALVERN ROAD.

CITY OF BLACKTOWN, AT GLENWOOD: Contract Number 967007W3, Project Number 1000345. Water mains are now laid and capable of serving identified properties at VALIS ROAD, CURRAWONG STREET and MALVERN ROAD.

CITY OF BLACKTOWN, AT QUAKERS HILL: Contract Number 966923W2, Project Number 1000300. Water mains are now laid and capable of serving identified properties at PENTLAND STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VICKI MAWBY,
Developer Activity Officer

1 June 2001.

Other Notices

ABORIGINAL LAND RIGHTS ACT 1983

Exemption of Aboriginal Land from the Payment of Rates

I, the Honourable Andrew John REFSHAUGE, M.P., Minister for Aboriginal Affairs, being of the opinion that special circumstances exist which warrant my doing so, DECLARE in pursuance of the provisions of section 43 of the Aboriginal Land Rights Act 1983, that the lands described in the Schedule below and vested in the Griffith Local Aboriginal Land Council, be exempt from payment of rates under the Local Government Act 1993.

A. REFSHAUGE, M.P.,
Minister for Aboriginal Affairs

SCHEDULE

L.G.A. — Carrathool Shire Council

Being: Lot 82, DP 722037, Griffith; Lot 27, DP 755140, Bellingerambil South; Lot 28, DP 755140, Bellingerambil South; Lot 29, DP 755166, Griffith; Lot 38, DP 755166, Griffith; Lot 1, DP 758868, Rankin Springs; Lot 12, DP 758868, Rankin Springs; Lot 14, DP 758868, Rankin Springs; Lot 17, DP 758868, Rankin Springs; Lot 18, DP 758868, Rankin Springs; Lot 3, DP 758868, Rankin Springs; Lot 4, DP 758868, Rankin Springs; Lot 7, DP 758868, Rankin Springs; Lot 9, DP 758868, Rankin Springs; Lot 28, DP 820108, Bunda North; Lot 83, DP 820109, Griffith; Lot 84, DP 820109, Griffith; Lot 85, DP 820109, Griffith; Lot 86, DP 820109, Griffith; Lot 24, DP 820110, Carilla; Lot 45, DP 820143, Stackpoole; Lot 87, DP 820186, Griffith.

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, 33 and 51 of the Anti-Discrimination Act 1977, to the Livingstone Road Sexual Health Centre to establish a sexual health clinic for men only to be staffed by a male sexual health doctor, a male sexual health nurse, a male social worker and a male receptionist.

This exemption will remain in force for a period of ten years from the date given.

Dated this 28th day of May 2001.

BOB DEBUS,
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 Sutherland Shire Council to designate and recruit for three positions, a Records Assistant, an Administration Assistant at the Hazelhurst Regional Gallery and a Support Officer in the Cultural Planning and Events Unit, as positions for Indigenous people.

This exemption will remain in force for a period of ten years from the date given.

Dated this 28th day of May 2001.

BOB DEBUS,
Attorney General

CHARITABLE TRUSTS ACT 1993

Order Under Section 12

Proposed Cy-Pres Scheme Relating to the Estate of the Late Lenore Mary Ferguson

THE deceased, Lenore Mary Ferguson, died on 29 May 2000. In her will for which probate was granted on 5 September 2000, the testatrix made a bequest to be held on trust, as follows:

‘...for the NEW SOUTH WALES CANCER FOUNDATION a one sixteenth (1/16th) share of my Residuary Estate PROVIDED THAT if the said New South Wales Cancer Foundation has ceased to exist or has amalgamated with another charity or has changed its name, this gift shall not fail but my Executrices shall pay it to the charitable organisation which they consider most nearly fulfils the objects that I intend to benefit...’

No organisation presently exists or has previously existed by the name of the New South Wales Cancer Foundation, but the Australian Cancer Research Foundation and the New South Wales Cancer Council are involved in research and public education in relation to cancer.

I have formed the view that the gift to the New South Wales Cancer Foundation (a non-existent entity) in the testatrix’s will is a gift for charitable purposes and have approved a recommendation that the Attorney General establish a cy-pres scheme pursuant to section 12 (1) (a) of the Charitable Trusts Act 1993.

The scheme is to be applied to give effect to the gift as equal shares to the Australian Cancer Research Foundation and the New South Wales Cancer Council.

Therefore, pursuant to section 12 of the Charitable Trusts Act 1993, I hereby order that the gift to the New South Wales Cancer Foundation be amended cy-pres to give it effect as equal shares to the Australian Cancer Research Foundation and the New South Wales Cancer Council in accordance with the terms of the testatrix’s will, such order to take effect 21 days after its publication in the *Government Gazette*, in accordance with section 16 (2) of the Charitable Trusts Act 1993.

Date of Order: 23 May 2001.

M. G. SEXTON, S.C.,
Solicitor General

Under delegation from the Attorney General

CHILDREN (PROTECTION AND PARENTAL RESPONSIBILITY) ACT 1997

Safer Community Compact—Order

I, the Honourable Bob DEBUS, Attorney General of the State of New South Wales, in pursuance of section 39 (1) of the Children (Protection and Parental Responsibility) Act 1997, do, by this my Order, approve the Bankstown Youth Crime Prevention Plan as a Safer Community Compact for the purposes of Division 3 of Part 4 of that Act.

This Order takes effect on 1 June 2001 and remains in force until 31 May 2004.

Signed at Sydney, this 24th day of May 2001.

BOB DEBUS,
Attorney General

CHILDREN (PROTECTION AND PARENTAL RESPONSIBILITY) ACT 1997

Safer Community Compact—Order

I, the Honourable Bob DEBUS, Attorney General of the State of New South Wales, in pursuance of section 39 (1) of the Children (Protection and Parental Responsibility) Act 1997, do, by this my Order, approve the Canterbury Youth Crime Prevention Plan as a Safer Community Compact for the purposes of Division 3 of Part 4 of that Act.

This Order takes effect on 1 June 2001 and remains in force until 31 May 2004.

Signed at Sydney, this 24th day of May 2001.

BOB DEBUS,
Attorney General

GEOGRAPHICAL NAMES ACT 1966

Notice of Assignment of Geographical Names and Boundaries for Suburbs in Warringah Council Area

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the names and boundaries of the following Suburbs in Warringah Council area, to be used as the address, as shown on map GNB3704:

Allambie Heights, Beacon Hill, Belrose, Brookvale, Collaroy, Cottage Point, Cromer, Curl Curl, Davidson, Dee Why, Duffys Forest, Frenchs Forest, Forestville, Harbord, Ingleside, Killarney Heights, Ku-Ring-Gai Chase, Manly Vale, Narrabeen, Narrabeena, North Balgowlah, North Curl Curl, North Manly, Oxford Falls and Terrey Hills.

SUBSEQUENT to the determination of names and boundaries for Suburbs in Warringah Council area, the following place names are this day assigned as Urban Place:

Allambie, Akuna Bay, Bantry Bay, Bungaroo, Collaroy Beach, Collaroy Plateau, Cromer Heights, Dee Why Beach, Fishermans Beach, Forestville Bend, Gooseberry Flat, Long Reef, Narrabeen Peninsula, Peach Trees, Queenscliff, Sorlie, Wheeler Heights and Wingala.

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143 BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

Notice of Proposal to Create a New Suburb within Blue Mountains City

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to create the new suburb Sun Valley, reducing the extent of Valley Heights, as indicated on map GNB3726/SV. The map may be viewed at Katoomba Council Chambers, Katoomba Library, Springwood Council Offices, Springwood Library and the office of the Geographical Names Board, Land and Property Information NSW, Panorama Avenue, Bathurst.

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 the objection, setting out the grounds of the objection.

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143 BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 7 (1) of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder.

Assigned:	Belmont Rotary Park
Designation:	Reserve
L.G.A.:	Lake Macquarie
Parish:	Kahibah
County:	Northumberland
Latitude:	33° 02' 06"
Longitude:	151° 39' 20"
L.P.I. Map:	Swansea
1:100 000 Map:	Lake Macquarie

Assigned:	South Belmont Park
Designation:	Reserve
L.G.A.:	Lake Macquarie.
Parish:	Kahibah
County:	Northumberland
Latitude:	33° 03' 02"
Longitude:	151° 39' 00"
L.P.I. Map:	Swansea
1:100 000 Map:	Lake Macquarie

Assigned:	Toby Park
Designation:	Reserve
L.G.A.:	Lake Macquarie
Parish:	Wollarah
County:	Northumberland
Latitude:	33° 35' 30"
Longitude:	151° 38' 00"
L.P.I. Map:	Swansea
1:100 000 Map:	Lake Macquarie

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143 BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 7 (1) of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder.

Assigned: Toronto Sports Ground
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Awaba
 County: Northumberland
 Latitude: 33° 25' 48"
 Longitude: 151° 35' 20"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Webb Park
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Kahibah
 County: Northumberland
 Latitude: 33° 01' 00"
 Longitude: 151° 42' 55"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Wippi Reserve
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Awaba
 County: Northumberland
 Latitude: 33° 02' 32"
 Longitude: 151° 36' 30"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Lenaghan Park
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Kahibah
 County: Northumberland
 Latitude: 33° 01' 37"
 Longitude: 151° 40' 41"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Belmont Lions Park
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Kahibah
 County: Northumberland
 Latitude: 33° 02' 10"
 Longitude: 151° 39' 30"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Marks Oval
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Kahibah
 County: Northumberland
 Latitude: 33° 01' 20"
 Longitude: 151° 39' 55"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie
 Assigned: Nesca Oval

Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Wallarah
 County: Northumberland
 Latitude: 33° 05' 52"
 Longitude: 151° 37' 19"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Nesca Recreation Area
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Wallarah
 County: Northumberland
 Latitude: 33° 06' 00"
 Longitude: 151° 37' 19"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Edward Gain Park
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Awaba
 County: Northumberland
 Latitude: 33° 00' 56"
 Longitude: 151° 35' 54"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Frank Finnan Soccer Ground
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Awaba
 County: Northumberland
 Latitude: 33° 00' 25"
 Longitude: 151° 34' 59"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Goffet Park
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Awaba
 County: Northumberland
 Latitude: 33° 01' 00"
 Longitude: 151° 35' 52"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

Assigned: Gurramba Reserve
 Designation: Reserve
 L.G.A.: Lake Macquarie
 Parish: Awaba
 County: Northumberland
 Latitude: 33° 02' 55"
 Longitude: 151° 36' 59"
 L.P.I. Map: Swansea
 1:100 000 Map: Lake Macquarie

W. WATKINS,
 Chairperson

Geographical Names Board
 PO Box 143 BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 7 (1) of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder.

Assigned: Hillshot Park
Designation: Reserve
L.G.A.: Lake Macquarie
Parish: Awaba
County: Northumberland
Latitude: 33° 03' 10"
Longitude: 151° 35' 40"
L.P.I. Map: Swansea
1:100 000 Map: Lake Macquarie

Assigned: Hollis Slipway
Designation: Dock
L.G.A.: Lake Macquarie
Parish: Kahibah
County: Northumberland
Latitude: 33° 03' 30"
Longitude: 151° 38' 35"
L.P.I. Map: Swansea
1:100 000 Map: Lake Macquarie

Assigned: Birriban Park
Designation: Reserve
L.G.A.: Lake Macquarie
Parish: Awaba
County: Northumberland
Latitude: 33° 03' 01"
Longitude: 151° 36' 57"
L.P.I. Map: Swansea
1:100 000 Map: Lake Macquarie

Assigned: Aitchison Reserve
Designation: Reserve
L.G.A.: Lake Macquarie
Parish: Kahibah
County: Northumberland
Latitude: 33° 04' 30"
Longitude: 151° 38' 55"
L.P.I. Map: Swansea
1:100 000 Map: Lake Macquarie

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143 BATHURST NSW 2795

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 names listed hereunder as geographical names.

Any person objecting to these proposals 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.

Proposed Name: Muswellbrook Lioness Park
Designation: Reserve
L.G.A.: Muswellbrook Shire Council
Parish: Rowan
County: Durham
Latitude: 32° 15' 14"
Longitude: 150° 53' 22"
L.P.I. Map: Muswellbrook
1:100 000 Map: Muswellbrook 9033
Reference: GNB 4797

Proposed Name: Red Creek
Designation: Creek
L.G.A.: Shire of Baulkham Hills
Parish: Nelson
County: Cumberland
Latitude: 33° 41' 01"
Longitude: 151° 01' 34"
L.P.I. Map: Hornsby
1:100 000 Map: Sydney 9130
Reference: GNB 4801

Proposed Name: George Alder Reserve
Designation: Reserve
L.G.A.: Blacktown City Council
Parish: Gidley
County: Cumberland
Latitude: 33° 43' 46"
Longitude: 150° 53' 30"
L.P.I. Map: Riverstone
1:100 000 Map: Penrith 9030
Reference: GNB 4802

Proposed Name: Trevenar Reserve
Designation: Reserve
L.G.A.: Shoalhaven City Council
Parish: Farnham
County: St Vincent
Latitude: 35° 09' 47"
Longitude: 150° 35' 20"
L.P.I. Map: Sussex Inlet
1:100 000 Map: Jervis Bay 9027
Reference: GNB 4803

Proposed Name: Taylor Reserve
Designation: Reserve
L.G.A.: Bankstown City Council
Parish: Bankstown
County: Cumberland
Latitude: 33° 57' 31"
Longitude: 150° 59' 14"
L.P.I. Map: Liverpool
1:100 000 Map: Penrith 9030
Reference: GNB 4809

Proposed Name: Sunset Beach
Designation: Beach
L.G.A.: Port Stephens Council
Parish: Tomaree
County: Gloucester
Latitude: 32° 42' 27"
Longitude: 152° 03' 43"
L.P.I. Map: Port Stephens
1:100 000 Map: Port Stephens 9332
Reference: GNB 4800

Proposed Name: Centennial Park
Designation: Reserve
L.G.A.: Port Stephens Council
Parish: Sutton
County: Gloucester
Latitude: 32° 44' 14"
Longitude: 151° 59' 46"
L.P.I. Map: Karuah
1:100 000 Map: Newcastle 9232
Reference: GNB 4806

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143 BATHURST NSW 2795

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 names listed hereunder as geographical names.

Any person objecting to these proposals 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.

Proposed Name: Bill Wakeham Reserve
 Designation: Reserve
 L.G.A.: Sutherland Shire Council
 Parish: Holsworthy
 County: Cumberland
 Latitude: 33° 59' 41"
 Longitude: 151° 03' 50"
 L.P.I. Map: Botany Bay
 1:100 000 Map: Sydney 9130
 Reference: GNB 4808

Proposed Name: John McKinn Park
 Designation: Reserve
 L.G.A.: Sutherland Shire Council
 Parish: Sutherland
 County: Cumberland
 Latitude: 34° 02' 44"
 Longitude: 151° 09' 30"
 L.P.I. Map: Port Hacking
 1:100 000 Map: Port Hacking 9129
 Reference: GNB 4804

Proposed Name: Terrum-bine Reserve
 Designation: Reserve
 Previous Name: Atholbrose Glen
 L.G.A.: Ku-ring-gai Council
 Parish: Gordon
 County: Cumberland
 Latitude: 33° 45' 29"
 Longitude: 151° 09' 40"
 L.P.I. Map: Parramatta River
 1:100 000 Map: Sydney 9130
 Reference: GNB 3557

W. WATKINS,
 Chairperson

Geographical Names Board
 PO Box 143 BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder.

Assigned Name: Kings Park
 Designation: Reserve
 L.G.A.: City of Canada Bay Council
 Parish: Concord
 County: Cumberland
 Latitude: 33° 52' 00"
 Longitude: 151° 07' 11"
 L.P.I. Map: Parramatta River
 1:100 000 Map: Sydney 9130
 Reference: GNB 4765

Assigned Name: Devines Hill
 Designation: Hill
 L.G.A.: Byron Council
 Parish: Billinudgel
 County: Rous
 Latitude: 28° 31' 35"
 Longitude: 153° 32' 10"
 L.P.I. Map: Brunswick Heads
 1:100 000 Map: Ballina 9640
 Reference: GNB 4444

W. WATKINS,
 Chairperson

Geographical Names Board
 PO Box 143 BATHURST NSW 2795

LOCAL GOVERNMENT ACT 1993

Wongarbon Water Supply

Vesting of easement in Dubbo City Council

THE Minister for Land and Water Conservation of the State of New South Wales, declares that the easement described in the Schedule hereto, which was acquired for the purpose of the Wongarbon Water Supply Scheme is vested in Dubbo City Council.

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

SCHEDULE

Interest in Land

Easement rights as described under the heading Water Pipeline in Memorandum E931212, filed in the Land Titles Office over the site shown in:

Deposited Plan 1017033 (SB55096) as 'PROPOSED EASEMENT FOR WATER PIPELINE 5 WIDE'.

DPWS Reference: 107.

NSW SCIENTIFIC COMMITTEE

Notice of Preliminary Determinations

THE Scientific Committee, established by the Threatened Species Conservation Act, has made Preliminary Determinations to list the following in the relevant Schedules of the Act.

Endangered Species (Part 1 of Schedule 1)
 Southern Giant Petrel *Macronectes giganteus* (Gmelin 1789)

The Committee is of the opinion that this species is likely to become extinct in nature in NSW unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Endangered Population (Part 2 of Schedule 1)
Chorizema parviflorum Benth. population in the Wollongong and Shellharbour Local Government Areas

The Committee is of the opinion that the population's habitat has been so drastically reduced that it is in immediate danger of extinction and, it is not a population of a species already listed in Schedule 1 and it is otherwise of significant conservation value.

Endangered Ecological Community (Part 3 of Schedule 1)

Mt Canobolas *Xanthoparmelia* lichen community

White Box-Yellow Box Woodland

The Committee is of the opinion that these Ecological Communities are likely to become extinct in nature in NSW unless the circumstances and factors threatening their survival or evolutionary development cease to operate.

Vulnerable Species (Schedule 2)

Antipodean Albatross *Diomedea antipodensis* Robertson & Warham 1992

Genoplesium vernalis D L Jones, a terrestrial orchid

Gibson's Albatross *Diomedea gibsoni* Robertson & Warham 1992

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 regarding these Preliminary Determinations, which should be forwarded to:

Director General,
National Parks and Wildlife Service,
PO Box 1967,
Hurstville, NSW 2220.

Attention: Suzanne Chate,
Executive Officer,
Scientific Committee.

Submissions must be received by 6th July 2001.

Copies of these Determinations may be inspected at the National Parks Centre, 102 George Street, The Rocks, Sydney and at all NPWS Area Offices/Visitors Centres during business hours.

Associate Professor PAUL ADAM,
Deputy Chairperson

PARLIAMENTARY REMUNERATION ACT 1989

PURSUANT to section 11(2) of the Parliamentary Remuneration Act 1989, I direct that the date for completion by the Parliamentary Remuneration Tribunal of the 2001 Annual Determination of the additional entitlements of Members of the Parliament of New South Wales be extended to on or before 30 June 2001.

Dated: 25 May 2001.

(Justice) F. L. WRIGHT,
President
Industrial Relations Commission of
New South Wales

**POISONS AND THERAPEUTIC GOODS ACT
1966**

Restoration of Drug Authority

IN accordance with the provisions of Clause 151 (1) of the Poisons and Therapeutic Goods Regulation 1994, a direction has been issued that the order prohibiting Graham Paul GREENE of 3/114A Victoria Street, Ashfield 2131, as a nurse from having possession of and supplying drugs of addiction as authorised by Clauses 103 and 105 of the Regulation, shall cease to operate from Monday, 28 May 2001.

MICHAEL REID,
Director-General.

Department of Health, New South Wales,
Sydney, Wednesday, 23 May 2001.

**PRIVACY AND PERSONAL INFORMATION
PROTECTION ACT 1998**

ORDER

I, Robert John DEBUS, Attorney General, in pursuance of section 31 of the Privacy and Personal Information Protection Act 1998, by this order, make the Privacy Code of Practice entitled "Law Enforcement and investigative agency access to personal information contained in public registers", which is annexed to this order, as a privacy code of practice.

This order remains in force until 31 December 2001.

Signed at Sydney, this 30th day of May 2001.

Privacy Code of Practice

Law enforcement and investigative agency access to personal information contained in public registers

1. Objective of code

1.1 This code of practice is intended to ensure that the public register provisions in Part 6 of the Privacy and Personal Information Protection Act:

- (a) enable nominated law enforcement and investigative agencies to access personal information contained in those registers for the purposes of fulfilling their law enforcement or investigative functions; and
- (b) ensure that holders of public registers do not disclose to members of the public the fact that access to that personal information has been provided, if so requested by an authorised officer of the law enforcement or investigative agency.

2. Relevant provisions of the *Privacy and Personal Information Protection Act 1998* ("the Act")

- 2.1 Part 6 of the Act (sections 57-59) regulates the content and maintenance of, and access to, public registers.
- 2.2 Section 3 of the Act defines a public register as "a register of personal information that is required by law to be, or is made, publicly available or open to public inspection (whether or not on payment of a fee)".
- 2.3 Section 57(1) of the Act prevents public sector agencies responsible for keeping public registers from disclosing any personal information kept in a register unless the

agency is satisfied that it is to be used for a purpose relating to the purpose of the register or the Act under which the register is kept (public registers and relevant enabling legislation are not established for law enforcement and investigative purposes).

- 2.4 Section 57(2) of the Act enables such agencies to require any person who inspects personal information contained in a public register to give particulars, in the form of a statutory declaration, as to the intended use of any information obtained through inspection.
- 2.5 Section 58 of the Act provides for the circumstances in which public sector agencies must suppress personal information contained on a public register, at the request of a person the subject of that information.
- 2.6 Division 3 of Part 2 of the Act provides a number of exemptions to the Information Protection Principles contained in Division 1 of Part 2 of the Act. A number of those exemptions enable law enforcement and investigative agencies to appropriately access and use personal information. These exemptions do not apply to the public register provisions of Part 6 of the Act.
- 2.7 Section 30(1) of the Act provides that a privacy code of practice may modify the application of Part 6 to any public sector agency.

3. Requirement that law enforcement and investigative agencies be able to confidentially access personal information contained in public registers

- 3.1 It is recognised that access to personal information held on public registers is often essential for nominated law enforcement and investigative agencies to effectively exercise their law enforcement and investigative functions.
- 3.2 Such law enforcement and investigative functions include, but are not limited to, locating missing persons, persons who are under investigation, persons who are required to give evidence in proceedings (including hearings before a nominated law enforcement or investigative agency), locating the proceeds of crime, locating property in which persons suspected of engaging in criminal activity have an interest, and other investigations leading to or assisting a relevant law enforcement agency confiscate property or proceeds of crime. Public register information is often necessary to ensure that search warrants, listening device warrants, controlled operations authorities and other court processes are properly issued.
- 3.3 The effectiveness of law enforcement and investigate agency operations and the safety of members of the public may be severely jeopardised if nominated law enforcement and investigative agencies are not able to access personal information contained in public registers.
- 3.4 Law enforcement and investigative agencies should not be required to provide public sector agencies that maintain public registers with details of the purposes for which register information is sought, it being sufficient to state that access is required to assist them in effectively fulfilling their law enforcement and investigative functions. The provision of more detailed information could seriously compromise the privacy of individuals, as it could indicate a person has a

criminal record or is suspected of involvement in crime, and could also undermine the integrity of investigations.

- 3.5 It is also essential that a law enforcement and investigative agency is able to request that bodies maintaining public registers do not inform persons that information about them on the register has been accessed by that agency. There are clear public interest matters that should be considered by public sector agencies in releasing information about law enforcement and investigative agency access to registers, such as the potential for the release to compromise investigations, public safety or the safety of law enforcement or investigative officers. The public interest rationale for non-disclosure should be provided with any request to limit the release of this information. Public sector agencies should consider any request in determining whether to release such information under the *Freedom of Information Act 1989* or other relevant legislation.

4. Definitions

- 4.1 Unless otherwise specified, the definitions in the *Privacy and Personal Information Protection Act 1998* apply in this code.
- 4.2 "Access" to personal information in this code includes access by inspection, by request to the public sector agency responsible for keeping a public register that personal information be provided, and access by any other means.
- 4.3 "Authorised officer" in this code refers to an officer of a nominated law enforcement or investigative agency who has been authorised by the CEO of that agency to access public registers in the course of his or her employment.
- 4.4 "Nominated law enforcement or investigative agency" in this code refers to:
 - (a) the Independent Commission Against Corruption;
 - (b) the Police Integrity Commission;
 - (c) the NSW Police Service, or the police force or another State or Territory;
 - (d) the Australian Federal Police;
 - (e) the NSW Crime Commission; and
 - (f) the National Crime Authority.

5. Modification of Part 6 of the Act

Section 57

- 5.1 Subject to paragraphs 5.2-4 of this code an authorised officer of a nominated law enforcement or investigative agency has the same access to personal information on a public register, for the purpose of assisting the nominated agency to exercise its law enforcement or investigative functions, as he or she would have if the provisions of section 57(1) of the Act did not apply.
- 5.2 The application of section 57(2) of the Act is modified to enable the public sector agency, if it deems appropriate, to require an authorised officer who seeks access to the public register to provide:

- (a) information confirming his or her identity as an authorised officer;
- (b) confirmation by the authorised officer, or by another appropriate officer, that the personal information is being accessed to assist a nominated law enforcement or investigative agency to exercise its law enforcement or investigative functions.

- 5.3 The public sector agency may record the details of any access by an authorised officer.
- 5.4 An authorised officer, or a nominated law enforcement or investigative agency, may request that, until further notice, the public sector agency withhold from the subject of the personal information, on specified public interest grounds, details of any such access.

Section 58

- 5.5 An authorised officer of a nominated law enforcement or investigative agency has the same access to personal information that has been removed from the register, not placed on the register, or has been otherwise suppressed in accordance with section 58, where that personal information is still held by the public sector agency, as he or she would have if section 58 of the Act did not apply.
- 5.6 This access is subject to the conditions outlined at 5.2-4 above.

Section 59

- 5.7 The code does not modify section 59.

ROADS ACT 1993

PROCLAMATION

MARIE BASHIR, Governor.

I, Professor Marie BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, on the recommendation of the Deputy Premier, Minister for Urban Affairs and Planning, Minister for Aboriginal Affairs and Minister for Housing and in pursuance of section 13 of the Roads Act 1993, do, by this my Proclamation, dedicate as public road the parcels of land referred to in the Schedule to this Proclamation.

Signed and sealed at Sydney this 23rd day of May 2001.

By Her Excellency's Command,

ANDREW REFSHAUGE, M.P.,
Deputy Premier
Minister for Urban Affairs and Planning
Minister for Aboriginal Affairs
and Minister for Housing

GODSAVE THE QUEEN!

SCHEDULE

The land shown as Lot 3057 in the Deposited Plan 263882 at Oak Flats in the Local Government Area of Shellharbour, Parish of Terragong, County of Camden.

The land shown as Leo Place, Aquarius Crescent, Pegasus Street and the splay corners on the Deposited Plan 776426 at Erskine Park in the Local Government Area of Penrith, Parish of Melville, County of Cumberland.

WORKERS COMPENSATION (PHYSIOTHERAPY FEES) ORDER 2001 NO 1

under the

Workers Compensation Act 1987

I, KATE McKENZIE, General Manager of the WorkCover Authority of New South Wales, pursuant to section 61 of the Workers Compensation Act 1987, make the following Order.

Dated this 30th day of May 2001.

KATE McKENZIE,
General Manager
WorkCover Authority

Explanatory Note

Treatment by a registered physiotherapist is one of the categories of medical or related treatment covered under the Workers Compensation Act 1987. This Order sets the maximum fees that registered physiotherapists can recover under the Act from an employer or the employer's workers compensation insurer for treatment of a worker's work-related injury. The effect of the Order is also to prevent recovery from the injured worker of any extra charge for treatments listed in it.

The Order provides one Schedule of maximum fees for physiotherapists generally and another Schedule at higher maximum fee levels for physiotherapists who meet criteria for WorkCover approval. Those criteria are that the physiotherapist sign and provide a Statement on Outcomes Based Treatment and participate in a WorkCover Outcomes Training Course. It is intended that that Course will start to be available at a later date, and the Order envisages that the date by which a physiotherapist will have to complete the Course, in order to remain in the approved category, will be notified to physiotherapists by WorkCover.

WORKERS COMPENSATION (PHYSIOTHERAPY FEES) ORDER 2001 NO 1

1. Name of Order

This Order is the *Workers Compensation (Physiotherapy Fees) Order 2001 No 1*.

2. Commencement

This Order commences on 1 June 2001.

3. Application of Order

This Order applies to treatment provided on or after the commencement, whether it relates to an injury received before, on or after that date.

4. Maximum fees for physiotherapists generally

- (1) The maximum fee amount for which an employer is liable under the Act for treatment of an injured worker by a physiotherapist, being treatment of a type specified in column 1 of Schedule A, is the corresponding amount specified in column 2 of that Schedule.
- (2) If it is reasonably necessary for a physiotherapist to provide treatment of a type specified in any of

items 8 to 16 in Schedule A at a place other than consulting rooms, the maximum fee amount for which an employer would otherwise be liable under the Act for that type of treatment is increased by an amount calculated at the rate per kilometre (for the number of kilometres of travel reasonably involved) specified for item 17 in Column 2 of Schedule A.

- (3) This clause does not apply to treatment by a WorkCover approved physiotherapist.

5. Higher maximum fees for WorkCover approved physiotherapists

- (1) The maximum fee amount for which an employer is liable under the Act for treatment of an injured worker by a physiotherapist who is a WorkCover approved physiotherapist, being treatment of a type specified in column 1 of Schedule B, is the corresponding amount specified in column 2 of that Schedule.
- (2) If it is reasonably necessary for a physiotherapist to provide treatment of a type specified in any of items 8 to 16 in Schedule B at a place other than consulting rooms, the maximum fee amount for which an employer would otherwise be liable under the Act for that type of treatment is increased by an amount calculated at the rate per kilometre (for the number of kilometres of travel reasonably involved) specified for item 17 in Column 2 of Schedule B.

6. Definitions

In this Order:

consulting rooms means premises in or from which a physiotherapist regularly operates a physiotherapy practice and treats patients.

distinct areas means different body areas (affected by a worker's injury) requiring a separate approach to treatment.

employer consultations means meetings or discussions (in person, by telephone or otherwise) between a physiotherapist and a worker's employer or a person representing the employer, in connection with the worker's treatment.

extended treatment means treatment that is extremely complex.

initial consultation and treatment means the first examination and treatment of a worker by the physiotherapist in respect of an injury.

physiotherapist means a registered physiotherapist.

standard consultation and treatment means treatment provided after the initial consultation and treatment, or treatment involving reassessment.

the Act means the Workers Compensation Act 1987.

treatment in classes means treatment provided by a physiotherapist when more than one patient is treated at the same time, whether the treatment takes place in consulting rooms or elsewhere.

WorkCover means the WorkCover Authority of New South Wales.

WorkCover approved physiotherapist means a physiotherapist who:

- (a) has, either before or after the commencement of this Order, signed and provided to WorkCover a Statement on Outcomes Based Treatment in a form approved by WorkCover, and
- (b) has, by a date notified by WorkCover, participated in the WorkCover Outcomes Training Course approved by WorkCover (if any) for the purposes of this Order.

7. Schedules etc

Schedules A-B and the notes on those Schedules form part of this Order. The explanatory note does not form part of this Order.

Schedule A

Maximum fees for physiotherapists generally

Item	Column 1	Column 2
	Type of Treatment	Maximum amount (\$)
<i>In consulting rooms</i>		
1.	Initial consultation and treatment that take place in consulting rooms	50
2.	Standard consultation and treatment that take place in consulting rooms	40
3.	Initial consultation and treatment where 2 distinct areas are treated, that take place in consulting rooms	75
4.	Consultation and treatment where 2 distinct areas are treated, that take place in consulting rooms	60
5.	Initial consultation and treatment where 3 distinct areas are treated, that take place in consulting rooms	100
6.	Consultation and treatment where 3 distinct areas are treated, that take place in consulting rooms	80
7.	Extended treatment that takes place in consulting rooms	80
<i>Other than in consulting rooms</i>		
8.	Initial consultation and treatment other than in consulting rooms	62
9.	Standard consultation and treatment other than in consulting rooms	50
10.	Initial consultation and treatment where 2 distinct areas are treated other than in consulting rooms	94
11.	Consultation and treatment where 2 distinct areas are treated other than in consulting rooms	75
12.	Initial consultation and treatment where 3 distinct areas are treated other than in consulting rooms	125
13.	Consultation and treatment where 3 distinct areas are treated other than in consulting rooms	100
14.	Extended treatment other than in consulting rooms	100
<i>Miscellaneous</i>		
15.	Treatment in classes	30
16.	Other aspects of treatment not covered under any of items 1 to 15, eg case conferencing and employer consultations	100 per hour
17.	Any of items 8 to 16 where reasonably necessary for physiotherapist to travel away from consulting rooms	Amount for other relevant item plus 0.90 per kilometre

Schedule B

Notes on Schedules A and B

Maximum fees for WorkCover approved physiotherapists

Item	Column 1 Type of Treatment	Column 2 Maximum amount (\$)
<i>In consulting rooms</i>		
1.	Initial consultation and treatment that take place in consulting rooms	55
2.	Standard consultation and treatment that take place in consulting rooms	45
3.	Initial consultation and treatment where 2 distinct areas are treated, that take place in consulting rooms	85
4.	Consultation and treatment where 2 distinct areas are treated, that take place in consulting rooms	67.50
5.	Initial consultation and treatment where 3 distinct areas are treated, that take place in consulting rooms	112.50
6.	Consultation and treatment where 3 distinct areas are treated, that take place in consulting rooms	90
7.	Extended treatment that takes place in consulting rooms	90
<i>Other than in consulting rooms</i>		
8.	Initial consultation and treatment other than in consulting rooms	70
9.	Standard consultation and treatment other than in consulting rooms	56
10.	Initial consultation and treatment where 2 distinct areas are treated other than in consulting rooms	105
11.	Consultation and treatment where 2 distinct areas are treated other than in consulting rooms	85
12.	Initial consultation and treatment where 3 distinct areas are treated other than in consulting rooms	141
13.	Consultation and treatment where 3 distinct areas are treated other than in consulting rooms	112.50
14.	Extended treatment other than in consulting rooms	112.50
<i>Miscellaneous</i>		
15.	Treatment in classes	40
16.	Other aspects of treatment not covered under any of items 1 to 15, eg case conferencing and employer consultations	112.50 per hour
17.	Any of items 8 to 16 where reasonably necessary for physiotherapist to travel away from consulting rooms	Amount for other relevant item plus 0.90 per kilometre

- (i) Physiotherapy treatment of an injured worker is covered under the Workers Compensation Act if the treatment is reasonably necessary as a result of his or her work injury.
- (ii) The treatments to which this Order applies do not include hospital treatment (as defined in section 59 of the Act) or occupational rehabilitation services provided by an accredited provider of such services (as defined in the same section).
- (iii) Where it is reasonably necessary for a physiotherapist to travel to a place away from consulting rooms for matters covered by item 16 in either Schedule, the hourly rate for that item does not apply to time spent travelling to or from that place. See item 17 in each Schedule for treatments that require travel.

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 till 9:30 am on the dates shown below.

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

26 June 2001

- 015/864A** GEOGRAPHIC INFORMATION SYSTEMS (GIS) AND RELATED SERVICES (1ST INTAKE). DOCUMENTS: \$220.00 PER SET
- 015/444** FLOORING, RESILIENT. 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) SMITHFIELD / BOSSLEY PARK (JOB NO SCL019)
- 2) EDENSOR PARK / PRAIRIEWOOD (JOB NO SCL024)
- 3) CARRAMAR / LANSVALE (JOB NO SCL031)
- 4) CANLEY VALE (JOB NO SCL032)
- 5) FAIRFIELD HEIGHTS (JOB NO SCL 033)
- 6) SMITHFIELD / YENNORA (JOB NO SCL 034)

Maintenance of Lawns / Gardens and Common Area Cleaning

Note: **CLOSING 10.00 AM TUESDAY JUNE 19, 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) GIRRAWEE / PENDEL HILL / WENTWORTHVILLE / WESTWEAD / GRANVILLE (JOB NO WSG055) – 14 Sites
- 2) HARRIS PARK / OLD TOONGABBIE / PARRAMATTA / WENTWORTHVILLE. (JOB NO WSG 056) – 13 Sites
- 3) RICHMOND / WINDSOR (JOB NO WSG 062) – 5 Sites
- 4) AUBURN / LIDCOMBE (JOB NO WSG 064)

Lawns / Grounds / Maintenance and Cleaning

TWO YEAR CONTRACT

Note: **CLOSING 10.00 AM TUESDAY JUNE 19, 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.

CENTRAL SYDNEY REGIONAL OFFICE

UPGRADING / MAINTENANCE

- 1) EASTERN SUBURBS / SYDNEY INNER WEST (JOB NO CSR 01/04)
GAS HOT WATER HEATER REPAIR AND SERVICING
CONTRACT PERIOD JULY 2001 TO FEBRUARY 2002.

Please note that this is a readvertised tender. Tenderers must attend a mandatory pre tender briefing session at 10.30am on Friday 15 June 2001 at level 12, 157 Liverpool Street Sydney.

Please call (02) 9268 3567 to register for session.

Note: **CLOSING 10.00 AM TUESDAY JUNE 19, 2000.**

Tender Fee: \$55.00 (GST Included) per tender payable by cheque or money order

Phone: (02) 9268 3531 (Mr M. Goddard)

Tender documents are available from Central Sydney Regional Office, Level 13, 157 Liverpool Street Sydney; The tender box is located on Level 6 at that address.

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

BALRANALD SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation Act) 1991

Notice of Compulsory Acquisition of Land

THE Balranald Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of housing units for the disabled. Dated at Balranald, 25th May, 2001. D. J. BILSKE, General Manager, Balranald Shire Council, PO Box 120, Balranald, NSW 2715.

SCHEDULE

Lot A, DP 407674, section 10. [0474]

CANTERBURY CITY COUNCIL

Roads Act 1993, Section 112

Proposed 3 Tonne Load Limit

THE Council hereby advises that pursuant to Part 7, Division 4 of the Roads Act 1993, and in accordance with the authority delegated to it by the Roads and Traffic Authority of New South Wales, it is proposed to impose a maximum load limit of three (3) tonnes to: (1) Yangoora Road between Wangee Road and Burwood Road, Belmore. This load limit does not apply to buses or commercial vehicles in excess of the limit: (a) Wishing to gain access to properties in the street defined by the area above; and (b) Using the street because there is no other route to gain access to the desired street. A period of twenty-eight (28) days from the date of this notice is allowed for persons to lodge a written objection to the proposal to impose the load limit. Written comments (quoting file number 979-6) may be addressed to the General Manager, Canterbury City Council, 137 Beamish Street, Campsie, NSW 2194. Further information regarding the proposal can be obtained from Council's Traffic and Transportation Team Leader, Mr Sri Sritharan on (02) 9789 9360. J. MONTAGUE, General Manager, Canterbury City Council, PO Box 77, Campsie, NSW 2194. [0497]

CANTERBURY CITY COUNCIL

Roads Act 1993, Section 116

Proposed Partial Public Road Closure – Zuttion Avenue, Beverly Hills

THE Council hereby advises that pursuant to section 116 of the Roads Act 1993, and in accordance with the authority delegated to it by the Roads and Traffic Authority of New South Wales, it proposes to implement a partial road closure in Zuttion Avenue at its intersection with King Georges Road, Beverly Hills. The purpose of the partial closure is to eliminate through traffic using Jordan Avenue and Zuttion Avenue as a by-

pass route to access King Georges Road and improve safety and amenity for local residents. The partial closure will allow motorists to enter Zuttion Avenue from King Georges Road but prevent motorists from exiting Zuttion Avenue at King Georges Road. A period of twenty-eight (28) days from the date of this notice is allowed for persons to lodge a comment on the proposal. Comments (quoting file number 984-6) should be in writing and addressed to the General Manager, 137 Beamish Street, Campsie, NSW 2194. Further information regarding this proposal can be obtained by contacting Council's Traffic and Transportation Team Leader, Mr Sri Sritharan on (02) 9789 9360. J. MONTAGUE, General Manager, Canterbury City Council, PO Box 77, Campsie, NSW 2194.



[0475]

HASTINGS COUNCIL

Local Government Act 1993, Section 553

Waste Water Service Extension

NOTICE is hereby given pursuant to section 553 of the Local Government Act 1993 that Council's sewer mains have been extended and the properties served are described in the Schedule. Land which is not connected thereto shall become rateable for waste water availability charges after sixty (60) days from the date of this notice, or from the date upon which the land is connected to Council's service, whichever is the earlier. B. SMITH, General Manager, Hastings Council, PO Box 84, Port Macquarie, NSW 2444.

SCHEDULE

Kew: All land within the Village of Kew zoned Village (V), plus Lot 2, DP 574002; Lot 12, DP 1017471 and Lot 1, DP 387883.

Kendall: All land within the Village of Kendall zoned Village (V), plus Lot 1, DP 435734; Lot 51, DP 754418; Lot 2, DP 608288; Lots 52/57, DP 7734; Lot 1, DP 183109; Lot 17, DP 370240; Lot C, DP 350005; Part Lot 26, DP 754418; Lots 1/6, section B, DP 7734; Lot 175, DP 754418; Lot 244, DP 754418; Lot 1, DP 209239; Lots 1/4 and 8/12, DP 21916; Lot A, DP 33500; Lots 2/6 and 8, DP 24702; Lot 1, DP 100036; Lots 1 and 2, DP 503163; Lot 1, DP 321128; Lots 1 and 2, DP 511121 and Lot 2, DP 593419. [0476]

INVERELL SHIRE COUNCIL

Fixing of Levels

NOTICE is hereby given that levels of Howard Street – Brae Street to King Street as shown on plans exhibited at Council's Office and as advertised in the Inverell Times of 6th April, 2001 have been duly approved and fixed by the authority delegated to me under section 378 of the Local Government Act 1993, as amended, in accordance with such plans, on 24th May, 2001. P. J. HENRY, General Manager, Inverell Shire Council, Administrative Centre, 144 Otho Street, Inverell, NSW 2360. [0495]

PARKES SHIRE COUNCIL

Roads Act 1993, Section 162.1

Naming of Public Roads – Jack Burch Road, Rosedale Lane, Ravenswood Lane, Feltonwood Lane, Fullers Lane, Botfield Road, Adios Lane, Lone Wilga Lane, Blackstock Hill Road, Cranbourne Lane, Tubby Lees Road, Rawson Road, Mailers Road, Havilah Lane, Hunters Lane, Woodford Road, Willandra Lane, The Grange Lane and Docos Road

NOTICE is hereby given that in accordance with section 162.1 of the Roads Act 1993, as amended, Council has named the roads shown hereunder:

<i>Location</i>	<i>Name</i>
Lane off Rose Street adjacent to Lot 1, DP 851249.	Jack Burch Road.
SR 1151 Road off MR 350 adjacent to Lot 56, DP 753991.	Rosedale Lane.
SR 121 between Back Trundle Road and Bruie Plains Road adjacent to Lot 23, DP 752121.	Ravenswood Lane.
SR 194 between Condobolin-Trundle Road and Carlisle-Trundle Road adjacent to Lot 24, DP 752117.	Feltonwood Lane.
SR 194A between Condobolin-Trundle Road and Carlisle-Trundle Road adjacent to Lot 44, DP 752117.	Fullers Lane.
SR 180 between MR 350 and SR 184 adjacent to Lot 54, DP 752075.	Botfield Road.
Lane off MR 350N south of Botfield Road adjacent to Lot 55, DP 752075.	Adios Lane.
SR 204C lane off SR 204 adjacent to Lot 6, DP 753994.	Lone Wilga Lane.
SR 126 and SR 149A between MR 348 and Collingwood Lane adjacent to Lot 29, DP 753969.	Blackstock Hill Road.
SR 135A adjacent to Lot 681, DP 774034.	Cranbourne Lane.
SR 197 between MR 61W and MR 350N adjacent to Lot 177, DP 752095.	Tubby Lees Road.

<i>Location</i>	<i>Name</i>
SR 197 between MR 350N and MR 61W adjacent to Lot 113, DP 752095.	Rawson Road.
SR 177 between MR 350N and Yarrabandai Road adjacent to Lot 32, DP 752075.	Mailers Road.
SR 213 off MR 350N adjacent to Lot 61, DP 752075.	Havilah Lane.
SR 198 off MR 350N adjacent to Lot 74, DP 752075.	Hunters Lane.
SR 150 between Collingwood Lane and Boorr Hill Road adjacent to Lot 8, DP 754020.	Woodford Road.
SR 91 between Boorr Hill Road and Adavale Lane adjacent to Lot 16, DP 754026.	Willandra Lane.
Lane off MR 350N adjacent to Lot 173, DP 752095.	The Grange Lane.
Lane off Nash Street adjacent to Lot 208, DP 750179.	Docos Road.

No objections to the proposed names were received within the prescribed period of time. A. McCORMACK, General Manager, Parkes Shire Council, PO Box 337, Parkes, NSW 2870. [0477]

TWEED SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land and Interests in Land

THE Tweed Shire Council declares, with the approval of Her Excellency the Governor, that the land described in Schedule A below and the interests in land described in Schedule B below, excluding mines and deposits of minerals within the land, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for water supply purposes. Dated at Murwillumbah, 18th May, 2001. D. R. BUCKLEY, Acting General Manager, Tweed Shire Council, PO Box 816, Murwillumbah, NSW 2484.

SCHEDULE A

Lot 1 in DP 1019241.

SCHEDULE B

Right of carriageway 10 wide and an easement for pipeline 3 wide shown in DP 1019241. [0479]

WYONG SHIRE COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is given pursuant to Part 2, section 10 of the Roads Act 1993 that the land in the Schedule below is hereby dedicated as public road. J. S. DAWSON, General Manager, Wyong Shire Council, PO Box 20, Wyong, NSW 2259.

SCHEDULE

Lot 1, DP 1018374, The Entrance Road, Bateau Bay.

[0479]

ESTATE NOTICES

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of JOSEPH FRANK AUSTIN MARSHALL, late of Melrose Cottage Settlement, Bungaree Road, Pendle Hill, in the State of New South Wales, engineer, who died on 22nd January, 2001, must send particulars of his claim to the executor, Andrew Marshall, 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 21st May, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0480]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of DOROTHY MAY WILLIAMS, late of 145 Woodville Road, Merrylands, in the State of New South Wales, widow, who died on 11th November, 2000, must send particulars of his claim to the executors, Gregory Philip Williams and Glenn Robert Williams, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 21st May, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0481]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of ALLAN HANSELL, late of 2 Stanley Street, Merrylands, in the State of New South Wales, who died on 25th December, 2000, must send particulars of his claim to the executors, Janice Fay Bock and Ian Joseph Hansell, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 17th May, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0482]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of BETTY KATHLEEN HINDLE, late of Peninsula Village Nursing Home, Umina, in the State of New South Wales, widow, who died on 3rd January, 2001, must send particulars of his claim to the executors, Kevin George Hindle and Robyn Christine Clements, 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 2nd May, 2001. ABIGAILS SOLICITORS, 400 Sydney Road, Balgowlah, NSW 2093, tel.: (02) 9948 0264. [0483]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of JOE COLIN BENFIELD, late of 17 Bottlebruch Avenue, Bewong, in the State of New South Wales, truck driver, who died on 27th September, 2000, must send particulars of his claim to the executors, Michael John Benfield and Steven Colin Benfield, c.o. Low Doherty & Stratford, Solicitors, 9 Campbell Street, Blacktown, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 2nd May, 2001. LOW DOHERTY & STRATFORD, Solicitors, 9 Campbell Street, Blacktown, NSW 2148 (DX 8109, Blacktown), tel.: (02) 9622 4644. [0484]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of ERIC JOHN BIDNER, late of Kings Creek near Krumbach, in the State of New South Wales, who died on 15th March, 2001, must send particulars of his claim to the executor, c.o. John S. Fordham, Solicitor, 12 Station Street, West Ryde, 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 18th May, 2001. JOHN S. FORDHAM, Solicitor, 12 Station Street, West Ryde, NSW 2114 (DX 27551, West Ryde), tel.: (02) 9858 1533. [0485]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of ADRIAN ODILLO MAHER, late of Bellevue Hill, in the State of New South Wales, retired, who died on 23rd April, 2001, must send particulars of his claim to the executrix, Jill Odillo Boorne, c.o. Makinson & d'Apice, Solicitors, Level 18, 68 Pitt Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 23rd May, 2001. MAKINSON & d'APICE, Solicitors, Level 18, 68 Pitt Street, Sydney, NSW 2000 (DX 296, Sydney), tel.: (02) 9233 7788. [0486]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of AMBER JOY TURNBULL, late of Strathfield, in the State of New South Wales, widow, who died on 28th February, 2001, must send particulars of his claim to the executrix, Roberta Joy Romei, c.o. Mervyn Finlay, Thorburn and Marshall, Solicitors, Level 2, 225 Macquarie 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 21st May, 2001. MERVYN

FINLAY, THORBURN & MARSHALL, Solicitors, Level 2, 225 Macquarie Street, Sydney, NSW 2000 (DX 796, Sydney), tel.: (02) 9223 6544. [0487]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of STELLA BELLAMY, late of 1 Bellamy Avenue, Eastwood, in the State of New South Wales, home duties, who died on 29th November, 2000, must send particulars of his claim to the executors, Howard Thomas Bellamy, Graham Harold Bellamy and Shirley Stella Marin, c.o. Hemphill & Co., Solicitors, Level 7, 60 Park 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 10th April, 2001. HEMPHILL & CO., Solicitors, Level 7, 60 Park Street, Sydney, NSW 2000 (DX 753, Sydney), tel.: (02) 9264 2561. [0488]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of FREDERICK GEORGE HAWKINS, late of 137 Torrens Street, Canley Heights, in the State of New South Wales, retired, who died on 12th February, 2001, must send particulars of his claim to the executor, Eric Frederick Hawkins, c.o. J. P. Gould, Solicitors, Commonwealth Bank Chambers, 2/268 Canley Vale Road, Canley Heights, 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 21st May, 2001. J. P. GOULD, Solicitors, Commonwealth Bank Chambers, 2/268 Canley Vale Road, Canley Heights, NSW 2166 (DX 25110, Fairfield), tel.: (02) 9727 2888. [0489]

IN the Supreme Court of New South Wales, Probate Division.-THELMA MAY LOUITTIT.-After fourteen (14) days from publication of this notice an application for Probate of the Will dated 20th August, 1998 of Thelma May Louittit, late of 4 Allenby Street, Canley Heights, in the State of New South Wales, retired, will be made by Graeme Sandersan. Creditors are required to send particulars of their claims upon her estate to: J. P. GOULD, Solicitors, Commonwealth Bank Chambers, 2/268 Canley Vale Road, Canley Heights, NSW 2166 (DX 25110, Fairfield), tel.: (02) 9727 2888. [0490]

COMPANY NOTICES

NOTICE of voluntary winding up.-KEN HOUSE SMASH REPAIRS PTY LIMITED (In voluntary liquidation), ACN 000 205 756.-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 8th May, 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 22nd May, 2001. K. J. PIKE, Liquidator, c.o. Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale, NSW 2350, tel.: (02) 6774 8400. [0491]

NOTICE of application for winding up Order.-ALLSTATE BUSINESS SOLUTIONS PTY LIMITED, ACN 091 681 524.-A proceeding for the winding up all of Allstate Business Solutions Pty Limited, ACN 091 681 524 was commenced by the Plaintiff, Dartts Pty Limited, ACN 080 524 821, on 11th May, 2001 and will be heard by the Supreme Court of New South Wales at the Registrar's Court, Court 7A, Level 7, Supreme Court of New South Wales, Queens Square, Sydney at 11.00 a.m. on 12th June, 2001. Copies of documents filed may be obtained from the Plaintiff's address for service. The Plaintiff's address of service is Makinson & d'Apice, Level 18, 68 Pitt Street, Sydney, NSW 2000. Any person intending to appear at the hearing must file a Notice of Appearance in accordance with the prescribed form, together with any affidavit on 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 1st June, 2001. MAKINSON & d'APICE, Solicitors, Level 18, 68 Pitt Street, Sydney, NSW 2000, tel.: (02) 9233 7788. [0492]

NOTICE of voluntary liquidation pursuant to section 491 (2) of the Corporations Law.-LICIABRAE PTY LIMITED, ACN 000 867 863.-At a general meeting of the abovenamed company duly convened and held at "Cowaribin" Lachlan Valley Way, Forbes, NSW 2871 on 30th May, 2001 the following special resolution was passed: "That the company be wound up voluntarily". At the abovementioned meeting John R. Sutherland of "Cowaribin" Lachlan Valley Way, Forbes 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 30th May, 2001. J. R. SUTHERLAND, Liquidator, "Cowaribin" Lachlan Valley Way, Forbes, NSW 2871. [0493]

NOTICE of voluntary liquidation.-TIMBURRAWA PTY LIMITED, ACN 000 599 986.-Notice is hereby given that at a general meeting of the above company, duly convened and held at 47/40 Lakeside Crescent, Currumbundi, Queensland on 28th May, 2001 the following resolutions were duly passed: "That the company be wound up voluntarily and that Geoffrey Thomas Hunter of G. T. Hunter & Co. be appointed liquidator with power to distribute if required, the assets of the company in specie for the purpose of winding up the company and also be empowered to destroy all books and papers of the company after five (5) years of the dissolution of the company". Dated 28th May, 2001. G. T. HUNTER, Liquidator, c.o. G. T. Hunter & Co., 25 Wongala Crescent, Beecroft, NSW 2119, tel.: (02) 9875 2844. [0496]

NOTICE of meeting of members.-DIMAR INVESTMENTS PTY LIMITED (In liquidation), ACN 001 389 822.-Notice is hereby given that pursuant to section 509 (2) of the Corporations Act 1989, the final meeting of the abovenamed company will be held at Level 1, 25 Bolton Street, Newcastle on 29th June, 2001 for the purpose of laying before the meeting the liquidator's final account and report and giving explanation thereof. Dated 1st June, 2001. M. J. BROOKES. [0499]

OTHER NOTICES

NOTICE to send claims.-STRATA SCHEME No. 15647.-Proposed termination of Strata Scheme No. 15647 being property situate at 10 Yarranabbe Road, Darling Point, NSW 2027. Notice is given of an intention to apply to the Registrar-General for an Order terminating the above Strata Scheme and the consequent winding up of the Owners Corporation pursuant to section 51A of the Strata Titles (Freehold Development) Act 1973. Any person having any claim against the Owners Corporation of the above Strata Scheme, or any estate or interest in or claim against any of the lots comprised in the Strata Scheme, is required on or before 14th June, 2001 to send particulars of the estate, interest or claim to BOWRING STONE, Lawyers, 174 Cathedral Street, Woolloomooloo, NSW 2011. [0494]

NOTICE of dissolution of partnership.-MERVYN JOHN IDE Senior and MERVYN JOHN IDE Junior.-Notice is hereby given that the partnership previously subsisting between Mervyn John Ide Senior and Mervyn John Ide Junior carrying on business as graziers at Ulong has been dissolved as from 22nd May, 2001. Dated 22nd May, 2001. M. J. IDE Senior by his attorney Karen Lee Fallon pursuant to Power of Attorney dated 4th May, 2000. McNamara & James, Solicitors, 52 Victoria Street, Grafton, NSW 2460. [0498]