



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 95
Friday, 8 June 2001

Published under authority by the Government Printing Service

LEGISLATION

Regulations

Exhibited Animals Protection Amendment (Fish Farms and Hatcheries) Regulation 2001

under the

Exhibited Animals Protection Act 1986

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Exhibited Animals Protection Act 1986*.

RICHARD AMERY, M.P.,
Minister for Agriculture

Explanatory note

Clause 5 of the *Exhibited Animals Protection Regulation 1995* provides for circumstances in which the display of animals is declared not to be an “exhibit” for the purposes of the *Exhibited Animals Protection Act 1986*. The object of this Regulation is to exclude certain fish that are kept at fish hatcheries and fish farms for commercial food production or re-stocking of lakes, dams or waterways from the definition of “exhibit”.

This Regulation is made under the *Exhibited Animals Protection Act 1986*, including paragraph (c) of the definition of *exhibit* in section 5 (1) and section 53

Clause 1 Exhibited Animals Protection Amendment (Fish Farms and Hatcheries)
 Regulation 2001

Exhibited Animals Protection Amendment (Fish Farms and Hatcheries) Regulation 2001

1 Name of Regulation

This Regulation is the *Exhibited Animals Protection Amendment (Fish Farms and Hatcheries) Regulation 2001*.

2 Amendment of Exhibited Animals Protection Regulation 1995

The *Exhibited Animals Protection Regulation 1995* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Exhibited Animals Protection Amendment (Fish Farms and Hatcheries)
Regulation 2001

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Clause 5 Exhibitions exempted from the operation of the Act

Insert after paragraph (m):

- (n) that the animal is a fish that is kept (otherwise than in a habitat display) at:
 - (i) a fish hatchery, or
 - (ii) a fish farm,for the purpose of:
 - (iii) commercial food production, or
 - (iv) re-stocking of lakes, dams or waterways.

Landlord and Tenant (Rental Bonds) Amendment (Interest Payable) Regulation 2001

under the

Landlord and Tenant (Rental Bonds) Act 1977

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Landlord and Tenant (Rental Bonds) Act 1977*.

JOHN WATKINS, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to amend clause 9 of the *Landlord and Tenant (Rental Bonds) Regulation 1993* to change the prescribed rate at which interest is payable on a rental bond. This change is necessary as the class of banking product currently prescribed will cease to exist from 4 June 2001.

This Regulation also contains a statute law revision amendment.

This Regulation is made under the *Landlord and Tenant (Rental Bonds) Act 1977*, including sections 11A (Payment out of amount equivalent to interest) and 34 (the general regulation-making power).

Clause 1 Landlord and Tenant (Rental Bonds) Amendment (Interest Payable)
 Regulation 2001

Landlord and Tenant (Rental Bonds) Amendment (Interest Payable) Regulation 2001

1 Name of Regulation

This Regulation is the *Landlord and Tenant (Rental Bonds) Amendment (Interest Payable) Regulation 2001*.

2 Amendment of Landlord and Tenant (Rental Bonds) Regulation 1993

The *Landlord and Tenant (Rental Bonds) Regulation 1993* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Landlord and Tenant (Rental Bonds) Amendment (Interest Payable)
Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 9 Interest payable on rental bonds (sec 11A)

Omit “Bond” from clause 9 (1). Insert instead “Board”.

[2] Clause 9 (2) (a)

Omit the paragraph. Insert instead:

- (a) the prescribed rate at which interest is payable on a rental bond is the rate payable (as at the last day of the month for which the interest is being calculated) by the Commonwealth Bank of Australia on a Streamline Account balance of \$1,000, and

Public Finance and Audit Amendment (Hawkesbury-Nepean Catchment Management Trust) Regulation 2001

under the

Public Finance and Audit Act 1983

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Finance and Audit Act 1983*.

MICHAEL EGAN, M.L.C.,
Treasurer

Explanatory note

The object of this Regulation is to omit the Hawkesbury-Nepean Catchment Management Trust from Schedule 2 (Statutory bodies) to the *Public Finance and Audit Act 1983* as a consequence of the abolition of that body.

This Regulation is made under the *Public Finance and Audit Act 1983*, including sections 40 and 64 (the general regulation-making power).

Clause 1 Public Finance and Audit Amendment (Hawkesbury-Nepean Catchment Management Trust) Regulation 2001

Public Finance and Audit Amendment (Hawkesbury-Nepean Catchment Management Trust) Regulation 2001

1 Name of Regulation

This Regulation is the *Public Finance and Audit Amendment (Hawkesbury-Nepean Catchment Management Trust) Regulation 2001*.

2 Amendment of Public Finance and Audit Act 1983

The *Public Finance and Audit Act 1983* is amended by omitting “Hawkesbury-Nepean Catchment Management Trust” from Schedule 2 (Statutory bodies).

3 Notes

The explanatory note does not form part of this Regulation.

Other Legislations

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 2 to Act

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

Mammals

Burramyidae

Cercartetus nanus (Desmarest, 1818) Eastern Pygmy-possum

The final determination to insert this species in Schedule 2 has been made because the Scientific Committee is of the opinion that the species is likely to become endangered unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Copies of the final determination may be inspected at:

The National Parks Centre
102 George St
The Rocks
Sydney

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

Signed at Sydney, this 19th day of April 2001.

Assoc. Prof. Paul Adam

Deputy Chairperson
Scientific Committee

Threatened Species Conservation Act 1995 No 101—Final Determination

Annexure “A”

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

Burramyidae

Cercartetus nanus (Desmarest, 1818)

Eastern Pygmy-possum

OFFICIAL NOTICES**Appointments****ABORIGINAL LAND RIGHTS ACT 1983****PROCLAMATION**

MARIE BASHIR, Governor

I, The Honourable Professor Marie Bashir, AO, Governor of the State of New South Wales in the Commonwealth of Australia, with the advice of the Executive Council, in pursuance of section 57 (1) of the Aboriginal Land Rights Act 1983 (NSW) and following consultation by the Minister for Aboriginal Affairs with the New South Wales Aboriginal Land Council, do by this Proclamation appoint Mr Gerald Garnet BRENNAN Administrator to the Moree Local Aboriginal Land Council for a maximum period of six (6) calendar months. The appointed Administrator will have the functions of the Council in terms of section 12 (1) of the Act, during the period of his appointment.

Signed and sealed at Sydney this 6th day of June 2001.

By Her Excellency's Command,

ANDREW REFSHAUGE, M.P.,
Minister for Aboriginal Affairs

GODSAVE THE QUEEN

**POLICE REGULATION (SUPERANNUATION)
ACT 1906**

Appointment of Member and Deputies for Members of the Police Superannuation Advisory Committee

IN accordance with section 2H and Schedule 4 to the Police Regulation (Superannuation) Act 1906, I have approved the appointment of the following Police Association of NSW representatives; Mr Ian BALL as Member, and Mr Mark MESSENGER and Ms Angella WHITTON as Deputies of Members, of the Police Superannuation Advisory Committee, to serve for the period ending on 31 August 2003.

Mr Ball replaces Mr Mark Burgess as Member following Mr Burgess' resignation from the Committee. Mr Ball was previously Deputy member to Mr Burgess.

Mr Messenger is nominated as Deputy Member to Mr Ball.

Ms Whitton replaces Ms Claire Pirola, as Deputy Member to Mr Wal Taylor, following Ms Pirola's resignation from the Committee.

Dated at Sydney, 31 May 2001

JOHN DELLA BOSCA, M.L.C.,
Special Minister of State,
Minister for Industrial Relations,
Assistant Treasurer,
Minister Assisting the Premier on
Public Sector Management,
Minister Assisting the Premier for the
Central Coast

NSW Agriculture

MARKETING OF PRIMARY PRODUCTS ACT 1983

PROCLAMATION

By Deputation from Her Excellency the Governor

I, Professor Marie BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 71 of the Marketing of Primary Products Act 1983, do, by this my Proclamation, change the corporate name of the MIA Citrus Fruit Promotion Marketing Committee to Riverina Citrus.

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

By Her Excellency's Command,

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

STOCK DISEASES ACT 1923

Notification No. 1650

Revocation of "Wodonga" Quarantine Area – Gunning

I, Richard AMERY, M.P., Minister for Agriculture, pursuant to sections 3 (2) (a) and 10 of the Stock Diseases Act 1923, revoke Notification No. 1514 on account of Johne's disease published in *Government Gazette* No. 68 of 11 June 1999, at page 3913.

Dated this 28th day of May 2001.

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

STOCK DISEASES ACT 1923

Notification No. 1651–OJD

Highbank Road Quarantine Area

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

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

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

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

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

SCHEDULE

County: Bland
Parish: Berthong
L.G.A.: Young
Land: All that land known as Highbank Road, commencing 1.7 kilometres from the intersection of Highbank Road and Tumbleton Lane thence south-westerly for a distance of 0.2 kilometres.

Dated this 28th day of May 2001.

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

NSW Fisheries

ERRATUM

THE notification on pages 2566 to 2574 of *Government Gazette* No. 83 on 11 May 2001 was published with errors. The corrected notification follows:

F92/144

FISHERIES MANAGEMENT ACT 1994
Notification under section 8 - Fishing closure
Pacific Oyster Control

I, Edward Obeid, revoke the notification as published in the New South Wales Government Gazette Number 57 of 12 May 2000 and all amendments thereto, which prohibits the taking of oysters (of any species) by any person, from all estuarine waters of NSW which are used for the purposes of oyster cultivation, or from any other waters where oysters exist.

I do now, by this notification, prohibit the taking of oysters (of any species) by any person, from all estuarine waters of NSW which are used for the purposes of oyster cultivation, or from any other waters where oysters exist, unless the removal and relocation of such oysters complies with the provisions set out in the Schedules to this notification, as administered by NSW Fisheries. This prohibition will be effective for a period of three (5) years from the date of publication of this notification.

Edward Obeid OAM, MLC
Minister for Mineral Resources
Minister for Fisheries

Note: For the purposes of this notification:

- (1) The term 'sticks' includes sticks of timber and all other materials in use as substitutes for timber sticks.
- (2) The term 'caught sticks' includes sticks and the individual components for all other materials used for the purpose of catching natural oyster settlement.
- (3) The term 'nailed-out sticks' includes sticks that have been placed on an oyster lease in a single horizontal layer.
- (4) The term 'depot sticks' includes all caught sticks that are older than 12 months other than nail-out sticks.
- (5) The term 'stick culture' includes sticks, caught sticks, nail-out sticks and depot sticks.
- (6) The term 'container' includes all methods used to hold oysters other than by stick or tray.
- (7) The terms 'movements of oysters', and 'oyster consignments' do not include those consignments destined for direct sale for human consumption (i.e. packaged, purified, market grade oysters, consigned to a wholesaler or retailer). Nor do these terms include those consignments being moved within an estuary unless otherwise specified.
- (8) The term 'random inspection' is defined as an inspection of an oyster lease, or oysters held for the purpose of relaying, undertaken by a Fisheries Officer at the discretion of a NSW Fisheries Regional Manager.
- (9) The taking of oysters (of any species) by any person from the waters of the Tweed River, Brunswick River, Richmond River, Clarence River and Georges River is also subject to the provisions of the QX Disease Closure established under Section 183 of the *Fisheries Management Act 1994*, due to the presence of a declared disease (Marteiliosis).

SCHEDULE 1
Pacific Oyster Management Plan

Pacific Oysters (*Crassostrea gigas*) are a declared a noxious fish in all waters within the State of New South Wales, other than the waters of Port Stephens and its tributaries, under the Fisheries Management (General) Regulation 1995.

This schedule outlines a management plan to control the spread of Pacific Oysters. For the purposes of this management plan, oyster-producing estuaries have been divided into eleven (11) *Zones (1 to 11)*. This management plan also applies to all shellfish hatcheries, unless otherwise specified.

- (1) Tweed River, Richmond River and Clarence River.
- (2) Brunswick River.
- (3) Woolli River, Bellinger River, Kalang River, Sandon River.
- (4) Macleay River and Nambucca River.
- (5) Hastings River
- (6) Camden Haven River, Manning River.
- (7) Wallis Lake
- (8) Port Stephens and its tributaries.
- (9) Hunter River, Brisbane Waters and Hawkesbury River.
- (10) Georges River.
- (11) Crookhaven River, Shoalhaven River, Clyde River, Moruya River, Tuross Lake, Wagonga Inlet, Lake Wapengo, Bermagui River, Merimbula Lake, Pambula Lake, Wonboyn Lake and all other oyster producing estuaries in NSW south of the Georges River.

The provisions of this management plan are as follows:

- (1) Each oyster grower in *Zones 1, 2, 3, 4, 5* and *6*, must notify the local Fisheries Officer immediately of any occurrences of the Pacific Oyster on their leases.
- (2) Inspection criteria for oyster leases in each estuary are prescribed in Schedule 2. If these criteria are exceeded, the noxious fish provisions (section 213) of the Fisheries Management Act 1994 may be applied to the permit holder or the leaseholder concerned.
- (3) All movements of oysters between estuaries must be recorded in an Oyster Shipment Log Book as described in Schedule 3.
- (4) Inspection criteria for all inter-estuarine movements of oysters are prescribed in Schedule 4. If the number of Pacific Oysters in a consignment exceed these criteria, the consignment will not be permitted to move, or if detected by random inspection in transit the consignment will be required to be returned to the estuary of origin.

- (5) Movements of oysters from *Zone 8* (Port Stephens and its tributaries) will be restricted to culled single oysters larger than a ten (10) cent piece. No movement of stick culture will be permitted from Port Stephens or its tributaries to any other estuary.
- (6) No movements of oysters are permitted from the Tweed River, Richmond River and Clarence River (*Zone 1*), the Brunswick River (*Zone 2*), and the Georges River (*Zone 10*) to estuaries in any other *Zone*.
- (7) No movements of oysters are permitted into *Zone 2* and *Zone 3* estuaries.
- (8) No movements of oysters are permitted into *Zone 4* from estuaries south of the Manning River (*Zone 6*).
- (9) No movement of stick culture is permitted into the Hastings River (*Zone 5*).
- (10) No oysters may be removed from a lease subject to a noxious fish order, and placed on any other lease, unless the oysters are first inspected by a Fisheries Officer and comply with the inspection criteria prescribed in Schedule 4.
- (11) No oysters are to be placed on a lease, subject to a noxious fish order, without the prior agreement of the local Fisheries Officer.
- (12) No movements of oyster spat and/or larvae are permitted from any hatchery unless the shipment complies with a Hatchery Contamination Minimisation Protocol approved by the Director of Aquaculture.
- (13) All other movements of oysters will be permitted.
- (14) Where oysters are required to be inspected, they must be presented for inspection in a suitable condition, on clean trays. The oysters and trays must be cleaned of mud, algae or encrusting organisms. Where oysters are to be moved in bins, the oysters must be presented for inspection on trays.
- (15) Treatment of oysters to remove Pacific Oysters will be a matter for individual growers. Treatment used must kill Pacific Oysters to an extent that will result in compliance with the criteria in Schedules 2 and 4.

SCHEDULE 2**Inspection Criteria for Oyster Leases**

1. All lease inspections will be carried out by a Fisheries Officer or other person authorised by the Director of NSW Fisheries.
2. The following *Zone* criteria apply to the inspection of all oyster leases:

Zones 1,2,3,4,5 and 6. Tweed River, Richmond River, Clarence River, Brunswick River, Woolli River, Bellinger River, Kalang River, Sandon River, Macleay River, Hastings River, Nambucca River, Camden Haven River, Manning River.

Leases with caught sticks: Not more than one identifiable Pacific Oyster per 100 sticks permitted.

Leases with depot sticks: Not more than one (1) identifiable Pacific Oyster per 100 sticks permitted.

Leases with nail-out sticks: Not more than one (1) identifiable Pacific Oyster per 100 sticks permitted

All other leases: Not more than one (1) identifiable Pacific Oyster on any three (3) trays up to 1.8 metres (6 feet) in length or on any two (2) trays over 1.8 metres (6 feet) in length, permitted. Where other containers are used, not more than one (1) identifiable Pacific Oyster per 1,800 oysters, permitted.

Zone 7 Wallis Lake

Leases with caught sticks: Not more than three (3) identifiable Pacific Oyster per 100 sticks, permitted.

Leases with depot sticks: Not more than one (3) identifiable Pacific Oyster per 100 sticks, permitted.

Leases with nail-out sticks: Not more than one identifiable Pacific Oyster per 100 sticks, permitted.

All other leases: Not more than one (1) identifiable Pacific Oyster on any three (3) trays up to 1.8 metres (6 feet) in length or on any two (2) tray over 1.8 metres (6 feet) in length, permitted. Where other containers are used, not more than one (1) identifiable Pacific Oyster per 1,800 oysters, permitted.

Zone 8. Port Stephens and tributaries

No limits specified on the number of Pacific Oysters permitted on leases.

Zone 9. Hunter River, Brisbane Waters, Hawkesbury River

Leases with caught sticks: Not more than four (4) identifiable Pacific Oyster per 100 sticks, permitted.

Leases with depot sticks: Not more than four (4) identifiable Pacific Oyster per 100 sticks, permitted.

Leases with nail-out sticks: Not more than four (4) identifiable Pacific Oyster per 100 sticks, permitted.

All other leases: Not more than one (1) identifiable Pacific Oyster on any two (2) tray (irrespective of length), permitted. Where other containers are used, not more than one (1) identifiable Pacific Oyster per 600 oysters, permitted.

Zones 10 and 11. Georges River, Crookhaven River, Shoalhaven River, Clyde River, Moruya River, Wagonga Inlet, Wapengo Lagoon, Bermagui River, Merimbula Lake, Pambula Lake, Wonboyn Lake and all other oyster producing estuaries in NSW south of the Georges River.

Leases with caught sticks: Not more than five (5) identifiable Pacific Oyster per 100 sticks, permitted.

Leases with depot sticks: Not more than five (5) identifiable Pacific Oyster per 100 sticks, permitted.

Leases with nail-out sticks: Not more than five (5) identifiable Pacific Oyster per 100 sticks, permitted.

All other leases: Not more than one (1) identifiable Pacific Oyster on any one (1) tray (irrespective of length), permitted. Where other containers are used, not more than one (1) identifiable Pacific Oyster per 600 oysters, permitted.

3. Where an oyster lease inspection in **Zones 7, 9, 10 and 11**, indicates more than one (1) identifiable Pacific Oyster per 100 sticks, or per any two (2) trays (irrespective of length), or where other containers are used, more than one (1) identifiable Pacific oyster per 1,800 oysters, the permit holder or the leaseholder concerned must comply with the directions of the NSW Fisheries Regional Manager regarding the removal of Pacific Oysters from the lease. Where the permit holder or the leaseholder concerned fails to comply with the directions of the NSW Fisheries Regional Manager, the noxious fish provisions of the Fisheries Management Act 1994 may be applied to the permit holder or the leaseholder concerned.

SCHEDULE 3
Oyster Shipment Log Book System

All movements of oysters, other than those within an estuary or those destined for direct sale for human consumption, are subject to the Oyster Shipment Log Book system. Oyster Shipment Log Books are available on application from the NSW Fisheries Aquaculture Administration Branch, Private Bag 1, Nelson Bay, NSW 2315.

- (1) Details of all shipments of oysters, other than those within an estuary or those destined for direct sale for human consumption must be recorded in an Oyster Shipment Log Book prior to shipment.
- (2) Prior to the shipment of a consignment of oysters between estuaries, the shipping permit holder must contact the local District Fisheries Office (not less than 2 days prior to shipment) and identify the shipper, the nature of the shipment and its destination and the Oyster Shipment Logbook shipment permit number (top right hand corner). Where an inspection is deemed to be required, the Fisheries Office will contact the shipping permit holder within 24 hours to confirm the inspection.
- (3) Prior to shipment or inspection, the shipping permit holder must record on all four (4) quadruplicate copies of the Oyster Shipment Log Book sheets, details of the destination (including inter-State), quantity (bag equivalents) and form (trays, sticks etc.) of oysters to be shipped.
- (4) When an inspection is deemed to be required, the inspecting Fisheries Officer must sign all four quadruplicate copies of the Oyster Shipment Log Book sheets and clearly state in writing on the sheets whether or not the consignment passed inspection. The inspecting Fisheries Officer is to retain the pink copy (copy 2) for the consignment. A record of all shipment notifications and shipment inspections (pink copy 2) will be retained by the local District Fisheries Office.
- (5) If the consignment passes inspection, it must be kept isolated from all other oysters and shipped within 48 hours of the inspection taking place.
- (6) Where a shipment has passed inspection, the local Fisheries Office must notify the receiving district Fisheries Office of the shipment details within 24 hours of the inspection.
- (7) For each shipment, the completed original white copy (copy 1) of the Oyster Shipment Log Book sheets, must accompany the shipment and be retained by the receiving permit holder.
- (8) Fisheries Officers may examine consignments at random in transit, or prior to the oysters being placed in the water, to ensure that log book details match the consignment. Where notification has not been given, or there is no accompanying log book sheet, in accordance with Schedule 3(7) of this closure, or if the consignment is in breach of the QX Disease Closure or any other oyster Closure established under the *Fisheries Management Act 1994*, the consignment may be detained and/or seized.
- (9) It is the responsibility of the permit holder on who's permit the receiving lease appears, to notify the receiving district Fisheries Office within 7 days of the arrival of the oysters (or subject to prior arrangement made with the Fisheries Officer), of details of the shipment, including, where the oysters have been placed (on which lease and where on that lease).

-
- (10) The Oyster Shipment Log Book, or an original white copy (copy 1) of the Oyster Shipment Log Book that has accompanied a shipment, must be made available to a Fisheries Officer for inspection on demand.
 - (11) The holder of an Oyster Shipment Log Book must at the end of each month in which a shipment has occurred, forward all blue copies (copy 3) for those shipments to the NSW Fisheries Aquaculture Management Branch at the address specified above.

SCHEDULE 4**Inspection Criteria for Oyster Consignments**

- (1) All inspections will be carried out by a Fisheries Officer or other person authorised by the Director of NSW Fisheries.
- (2) No inspections are required for consignments moving into Port Stephens.
- (3) The Inspection Criteria for other oyster consignments are as follows:

Consignments into estuaries in Zones 1, 4, 5 and 6:

Tweed River, Richmond River, Clarence River, Macleay River, Hastings River, Nambucca River, Camden Haven River, Manning River.

Consignments of caught sticks, depot sticks and nail-out sticks (where permitted): Not more than one (1) identifiable Pacific Oyster per any 300 sticks.

All other consignments: Not more than one (1) identifiable Pacific Oyster in any nine (9) trays up to 1.8 metres (6 feet) in length or on any six (6) trays over 1.8 metres (6 feet) in length. Where other containers are used, not more than one (1) Pacific Oyster per 5,400 oysters.

Consignments into estuaries in Zones 7, 8, 9 and 10:

Wallis Lake, Hunter River, Brisbane Waters, Hawkesbury River, Georges River, Crookhaven River, Shoalhaven River, Clyde River, Moruya River, Wagonga Inlet, Wapengo Lagoon, Bermagui River, Merimbula Lake, Pambula Lake, Wonboyn Lake and all other oyster producing estuaries in NSW south of the Georges River.

Consignments of caught sticks, depot sticks and nail-out sticks : Not more than one (1) identifiable Pacific Oyster per any 100 sticks.

All other consignments: Not more than one (1) identifiable Pacific Oyster in any bag or in any three (3) trays up to 1.8 metres (6 feet) in length or on any two (2) trays over 1.8 metres (6 feet) in length. Where other containers are used, not more than one (1) Pacific Oyster per 1,800 oysters.

Consignments of oyster spat and/or larvae from Hatcheries:

Shipments from hatcheries are subject to the movement criteria for the **Zone** for which the shipment is destined. All shipments of oyster spat and/or larvae must comply with a Hatchery Contamination Minimisation Protocol approved by the Director of Aquaculture.

Consignments within an estuary:

Movements of oysters wholly within an estuary are not subject to inspection. However, the leaseholder must take all reasonable action to ensure that the relayed oysters comply with the criteria for movement within the **Zone**.

- (4) Where an inspection is required, 20% of the consignment will be inspected unless otherwise specified.
- (5) The frequency of inspections for oyster consignments are as follows:
Consignments from hatcheries: Random consignments of oyster spat and/or oyster larvae originating from hatcheries will be subject to inspection at the receiving estuary in accordance with the provisions of Hatchery Contamination Minimisation Protocol approved by the Director of Aquaculture.

All other consignments: The frequency of inspection for consignments permitted to be moved between estuaries are specified in the table below. The frequency of inspection for shipments an individual estuary may be defined in an Estuary Shipment Inspection Protocol approved by the Director of Aquaculture.

Sending estuary Zone	Receiving estuary Zone	Inspection Requirement
1	1	No inspection required.
2	1	No inspection required.
3	1, 4, 5, 6, 7, 8, 9, 10, 11	No inspection required.
4	1, 4, 5, 6, 7, 8, 9, 10, 11	No inspection required.
5	1, 4, 6, 7, 8, 9, 10, 11	Shipments into Zones 1 and 4, inspection required, or as prescribed in an Estuary Shipment Inspection Protocol. All other shipments may be subject to random inspection.
6	1, 4, 5, 6, 7, 8, 9, 10, 11	Shipments into Zones 1, 4 and 5, inspection required, or as prescribed in an Estuary Shipment Inspection Protocol. All other shipments may be subject to random inspection.
7	1, 5, 6, 7, 8, 9, 10, 11	Shipments into Zones 1, 4 and 5, inspection required, or as prescribed in an Estuary Shipment Inspection Protocol. All other shipments may be subject to random inspection.
8	1, 5, 6, 7, 8, 9, 10, 11	All shipments, inspection required, or as prescribed in an Estuary Shipment Inspection Protocol.
9	1, 5, 6, 7, 8, 9, 10, 11	Shipments into Zones 1, 5, 6 and 7, inspection required, or as prescribed in an Estuary Shipment Inspection Protocol. All other Shipments may be subject to random inspection.
10	-	No shipments to any other estuary permitted.
11	1, 5, 6, 7, 8, 9, 10, 11	Shipments into Zones 1, 5, 6, 7, 9 and 10 inspection required, or as prescribed in an Estuary Shipment Inspection Protocol. All other shipments may be subject to random inspection.

Department of Land and Water Conservation

Land Conservation

FAR WEST REGIONAL OFFICE
Department of Land and Water Conservation
45 Wingewarra Street (PO Box 1840), Dubbo, NSW 2830
Phone: (02) 6883 3000 Fax: (02) 6883 3099

ALTERATION OF CONDITIONS OF A WESTERN LANDS LEASE

IT is hereby notified that in pursuance of the provisions of Section 18J Western Lands Act 1901, the conditions of the undermentioned Western Lands Lease have been altered as shown.

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

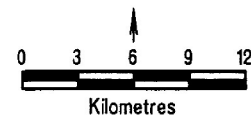
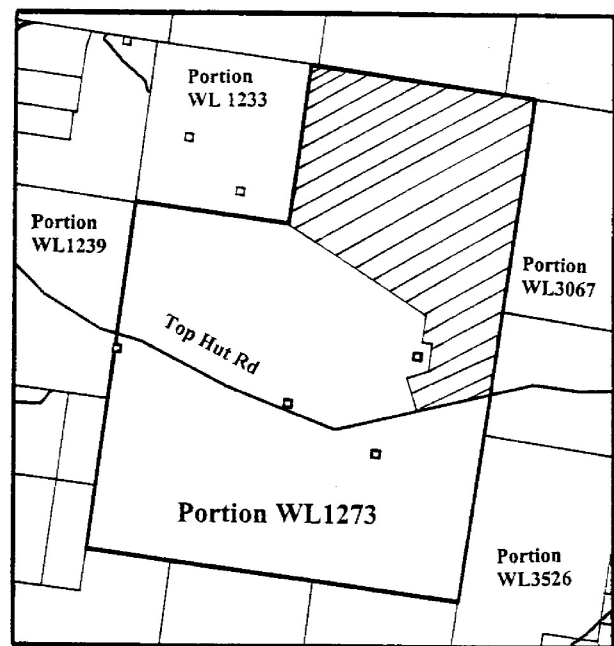
*Administrative District and Shire - Wentworth;
 Parish - Thoomby; County - Wentworth*

The conditions of Western Lands Lease No. 1834, being the land contained within Folio Identifier 1273/762798, have been altered effective from 28 May 2001 by the inclusion of the special conditions following.

SPECIAL CONDITIONS ATTACHED TO WESTERN LANDS LEASE 1834

1. The lessees shall erect and maintain a domestic stockproof standard fence surrounding the areas shown hatched on the diagrams hereunder and ensure the areas remain ungrazed by both domestic stock and feral animals.
2. The lessees shall not clear any vegetation or remove any timber within the areas shown hatched on the diagrams hereunder unless written approval has been granted by either the Commissioner or the Minister.
3. The lessees shall manage the areas shown hatched on the diagrams hereunder in accordance with best management practices specified in the document known "Southern Mallee Regional Guidelines for the Department of Land Use Agreements".

4. Special Condition 1 above shall be revoked, upon application by the lessees, in the event of the revocation of Cultivation Consent for any reason other than a breach of Consent conditions(s).



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

ROADS ACT 1993

ORDER

Transfer of Crown Road to a Council

IN pursuance of the provisions of Section 151 of the Act, the Crown Road specified in Schedule 1 is transferred to the roads authority specified in Schedule 2 hereunder as from the date of publication of this notice and as from that date the road specified in Schedule 1 ceases to be a Crown road.

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

SCHEDULE 1

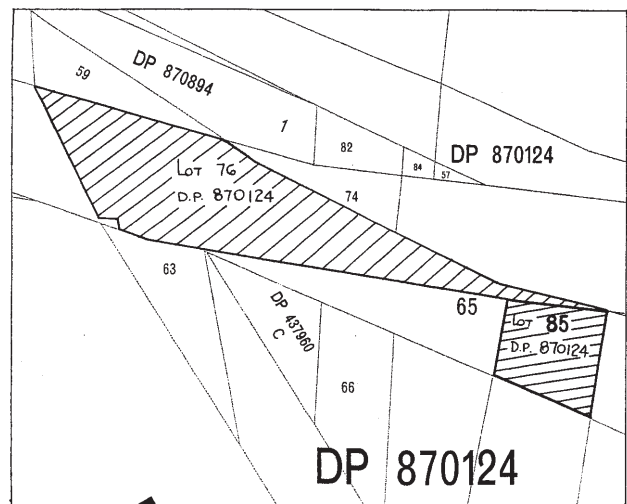
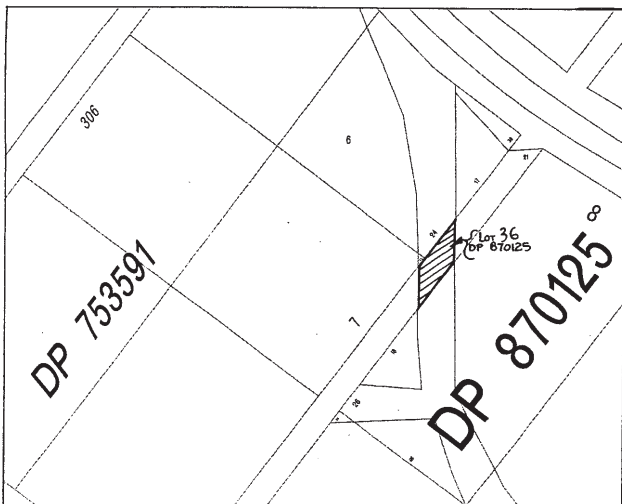
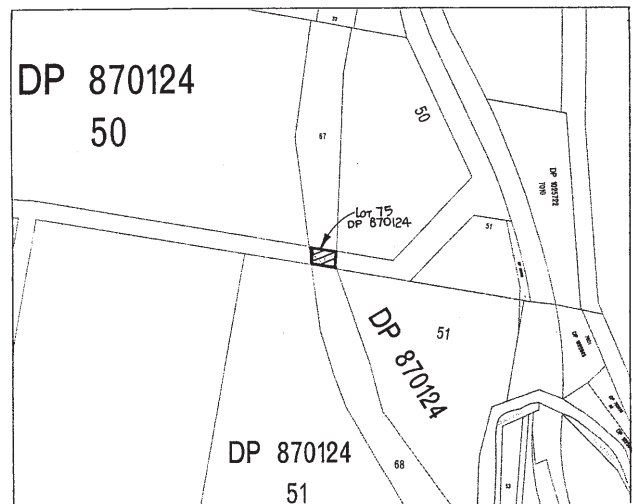
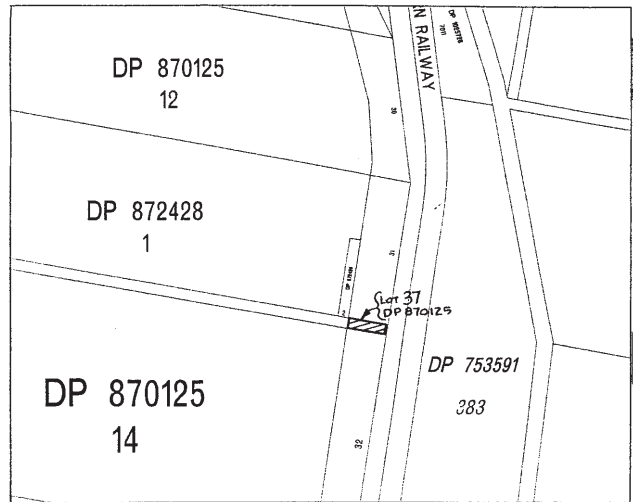
*Parish: Binalong and Mylora; County: Harden;
Land District: Boorowa; Shire: Yass*

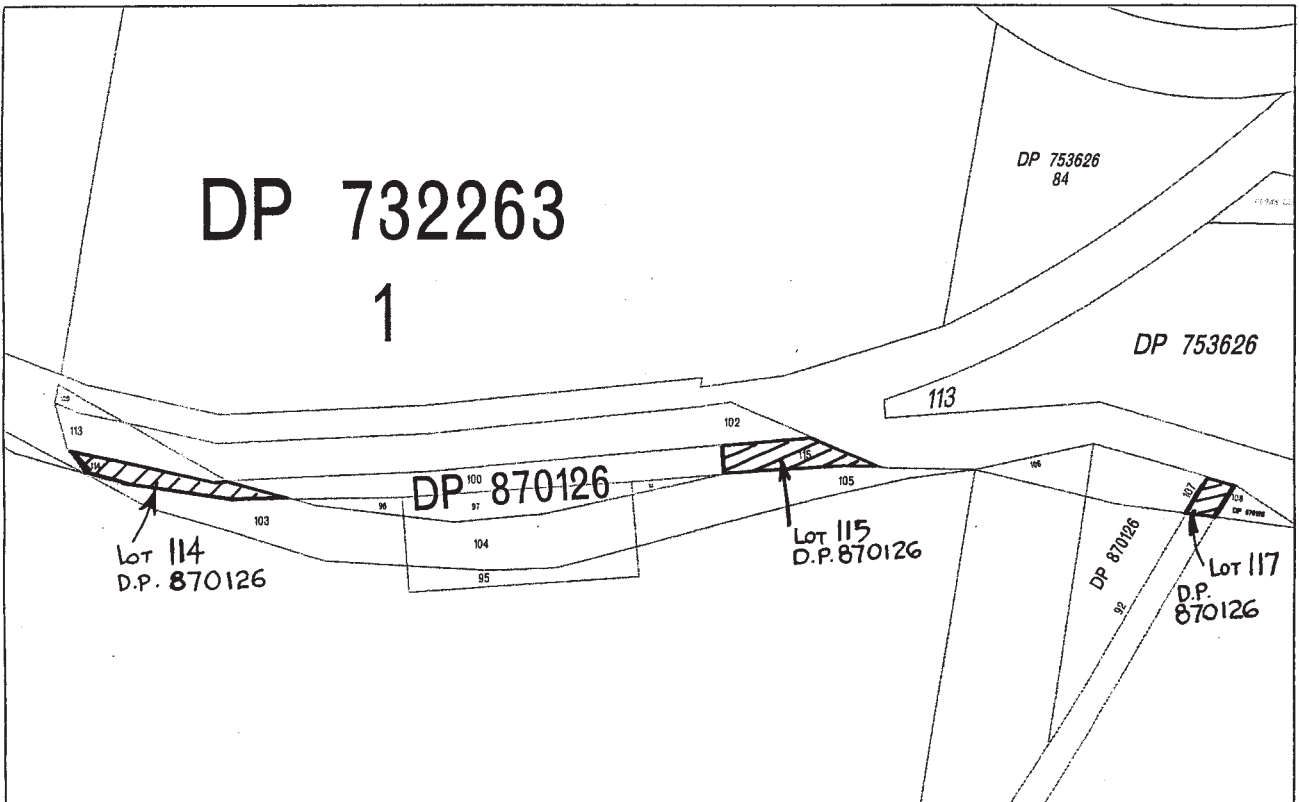
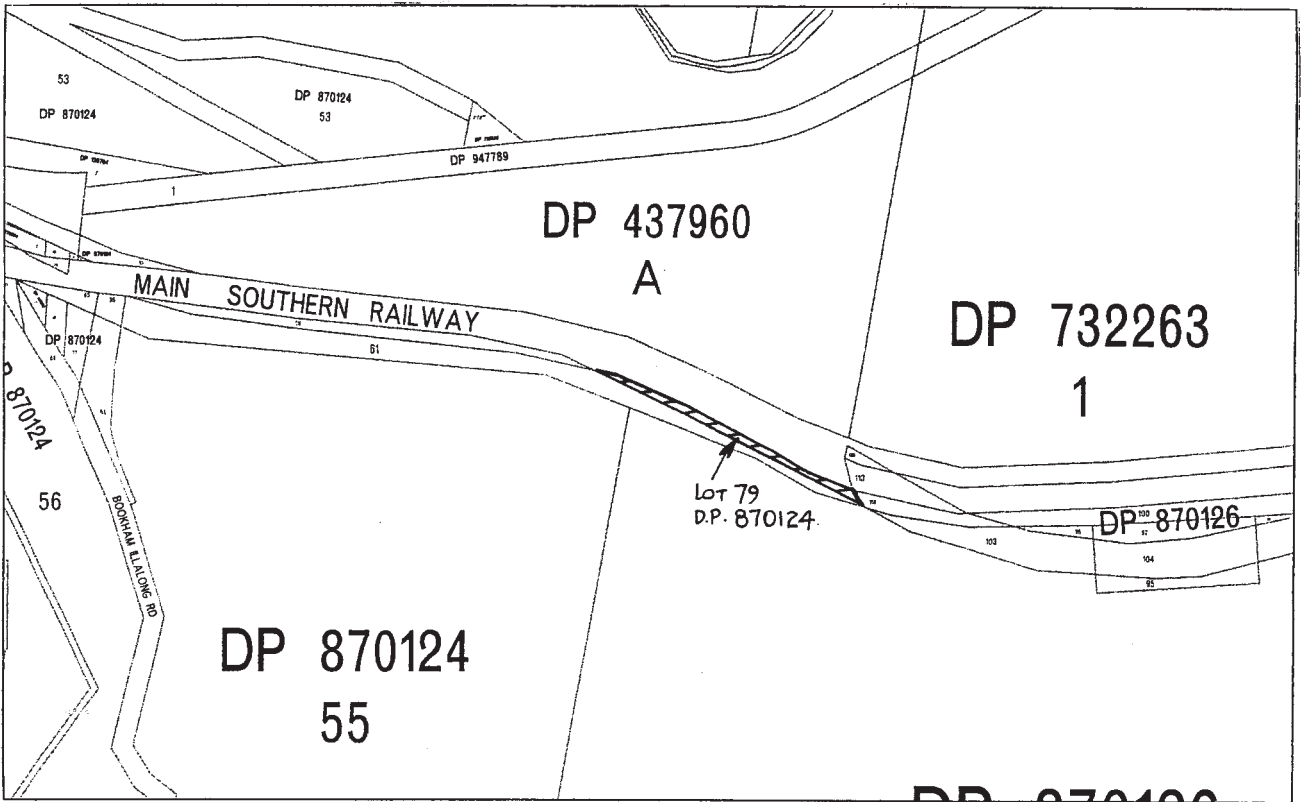
Description

Lots 36 and 37, DP 870125, Lots 75, 76, 79 and 85, DP 870124 and Lots 112, 115 and 117, DP 870126 (shown hatched in diagrams below).

SCHEDULE 2

Roads Authority: The Council of the Shire of Yass (Council's Ref: EG.00464). Reference: GB 01 H 177.





NOTIFICATION OF CLOSING OF A ROAD

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

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

—————
Description

SCHEDULE 1

*Parish: Blackman; County: Georgiana;
Land District: Crookwell; LGA: Crookwell*

Lot: 6, 7 & 8 DP: 1016778 (being land not under the Real Property Act)

File Reference: GB 00 H 384.TC

Note: On closing, the title for the land in Lots 6, 7 & 8 remains vested in Crookwell Shire Council as operational land.

**PLAN OF MANAGEMENT FOR A CROWN
RESERVE UNDER DIVISION 6 OF PART 5 OF THE
CROWN LANDS ACT 1989 AND CROWN LANDS
REGULATION 1990**

A DRAFT plan of management has been prepared for the Crown reserve described hereunder, which is under the trusteeship of the Goulburn Recreation Area (72794) Reserve Trust and managed by Goulburn City Council.

Inspection of the draft plan can be made at Goulburn Lands Office of Department of Land and Water Conservation, 159 Auburn Street, Level 1 Rear Building, Goulburn and Goulburn City Council Chambers, Civic Centre, 184-194 Bourke Street Goulburn during normal business hours.

Representations are invited from the public on the draft plan. These may be made in writing for a period of twenty-eight (28) days commencing from 6 June 2001 and should be sent to the Land Access Manager, PO Box 748, Goulburn NSW 2580 and General Manager, Goulburn City Council Locked Bag No 22, Goulburn NSW 2580.

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

—————
Description of Reserve

*Land District: Goulburn; LGA: Goulburn City Council;
Parish: Goulburn; County: Argyle*

Reserve No. 72794 for the public purpose of Athletic Sports, Showground, Racecourse and Public Recreation notified in the *Government Gazette* of 30 July 1948.

Location: Goulburn Recreation Area (Showground).

File No.: GB 83 R 30/4.

**PLAN OF MANAGEMENT FOR A CROWN
RESERVE UNDER DIVISION 6 OF PART 5 OF THE
CROWN LANDS ACT 1989 AND CROWN LANDS
REGULATION 1990**

A DRAFT plan of management has been prepared for the Crown reserve described hereunder, which is under the trusteeship of the Cooma-Monaro Shire Council Crown Reserves Reserve Trust.

Inspection of the draft plan can be made at Goulburn Lands Office of Department of Land and Water Conservation, 159 Auburn Street, Level 1 Rear Building, Goulburn and at the Cooma-Monaro Council Chambers at 81 Commissioner Street, Cooma.

Representations are invited from the public on the draft plan. These may be made in writing for a period of twenty-eight (28) days commencing from this day and should be sent to the Land Access Manager, PO Box 748, Goulburn NSW 2580.

This notice is a requirement of the Crown Lands Act 1989 and is placed in addition to the advertising undertaken by Queanbeyan City Council and the Department of Land and Water Conservation on 24 April 2001.

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

—————
Description of Reserve

*Land District: Cooma; LGA: Cooma;
Parish: Cooma; County: Beresford*

Area dedicated for the purposes of Public Recreation, Showground, Public Amusement and Athletic Sports (R530003) and notified in the *Government Gazette* of 14 November 1947.

Location: Cooma.

File No.: GB 83 R 22.

**PLAN OF MANAGEMENT FOR A CROWN
RESERVE UNDER DIVISION 6 OF PART 5 OF THE
CROWN LANDS ACT 1989 AND CROWN LANDS
REGULATION 1990**

A DRAFT plan of management has been prepared for the Crown reserve described hereunder, which is under the trusteeship of the Goulburn City Council Crown Reserves Reserve Trust.

Inspection of the draft plan can be made at Goulburn Lands Office of Department of Land and Water Conservation, 159 Auburn Street, Level 1 Rear Building, Goulburn and Goulburn City Council Chambers, Civic Centre, 184-194 Bourke Street Goulburn during normal business hours.

Representations are invited from the public on the draft plan. These may be made in writing for a period of twenty-eight (28) days commencing from this day and should be sent to the Land Access Manager, PO Box 748, Goulburn NSW 2580.

This notice is a requirement of the Crown Lands Act 1989 and is placed in addition to the advertising undertaken by Goulburn City Council and the Department of Land and Water Conservation on 26 March 2001.

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

Description of Reserve

*Land District: Goulburn; LGA: Goulburn City Council;
Parish: Goulburn; County: Argyle*

Area within Victoria Park dedicated for Public Recreation (530042) and notified in the *Government Gazette* of 1 July 1873 and is known as the Goulburn Aquatic Centre.

Location: Goulburn.

File No.: GB 00 R 30.

**PLAN OF MANAGEMENT FOR A CROWN
RESERVE UNDER DIVISION 6 OF PART 5 OF THE
CROWN LANDS ACT 1989 AND CROWN LANDS
REGULATION 1990**

A DRAFT plan of management has been prepared for the Crown reserve described hereunder, which is under the trusteeship of the Queanbeyan City Council Crown Reserves Reserve Trust.

Inspection of the draft plan can be made at Goulburn Lands Office of Department of Land and Water Conservation, 159 Auburn Street, Level 1 Rear Building, Goulburn and Queanbeyan City Council, Crawford Street Queanbeyan during normal business hours.

Representations are invited from the public on the draft plan. These may be made in writing for a period of twenty-eight (28) days commencing from this day and should be sent to the Land Access Manager, PO Box 748, Goulburn NSW 2580.

This notice is a requirement of the Crown Lands Act 1989 and is placed in addition to the advertising undertaken by Queanbeyan City Council and the Department of Land and Water Conservation on 28 March 2001

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

Description of Reserve

*Land District: Queanbeyan;
LGA: Queanbeyan City Council; Parish: Queanbeyan;
County: Murray*

Area dedicated for Public Showground, Public Recreation and Community Purposes by the Queanbeyan Showground (Variation of Purposes) Act 1995 No.14.

Location: Queanbeyan.

File No.: GB 96 R 10.

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

ROADS ACT 1993**ORDER**

Transfer of a Crown road to a Council

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

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

SCHEDULE 1

The Crown public road 20.115 metres wide separating Lots 35, 38 & 39 DP 751394 and end of Crown public road from Lots 1 & 2 DP 841707 at Woombah, Parish Woombah, County Clarence, Papers GF01 H164.

SCHEDULE 2

Roads Authority: Maclean Shire Council.
 Papers: GF00 H164.
 Council's Ref: 02740.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

Land District - Lismore; Shire - Ballina

Road closed: Lot 1, DP 1028883, at Lennox Head, Parish Newrybar, County Rous (not being land under the Real Property Act).

File No.: GF00 H 49.

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

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
Geoffrey Allen DAVIS (new member)	Old Piggabeen School (R1002621) Reserve Trust	Reserve No. 1002621 Public Purpose: Community Purposes, and Environmental Protection Notified: 23 April 1999 Locality: Piggabeen File Reference: GF99R21
Robin Cecil DAWES (new member)		
Janice Margaret FLETCHER (new member)		
Norman Leslie HUNT (new member)		
Richard JOBSON (new member)		
Marlene Anne PROTHEROE (new member)		
Stephanie SMITH (new member)		

For a term commencing this day and expiring 31 May 2006.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

Land District - Murwillumbah; Shire - Tweed

Road closed: Lot 1, DP 1027909, at Perch Creek, Parish Gooninbar, County Rous (not being land under the Real Property Act).

File No.: GF00 H 170.

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

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

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

ERRATUM

THE following notice replaces a notice appearing in the NSW *Government Gazette* No. 68, Folio 4825, dated 9th June 2000.

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Larry HARRISON (new member)	Leeton Showground	Dedication No. 559040 Public Purpose: Showground and Public Recreation
Garry Leo NOLAN (new member)	Trustees	Notified: 6th July 1934
Marija Luiza OREL (new member)		<i>and additions thereto:</i>
Kevin SULLIVAN (re-appointment)		Lot 591 DP 751745 Notified 10th October 1941
For a term commencing 9th June 2000 and expiring 31st May 2005.		Lot 2 DP 775900 Notified 21st November 1952
		Locality: Leeton File Reference: LN87R7

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

ra223

ROADS ACT 1993**ORDER**

Transfer of a Crown Road to a Council

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

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

SCHEDULE 1

Parish - Tomaree; County - Gloucester;
Land District - Newcastle;
Local Government Area - Port Stephens

That part of Nelson Bay Road at Anna Bay, of variable width, separating Lot 12 from Lot 13 DP 852410.

That part of Nelson Bay Road at Anna Bay, of variable width, being Lot 10 DP 852410.

That part of Nelson Bay Road at Anna Bay, of variable width, separating Lot 8 from Lot 9 DP 852410.

SCHEDULE 2

Roads Authority: Port Stephens Council.

File No: MD01 H87.

Council's Reference: E5360-005 & E5425-004.

ra223

ROADS ACT 1993**ORDER**

Transfer of a Crown Road to a Council

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

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

SCHEDULE 1

Parish & Town - Seaham; County - Durham;
Land District - Maitland;
Local Government Area - Port Stephens

That part of Middle Crescent Street Seaham, being 30.175 wide and variable width, between Torrence Street and Duncan Street.

That part of Mooghin Road Seaham, being 20.115 wide and variable width, between Clarencetown Road and the southerly prolongation of the eastern boundary of Lot 72 DP 752487.

That part of Torrence Street Seaham, being 30.175 wide and variable width, from Vine Street (Main Road No.301) to Warren Street (Main Road No. 601).

That part of Scott Street Seaham, being 30.175 wide and variable width, between Cross Street and Dixon Street.

That part of Scott Street Seaham, being 30.175 wide, between Dixon Street and the easterly prolongation of the northern boundary of Section 14.

That part of Still Street Seaham, being 30.175 wide, between Torrence Street and Dixon Street.

That part of Still Street Seaham, being 30.175 wide, between Dixon Street and the easterly prolongation of the northern boundary of Section 12.

That part of Wighton Street Seaham (locally known as Fisher Close), being 30.175 wide, east of Warren Street (Main Road No. 601), not dedicated as Public Road in DP 1003827.

Note: Enclosure Permit 40853 Maitland is partly affected by this notice.

SCHEDULE 2

Roads Authority: Port Stephens Council.

File No: MD01 H32.

Council's Reference: E5425-004.

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

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

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

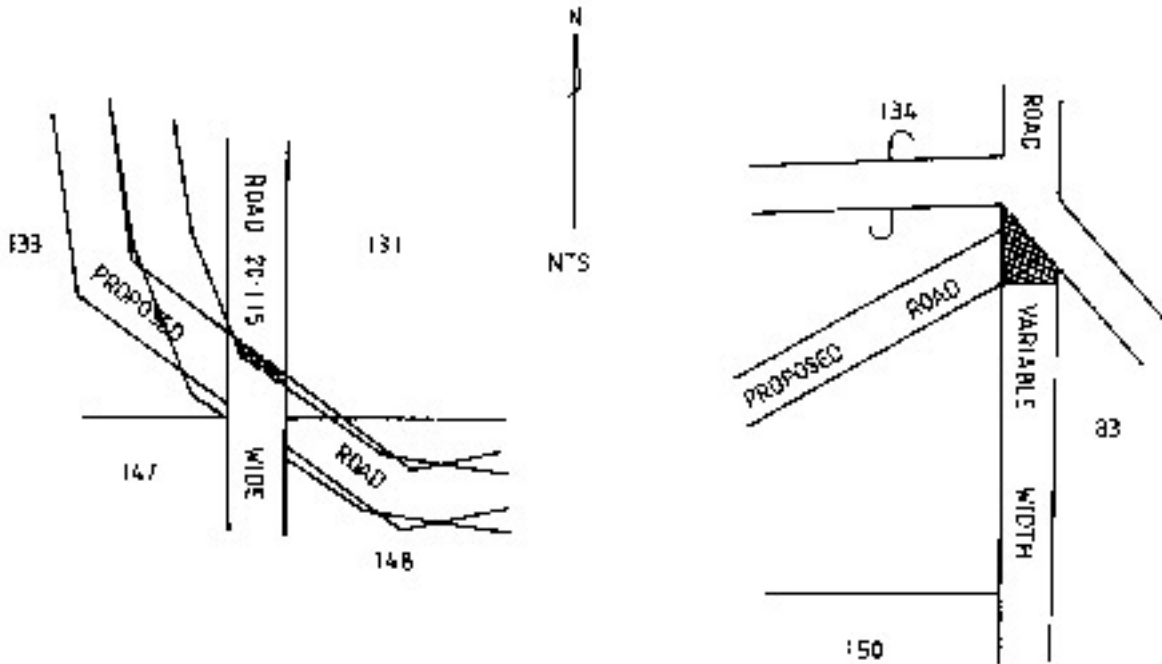
SCHEDULE 1

COLUMN 1	COLUMN 2
Land District: Narrabri	The whole being
Local Government Area: Narrabri Shire Council	Lot Sec. D.P.No. Parish County
Parish: Talluba	1 1 758844 Talluba Baradine
County: Baradine	of an area of .2 hectares.
Locality: Pilliga	
Dedication No: 560027	
Purpose: School Of Arts	
Notified: 23 November 1886	
File Reference: ME92R5	

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

ERRATUM

IN the notice which appeared in the *Government Gazette* No. 81 of 11 May 2001, Folio 2338, under the heading of "Transfer of Crown Road to a Council", the description in SCHEDULE 1 is hereby amended to read "the parts of the Crown public roads shown by cross hatching on the diagrams hereunder, Parish of Kendale, County of Westmoreland". File No. OE01H107.



OE01 H 107

ERRATUM

IN the notice which appeared in the *Government Gazette* No. 62 of 13 June 1997, Folio 4320, under the heading of "Transfer of Crown Road to a Council", the notice is corrected by inserting "Lot 1 in DP 631251" in lieu of "Lot 2 in DP 631251". File No. OE97H151.

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

NOTIFICATION OF CLOSING OF ROADS

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

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

—————
 Descriptions

Land District - Metropolitan; L.G.A. - Campbelltown

Lots 1 and 2, DP 1027465 at Macquarie Fields, Parish Minto, County Cumberland (being land in 70/772013 and 18/864748.

MN00H265

Notes: 1. On closing, titles for the land in lots 1 and 2 remain vested in Campbelltown City Council as operational land.

2. The road closed is subject to an easement for Underground Cables and easement to drain water as shown in DP 1027465.

—————
 Descriptions

Land District - Metropolitan; L.G.A. - Canterbury

Lot 100, DP 1028338 at Campsie, Parish St George (Sheet 1), County Cumberland, (being land in CT Vol. 1185 Folio 1).

MN00H307

Note: On closing, title for the land in lot 100 remains vested in Canterbury City Council as operational land.

—————
 Descriptions

Land District - Metropolitan; L.G.A. - Kogarah

Lot 200, DP 1024865 at Kogarah, Parish St George (Sheet 2), County Cumberland, (being land in CT Vol. 712 Folio 247).

MN00H281

Note: On closing, title for the land in lot 200 remains vested in Kogarah Council as operational land.

Descriptions

Land District - Picton; L.G.A. - Campbelltown

Lots 1, 2, and 3, DP 1024958 at Bradbury, Parish St Peter (Sheet 3), County Cumberland, (being land in CT Vol. 7198 Folio 91).

MN00H219

Note: On closing, title for the land in lots 1, 2 and 3 remain vested in Campbelltown City Council as operational land.

ROADS ACT, 1993

ORDER

Transfer of a Crown Road to Council

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

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

—————
 SCHEDULE 1

*Land District - Metropolitan;
 Local Government Area - Pittwater; Parish - Narrabeen;
 County - Cumberland*

The full extent of Attunga Road, Newport northerly of Burke Street excluding a small section separating the premises known as No. 15 and No. 19.

—————
 SCHEDULE 2

Roads Authority: Pittwater Council.

File No.: MN00H333.

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

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

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

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

Representations are invited from the public on the draft assessment. These may be made in writing for a period commencing from 8th June 2001 to 8th July 2001 and should be sent to the Regional Director, Department of Land and Water Conservation, PO Box 440, Taree, 2430. Telephone enquiries should be directed to 02 6552 2788.

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

Description: 20 square metres fronting Lot 247 DP 754440 being part of the bed of Scotts Creek, Taree, Parish Oxley, County Macquarie.

Reason: Consideration of licence application for domestic jetty.

Contact Officer: Mr Bob Birse.

(File No.) TE00H165.

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

DECLARATION OF LAND TO BE CROWN LAND

PURSUANT to section 138 of the Crown Lands Act 1989, the land described in the Schedule hereunder, is declared to be Crown land within the meaning of that Act. WA 99 H 119.

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

SCHEDULE

The road created in DP 771610 formerly comprising the residues of Folio Identifiers 504/700796, 1/709384 and 4/730161. The roads created in DP 800696 formerly comprising the residue of Folio Identifier 582/785549 recently lodged at the Land Titles Office Sydney vide Dealing 7540649.

ERRATUM

IN the notice appearing in *Government Gazette* No. 37 Folio 606 dated 9th February 2001 regarding Notification of Closing of a Road in the Parish of Bohnock the following text "(Not under the Real Property Act)" is deleted and replaced with "(Part Vol 12976 Fol 222) and part Not under the Real Property Act".

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

Water Conservation

WATER ACT 1912

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

Application for a Licence, under Section 10 of Part 2 of the Water Act 1912 has been received as follows:

Murray River Valley

Anthony John and Francine Elizabeth GOREY for three pumps on the Billabong Creek, on Lots 4 and 85, DP756527, Parish of Colvin, and on Lot 49, DP756570, Parish of Nullum, all County of Wakool, for water supply for stock and irrigation of 316 hectares (wheat, rice, pasture), (additional pump), (replacement licence - no increase in entitlement or area). (GA2:504504) (Reference: 57SL80030).

In lieu of previous notice appearing in *Government Gazette* No. 22/2001 on Friday, 1 June 2001.

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

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

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

Murray River Valley

Anthony Thomas CANTWELL, Theodora CANTWELL and Paul Frederick WEBB for a pump on the Murray River, on Moama State Forest No. 369, Parish of Tataila, County of Cadell, for water supply for stock and domestic purposes (authority application due to division of existing entitlement). (GA2: 504505) (Reference: 50SA6586).

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

Written objections to the application specifying the grounds thereof may be made by any statutory authority or a local occupier within the proclaimed area and must be lodged at the Department's Office at Deniliquin within 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 under part 2, within proclaimed (declared) local areas under section 5 (4) of the 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:

Macquarie River Valley

Dugald William W BUCKNELL for a dam on an unnamed watercourse and a pump on Gum Cowal, Lots 9, DP753489, Parish of Sandridge and Lot 68, DP753431, Parish of Bulgeraga, both County of Gregory for conservation of water and water supply for stock purposes and irrigation of 10 hectares (fodder crops) (new licence) (in lieu of ad 21.5.01) (80SL95688).

Written objections to the applications specifying grounds thereof, may be made by any statutory authority or local occupier within the proclaimed local (declared) area and must be lodged with the Departments Regional Office at Dubbo, within twenty-eight (28) days as prescribed by the Act.

Any inquiries regarding the above should be directed to the undersigned (telephone 68 842 560). GA2: 311287.

FRED HUNDY,
Water Access Manager
Macquarie

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

WATER ACT 1912

APPLICATIONS for licences under section 10 of Part 2 of the Water Act have been received as follows:

ARROWFIELD STUD for 2 pumps on Glenbawn Dam on Part Lot 98/750912, Parish of Alma, County of Brisbane, for irrigation of 9 hectares (improved pasture) (new license - permanent water transfer). (20SL60812).

KIA-ORA ESTATES PTY LIMITED for a pump on the Hunter River on Part Lot 11/617423, Parish of Macqueen, County of Brisbane, for irrigation of 132 hectares (improved Pasture) (replacement licence - permanent water transfer). (20SL60822).

Iain and Terry GIDLEY-BAIRD for a pump on the Hunter River on Part Lot 8/10329, Parish of Macqueen, County of Brisbane, for irrigation of 10 hectares (improved pasture) (new licence - permanent water transfer). (20SL60810).

Walter and Barbara HOPMANS for a pump on the Hunter River on Lot 116/244160, Parish of Brougham, County of Durham, for irrigation of 5.2 hectares (improved pasture) (splitting of existing licence). (20SL60814).

James and Cheryl BOYS for a pump on Halls Creek on Part Lot 2/817660, Parish of Hall, County of Brisbane, for water supply for stock and domestic purposes and irrigation of 4 hectares (improved pasture) (replacement licence - no increase in entitlement). (20SL60808).

Garry TAYLOR for a pump on the Pages River on Part Lot 103/731208, Parish of Macqueen, County of Brisbane, for water supply for stock and domestic purposes (new licence) (exempt from current embargo). (20SL60801).

LANDBOUND PTY LIMITED for a pump on the Isis River on Lot 14/750922 Parish of Crawney, County of Brisbane, and Lot 2/159862, Parish of Timor, County of Brisbane for irrigation of 14.3 hectares (improved pasture) (new licence - permanent water transfer). (20SL60809).

Martin TWYNHAM for a pump on the Wyong River on Part Lot 340/730036, Parish of Wyong, County of Northumberland, for water supply for stock and domestic purposes. (new license) (exempt from current embargo). (20SL60807).

Bradley BARKER for a pump on the Hunter River on Lot 1050/873972, Parish of Wolfingham, County of Durham, for irrigation of 1 hectare (improved pasture) (new licence - permanent water transfer). (20SL60819).

Any enquiries regarding the above should be directed to the undersigned, on tel.: (02) 4934 4840.

Written objections specifying grounds thereof must be lodged with the Department within twenty-eight (28) days of the date of this publication as prescribed by the Act.

BRIAN McDOUGALL,
Senior Water Management Officer
Hunter Region

Department of Land and Water Conservation
PO Box 6
EAST MAITLAND NSW 2323.

WATER ACT 1912

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

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

Lachlan River Valley

Valerie Joy HERBERT for a pump on the Lachlan River on Lot 55/750182, Parish of Trajere, County of Ashburnham, for irrigation 160.00 hectares (new Licence- new pumpsite). (GA2:495891) (Reference:70SL090724).

James Stewart MASLIN, for 2 bywash dams and 2 wingwalls on Caragabal Creek on Lots 9, 13, and 25, DP 750577, Parish of Berrigan, County of Bland; Lots 12, 22, 19, 18, 11 and Part 24, DP753079, Parish of Caragabal, County of Gipps and 1 bywash dam on Lignum Creek, Lot 1, DP 336384 and TSR 17641, Parish of Berrigan, County of Bland, for conservation of water for stock purposes (new licence - amalgamation of existing licences). (GA2:495890) (Ref:70SL090723).

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

DAVID THOMAS,
Licensing Officer
Central West Region

Department of Land and Water Conservation
PO Box 136
FORBES NSW 2871.

WATER ACT 1912

APPLICATIONS 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

VISY PULP & PAPER PTY LIMITED for a pump on the Tumut River, Easement Fronting Lot 5, DP 1006252, Parish of Tumut, an earthen bywash dam on Lot 42, DP 757228, Parish of Gadara and an earthen dam, block bank and diversionary cutting on Lots 5 and 57, DP 757228, Parish of Gadara, all County of Wynyard for industrial purposes (paper and pulp mill) (replacement licence-increase in storage capacity only). The intent of the proposal is to store water captured via harvestable rights and water pumped from the Tumut River as approved by the Minister for Urban Affairs and Planning on 29 November 1998. (Reference: 40SL70663).

Robert Nicholls TRUELOVE and Sulochana TRUELOVE for an existing dam on an unnamed watercourse, Lot 184, DP 751418, Parish of Merrybundinah, County of Clarendon, for the conservation of a water supply for the irrigation of 10 hectares (Lucerne) (new licence).

(Reference: 40SL70402). This advertisement is in lieu of that appearing on 11 May, 2001.

This application is duly advertised as a necessary procedure to enable refusal, as required by the Water Act 1912.

The application is to be refused following the introduction of a statutory embargo on the issue of new licences for irrigation purposes due to resource sustainability.

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 & Water Conservation
PO Box 156
LEETON NSW 2705.

WATER ACT 1912

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

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

GWYDIR RIVER VALLEY

(Marshalls Ponds and Wallon Creek)

1. SUNNYSIDE (MOREE) PTY LIMITED for supply channels, earthen water storage, tail drain and levees on Lots 91 and 167/751751 and Crown road, Parish of Bogree, Lot 1/569297, Lot 90/751754 and Crown roads, Parish of Boolooroo, all County of Courallie, for conservation and recirculation of water and prevention of inundation of irrigation lands on "Newport". (Reference: 90CW810873).

2. Robert Richard WOODS for levees, supply channels and tail drain on Lot 2/627058, Lot 174/40942, Lots 1, 2, 3, Part Lots 2, 76, 73/751751 and Crown roads, Parish of Bogree, County of Courallie for prevention of inundation of irrigation lands on "Woodpark". (Reference: 90CW810877).
3. THE GLEN COTTON CO PTY LIMITED for levees, earthen water storages and supply channels on Lot 1/34518 and Crown road, Lot 1/719155, Parish of Bogree, County of Courallie and Lots 37, 34, 33, 16, 17, 23, 36/755978 and Crown roads, Parish of Benson, County of Stapylton for conservation and recirculation of water and prevention of inundation of irrigation lands on "The Glen". (Reference: 90CW810876).
4. A F F PROPERTIES LIMITED and RURAL AND AGRICULTURAL MANAGEMENT LIMITED for earthen water storages, levees, supply channels and tail drains on Lot 1/569297 and Public road, Lot 2/589646, Lots 4, 91, 138, 90/751754, Crown road, Parish of Boolooroo, Lot 109/751751, Crown road, Parish of Bogree, both County of Courallie, Lot 51/756026, Crown road, Parish of Wallon, County of Stapylton for conservation and recirculation of water and prevention of inundation of irrigation lands on "Milo". (Reference: 90CW810872).
5. A F F PROPERTIES LIMITED for earthen water storages, levees, supply channels and tail drains on Lot 1/627058, Lot 2/596053, Public road, Lots 64, 67, 68/751751, Crown road, Lot 2, 616130, Crown road and closed road, Parish of Bogree, County of Courallie, Lots 10, 11, 24 to 28/755978 and road for conservation and recirculation of water and prevention of inundation of irrigation lands on "Mimosa" and "Ingle Plains". (Reference: 90CW810871). GA2: 345890.

These applications are required because of changes within the scope of the Water Amendment (Flood Control Works) Act 1999, which now covers works beyond what was previously gazetted floodplain.

The applications generally cover that tract of land between the Newell Highway (north of Marshalls Ponds Creek) and the Carnarvon Highway north of Ashley.

Written objections to the applications specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed (declared) area, whose interest may be affected and must be lodged with the Department's Manager, Resource Access, Tamworth by 17 June, 2001.

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

GEOFF CAMERON,
Manager Resource Access

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

Department of Mineral Resources

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(T99-0132)

No. 1483, now Exploration Licence No. 5864, NEWCREST OPERATIONS LIMITED (ACN 009 221 505), Counties of Bland and Bourke, Map Sheet (8329, 8429), area of 23 units, for Group 1, dated 29 May 2001, for a term until 28 May 2003.

(T00-0042)

No. 1598, now Exploration Licence No. 5861, MULGA RESOURCES PTY LTD (ACN 091 985 429), County of Gunderbooka, Map Sheet (8038, 8138), area of 31 units, for Group 2, dated 24 May 2001, for a term until 23 May 2003.

(C00-1057)

No. 1715, now Exploration Licence No. 5860, WHITE MINING LIMITED (ACN 009 713 893), Map Sheet (9133), area of 283 hectares, for Group 9, dated 22 May 2001, for a term until 21 May 2003.

MINING LEASE APPLICATION

(T93-0046)

Lightning Ridge No. 2, now Mining Lease No. 1486 (Act 1992), John McCABE, Parish of Wallangulla, County of Finch, Map Sheet (8439-2-S), area of 8376 square metres, to mine for opal, dated 21 May 2001, for a term until 20 May 2006.

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

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

(T96-1269)

Exploration Licence No. 5315, JERVOIS MINING NL (ACN 007 626 575), area of 1 unit. Application for renewal received 24 May 2001.

(T98-1197)

Exploration Licence No. 5585, AUSTMINEX NL (ACN 005 470 799), area of 4 units. Application for renewal received 28 May 2001.

(T98-1200)

Exploration Licence No. 5586, UAL PTY LTD (ACN 008 755 155), area of 22 units. Application for renewal received 30 May 2001.

(T99-0027)

Exploration Licence No. 5589, ANACONDA (NSW) PTY LIMITED (ACN 082 725 059), area of 35 units. Application for renewal received 30 May 2001.

(T99-0033)

Exploration Licence No. 5590, ANACONDA (NSW) PTY LIMITED (ACN 082 725 059), area of 23 units. Application for renewal received 30 May 2001.

(T00-0542)

Mining Lease No. 1259 (Act 1973), Colin GRANT and Gillian Rose GRANT, area of 4.84 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:

(T86-0932)

Exploration Licence No. 2934, TELMINEX NL (ACN 003 309 911), County of Georgiana, Map Sheet (8729), area of 25 units, for a further term until 22 October 2002. Renewal effective on and from 3 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:

(T96-0084)

Mining Lease No. 517 (Act 1973), UNIMIN AUSTRALIA LIMITED (ACN 000 971 844), Parish of Umberumberka, County of Yancowinna, Map Sheet (7134-2-N), area of 4.59 hectares. The authority ceased to have effect on 1 June 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:

(T97-1300)

Exploration Licence No. 5443, STRAITS EXPLORATION (AUSTRALIA) PTY LTD (ACN 061 614 695) and MALACHITE RESOURCES NL (ACN 075 613 268), County of Evelyn, Map Sheet (7237), area of 36 units. Cancellation took effect on 1 June 2001.

(T98-1221)

Exploration Licence No. 5579, TINAS GOLD EXPLORATION PTY LIMITED (ACN 063 779 420), County of Yancowinna, Map Sheet (7134), area of 18 units. Cancellation took effect on 25 May 2001.

(T99-0207)

Exploration Licence No. 5749, PLATSEARCH NL (ACN 003 254 395) and Nosebi Mining & Management Pty Ltd (ACN 002 516 109), County of Nicholson, Map Sheet (8031), area of 12 units. Cancellation took effect on 28 May 2001.

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

TRANSFERS

(T00-0686)

Exploration Licence No. 5692, formerly held by DOWMILL PTY LIMITED (ACN 002 329 615) and NOSEBI MINING & MANAGEMENT PTY LTD (ACN 002 516 109), has been transferred to DOWMILL PTY LIMITED (ACN 002 329 615), NOSEBI MINING & MANAGEMENT PTY LTD (ACN 002 516 109) and UNIVERSAL RESOURCES LIMITED (ACN 090 468 018). The transfer was registered on 25 May 2001.

(T00-0686)

Exploration Licence No. 5759, formerly held by DOWMILL PTY LIMITED (ACN 002 329 615) and NOSEBI MINING & MANAGEMENT PTY LTD (ACN 002 516 109), has been transferred to DOWMILL PTY LIMITED (ACN 002 329 615), NOSEBI MINING & MANAGEMENT PTY LTD (ACN 002 516 109) and UNIVERSAL RESOURCES LIMITED (ACN 090 468 018). The transfer was registered on 25 May 2001.

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

MINING ACT 1992

Order Under Section 367

I, Professor Marie BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, in pursuance of section 367 of the Mining Act 1992, by my Order, revoke Reserves Nos 3157 and 3160, notified in *Government Gazette* No. 18, dated 10 February 1978.

(M77-2363 & M77-2366)

Signed at Sydney this 23rd day of May 2001.

By Her Excellency's Command,

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

Department of Urban Affairs and Planning

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

NOTICE OF AUTHORISATION UNDER CLAUSE 195 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

Variation of the Authorisation of the Royal Australian Planning Institute as an accreditation body

The Minister for Urban Affairs and Planning has authorised, under clause 196 of the Environmental Planning and Assessment Regulation 2000, a variation to the terms of the authorisation of the Royal Australian Planning Institute, a professional association, as an accreditation body.

To be accredited as a certifier, a person must meet the requirements imposed by the 'Royal Australian Planning Institute (NSW Division) – An Accreditation Scheme' under the Environmental Planning and Assessment Act 1979 dated August 1999 as authorised by the Minister. In accordance with the terms of the Minister's authorisation and the provisions of the scheme, accredited certifiers will be able to issue Complying Development Certificates and Part 4A Certificates under the Environmental Planning and Assessment Act 1979.

The terms of the Minister's authorisation and the 'Royal Australian Planning Institute (NSW Division) – An Accreditation Scheme' may be inspected on the Department of Urban Affairs and Planning's home page at:

<http://www.duap.nsw.gov.au>

and at the Department's Information Centre, corner of Bent and Phillip Streets, Sydney.

The Minister's authorisation takes effect on the date that this Notice is published in the Gazette.

Byron Local Environmental Plan 1988 (Amendment No 92)

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*.
(G00/00068/S69)

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

Sydney, 31st May 2001.

Clause 1 Byron Local Environmental Plan 1988 (Amendment No 92)

Byron Local Environmental Plan 1988 (Amendment No 92)

1 Name of plan

This plan is *Byron Local Environmental Plan 1988 (Amendment No 92)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies to permit general rural development and environmental protection.

3 Land to which plan applies

This plan applies to land within the local government area of Byron, being parts of Lot 1, DP 1004229 and a part of a road, The Pocket, as shown edged heavy black, lettered "1 (a)" and cross-hatched or edged heavy black and lettered "7 (k)" on the map marked "Byron Local Environmental Plan 1988 (Amendment No 92)" deposited in the office of Byron Council.

4 Amendment of Byron Local Environmental Plan 1988

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

Byron Local Environmental Plan 1988 (Amendment No 92)

Campbelltown Local Environmental Plan No 219

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*.
(P00/00460/S69)

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

Clause 1 Campbelltown Local Environmental Plan No 219

Campbelltown Local Environmental Plan No 219

1 Name of plan

This plan is *Campbelltown Local Environmental Plan No 219*.

2 Aims of plan

This plan aims to rezone part of the land and zone the remainder of the land to which this plan applies to Residential “C” under *Interim Development Order No 26—City of Campbelltown* so as to allow for the upgrading of the Bradbury/Airds public housing estates.

3 Land to which plan applies

This plan applies to Lots 127 and 128, DP 253937, Docharty Street, Bradbury, Lot 101, DP 716138, Riverside Drive, Airds and unzoned pathways adjoining the three lots, as shown coloured scarlet with dark red edging and lettered 2 (c) on the map marked “Campbelltown Local Environmental Plan No 219” deposited in the office of the Council of the City of Campbelltown.

4 Amendment of Interim Development Order No 26—City of Campbelltown

Interim Development Order No 26—City of Campbelltown is amended by inserting in appropriate order in the definition of *I.D.C. Map* in clause 2 (1) the following words:

, as amended by the map marked “Campbelltown Local Environmental Plan No 219” deposited in the office of the Council

City of Canada Bay Local Environmental Plan No 1

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(S00/01695/S69)

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

Sydney, 28th May 2001.

Clause 1 City of Canada Bay Local Environmental Plan No 1

City of Canada Bay Local Environmental Plan No 1

1 Name of plan

This plan is *City of Canada Bay Local Environmental Plan No 1*.

2 Aims of plan

This plan aims:

- (a) to reclassify part of the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*, and
- (b) to rezone the land referred to in paragraph (a) from Zone No 6 (a) Recreation Existing to Zone No 2 (a) Residential "A" under the *Concord Planning Scheme Ordinance* (the Ordinance), and
- (c) having regard to zone boundary anomalies, to zone or rezone that part of the land within and in the vicinity of Massey Park from unzoned and Residential "A" to Recreation Existing under the Ordinance so as to remove any uncertainty regarding the Recreation Existing zoning of that land, and
- (d) to ensure consistent zoning controls for land zoned Recreation Existing under the Ordinance and *Interim Development Order No 18—Municipality of Concord* (IDO No 18), and
- (e) to repeal *Interim Development Order No 14—Municipality of Concord* (IDO No 14) which becomes redundant on the making of this plan.

3 Land to which plan applies

- (1) To the extent that this plan reclassifies and rezones part of the land to which this plan applies, it applies to land at the rear of the property known as No 3 Frederick Street, Concord, as shown edged heavy black and cross-hatched on Sheet 1, and coloured light scarlet on Sheet 4, of the map marked "City of Canada Bay Local Environmental Plan No 1" deposited in the office of the City of Canada Bay Council.
- (2) To the extent that this plan zones and rezones part of the land to Recreation Existing under the Ordinance so as to remove zone boundary anomalies, it applies to land within and in the vicinity of Massey Park, Concord and Cabarita, as shown dark green on Sheet 3

City of Canada Bay Local Environmental Plan No 1

Clause 3

of that map. The area of land edged heavy black on Sheet 2 of that map shows for informational purposes only the full extent of the Recreation Existing zoning that will apply on the making of this plan to land within and in the vicinity of Massey Park.

- (3) To the extent that this plan ensures consistent zoning controls for land zoned Recreation Existing under the Ordinance and IDO No 18, it applies to all land within that zone under the Ordinance and IDO No 18.
- (4) To the extent that this plan repeals IDO No 14, it applies to the land to which IDO No 14 applies.

4 Repeal of Interim Development Order No 14—Municipality of Concord

Interim Development Order No 14—Municipality of Concord is repealed.

5 Amendment of Concord Planning Scheme Ordinance

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

6 Amendment of Interim Development Order No 18—Municipality of Concord

Interim Development Order No 18—Municipality of Concord is amended as set out in Schedule 2.

City of Canada Bay Local Environmental Plan No 1

Schedule 1 Amendment of Concord Planning Scheme Ordinance

Schedule 1 Amendment of Concord Planning Scheme Ordinance

(Clause 5)

[1] Clause 4 Interpretation

Omit “Council of the Municipality of Concord” from the definition of “Council”.

Insert instead “City of Canada Bay Council”.

[2] Clause 4, definition of “Scheme map”

Insert “(or, if any sheets of maps are specified, by the specified sheets of maps)” before “deposited”.

[3] Clause 4, definition of “Scheme map”

Insert after the last entry for a Concord local environmental plan:

City of Canada Bay Local Environmental Plan
No 1—Sheets 3 and 4

[4] Clause 23 Erection or use of buildings or works

Omit the matter in Column 3 of the Table to the clause relating to Zone No 6 (a).

Insert instead:

Any purpose authorised under Division 2 of Part 2 of Chapter 6 of the *Local Government Act 1993*.

[5] Schedule 10 Classification and reclassification of public land as operational land

Insert in alphabetical order of street name under the heading of “Concord”:

Frederick Street	Land at the rear of No 3 Frederick Street, as shown edged heavy black on Sheet 1 of the map marked “City of Canada Bay Local Environmental Plan No 1” deposited in the office of the Council.
------------------	---

City of Canada Bay Local Environmental Plan No 1

Amendment of Interim Development Order No 18—Municipality of Concord Schedule 2

Schedule 2 Amendment of Interim Development Order No 18—Municipality of Concord

(Clause 6)

[1] Clause 3 Interpretation

Omit “Council of the Municipality of Concord” from the definition of “Council” in clause 3 (1).

Insert instead “City of Canada Bay Council”.

[2] Clause 4 Development restrictions table

Omit the matter in Column 3 of the Table to the clause relating to Zone No 6 (a).

Insert instead:

Any purpose authorised under Division 2 of Part 2 of Chapter 6 of the *Local Government Act 1993*.

Fairfield Local Environmental Plan 1994 (Amendment No 71)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(P01/00077/S69)

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

Clause 1 Fairfield Local Environmental Plan 1994 (Amendment No 71)

Fairfield Local Environmental Plan 1994 (Amendment No 71)

1 Name of plan

This plan is *Fairfield Local Environmental Plan 1994 (Amendment No 71)*.

2 Aims of plan

This plan amends *Fairfield Local Environmental Plan 1994* by expanding the definitions of ***Brothel*** and ***Telecommunications facility*** so that they relate to a wider range of premises or facilities.

3 Land to which plan applies

This plan applies to all land in the City of Fairfield.

4 Amendment of Fairfield Local Environmental Plan 1994

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

Fairfield Local Environmental Plan 1994 (Amendment No 71)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Dictionary

Insert “, a swingers’ club, a sex-on-premises venue or for any similar purpose” after “prostitution” in the definition of *Brothel*.

[2] Dictionary, definition of “Telecommunications facility”

Omit “or satellite dish”.

Insert instead “, satellite dish, overhead cabling on existing power lines or any similar structure or facility”.

Hastings 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*.
(G98/00129/PC)

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

Hastings Local Environmental Plan 2001

Contents

Contents

		Page
Part 1	Introduction	
	1 Name of plan	5
	2 Area covered by this plan	5
	3 Relationship to other environmental planning instruments	5
	4 Aims of this plan	5
	5 Consent authority	6
	6 Interpretation	6
Part 2	Exempt and complying development, zoning of land and zone table	
	7 Exempt development and other development not requiring consent	7
	8 Complying development	7
	9 Zoning of land and zone table	9
Part 3	General provisions	
	10 Temporary development of land	47
	11 Development of uncoloured land on the zoning map	47
	12 Development near zone boundaries	48
	13 Availability of essential services	48
Part 4	Subdivision	
	14 General	49
	15 Subdivision in Zone 1 (a1), 1 (a3), 1 (a4), 1 (i), 7 (a) or 7 (d)	49
	16 Rural Residential Zones: Kings Creek land within Zone 1 (i) or 1 (r1)	49
	17 Lot sizes in Zone 1 (u), 2 (a1), 2 (a4), 2 (t1), 2 (t2) or 2 (v)	49
Part 5	Dwellings	
	18 Single dwellings within Zone 1 (a1), 1 (a3), 1 (a4), 1 (i), 7 (a), 7 (d) or 7 (f1)	51

Page 2

Hastings Local Environmental Plan 2001

Contents

	Page
Part 6 Environmental provisions	
19 Landform alteration in Zone 7 (a), 7 (d) or 7 (h)	52
20 Tree preservation	52
21 Protected lands	53
22 Development in Zone 7 (f1)	53
23 Development in Zone 8 (b)	54
24 Habitat areas	54
Part 7 Hazards and buffers	
25 Flood liable land	56
26 Acid sulfate soils	57
Part 8 Particular area provisions	
27 Development in Zone 2 (t2)	59
28 Development in Zone 4 (t)	60
29 Development for additional purposes	61
30 Land adjoining Wauchope Racecourse—Lot 6 DP 884424 in Zones 1 (a1), 1 (u) and 2 (a1)	61
31 Neighbourhood centres—Zone 2 (a1)	62
Part 9 Acquisition	
32 Acquisition of land in Zone 5 (a), 7 (f2), 8 (b) or 9 (c)	63
Part 10 Heritage	
33 Heritage items	64
34 Development in the vicinity of heritage items	64
35 Notification of Heritage Council	65
36 Conservation incentives	65
37 Archaeological significance	65
Part 11 Miscellaneous	
38 Suspension of covenants, agreements and similar instruments	66
39 Demolition	66
40 Advertisements	66
Schedules	
1 Single dwellings permitted on certain lots	67
2 Specified commercial premises	69

Page 3

Hastings Local Environmental Plan 2001

Contents

	Page
3 Development of specific sites	70
4 Heritage items	73
5 Savings	80
6 Zones and zoning map amendments	84
Dictionary	86

Hastings Local Environmental Plan 2001

Clause 1

Introduction

Part 1

Hastings Local Environmental Plan 2001

Part 1 Introduction

1 Name of plan

This plan is *Hastings Local Environmental Plan 2001*.

2 Area covered by this plan

This plan applies to all land within the Hastings local government area, except land identified on the zoning map as “deferred matter”.

3 Relationship to other environmental planning instruments

(1) This plan repeals:

- (a) *Hastings Local Environmental Plan No 21*, and
- (b) *Hastings Local Environmental Plan No 24*.

(2) This plan amends:

- (a) *State Environmental Planning Policy No 15—Rural Landsharing Communities* by inserting the following word in alphabetical order in Schedule 1 (Land to which this Policy applies):

Hastings

- (b) *Hastings Local Environmental Plan 1987* by inserting at the end of clause 3 the following subclause:

- (2) However, this plan does not apply to land to which *Hastings Local Environmental Plan 2001* applies.

4 Aims of this plan

The aims of this plan are:

- (a) to implement stage 1 of a review of the Council’s local environmental plans by introducing one consolidated local environmental plan for the whole of the Council’s area. This includes an updating of environmental planning controls and policies, including deletion of superseded and out-of-date provisions, and

Clause 4 Hastings Local Environmental Plan 2001

Part 1 Introduction

- (b) to provide a legal basis for development control plans which provide more detailed local planning policies, and
- (c) to provide for rural residential development by implementing the Council's rural residential strategy, and
- (d) to protect areas on which agriculture depends, and
- (e) to protect areas which are environmentally sensitive, and
- (f) to manage the urban areas of the local government area by strengthening retail hierarchies, promoting appropriate tourism development, guiding urban form, providing for the protection of heritage items and precincts and controlling the development of flood liable land.

5 Consent authority

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

6 Interpretation

- (1) Unless the context or subject-matter indicates otherwise, terms used in this plan have the meaning set out in the Act or as defined in the Dictionary.
- (2) In this plan:
 - (a) a reference to a building, a place or land used for a purpose includes a reference to a building, a place or land intended to be used for the purpose, and
 - (b) a reference to a map is to a map kept at the office of the Council.
- (3) Land to which this plan applies is within a zone specified in Schedule 6 if it is shown on the zoning map as being within the zone.
- (4) Any matter which appears under the heading "Note" is provided to assist understanding and does not form part of this plan.

Hastings Local Environmental Plan 2001

Clause 7

Exempt and complying development, zoning of land and zone table

Part 2

Part 2 Exempt and complying development, zoning of land and zone table

7 Exempt development and other development not requiring consent

- (1) Development listed in Schedule 1 to *Hastings Development Control Plan No 36—Exempt and Complying Development*, as adopted by the Council on 13 December 1999, is exempt development provided it is of minimal environmental impact, it satisfies the applicable requirements listed in that Schedule, any building involved meets the deemed-to-satisfy provisions of the *Building Code of Australia* and it is not carried out on land that:
 - (a) is critical habitat, or
 - (b) is part of a wilderness area, or
 - (c) is the site of a heritage item, or
 - (d) is listed on the State Heritage Register or the subject of an interim heritage order under the *Heritage Act 1977*, or
 - (e) is affected by an easement, a water main or a sewer main and the proposed development is located over the easement, water main or sewer main.
- (2) Nothing in this plan shall be construed as restricting or prohibiting or enabling the consent authority to restrict or prohibit the carrying out of development of any description specified in Schedule 5.

Note. Section 76 (3) of the *Environmental Planning and Assessment Act 1979* does not allow exempt development to occur on critical habitat or a wilderness area.

8 Complying development

- (1) Development listed in Schedule 2 to *Hastings Development Control Plan No 36—Exempt and Complying Development*, as adopted by the Council on 13 December 1999, is complying development in a zone if it is allowed with development consent in the zone by being included in Item 2 of the matter for the zone in the table to clause 9.
- (2) Development is complying development only if:
 - (a) it meets the applicable requirements specified in *Hastings Development Control Plan No 36—Exempt and Complying Development*, as adopted by the Council on 13 December 1999, applying to the development, and

Clause 8 Hastings Local Environmental Plan 2001

Part 2 Exempt and complying development, zoning of land and zone table

- (b) in the case of development involving a building, the building complies with the deemed-to-satisfy provisions of the *Building Code of Australia*, and
 - (c) it does not include the exhibition or sale of material (whether literature, video, film, goods or articles) used or intended for use in connection with sexual behaviour and classified or refused classification under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth, or the exhibition of objects primarily concerned with sexual behaviour, and
 - (d) it is not carried out on land that:
 - (i) is critical habitat, or
 - (ii) is or is part of a wilderness area, or
 - (iii) is subject to an order under the *Heritage Act 1977*, or
 - (iv) is an Aboriginal place under the *National Parks and Wildlife Act 1974*, or
 - (v) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or
 - (vi) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
 - (vii) is or is the site of a heritage item, or
 - (viii) is identified in this plan or a development control plan adopted by the Council as being flood liable, contaminated, within a buffer area, or subject to subsidence, slip or erosion, or as an area having significant bushfire hazard risk, or
 - (ix) is in a watercourse or is on land likely to be inundated by the 1 in 100 year flood, or
 - (x) has previously been used as a service station or a saw mill, or for intensive agriculture, mining or extractive industry, or
 - (xi) is an aquatic reserve declared under the *Fisheries Management Act 1994*, or
- Note.** Section 76A (6) of the *Environmental Planning and Assessment Act 1979* does not allow complying development on land that is critical habitat, is a wilderness area, is or contains a heritage item or is identified as environmentally sensitive.
- (e) no environmental planning instrument states that the adequacy of an acid sulfate soils management plan for the proposed development must be considered before consent can be granted for it, and

Hastings Local Environmental Plan 2001	Clause 8
Exempt and complying development, zoning of land and zone table	Part 2

- (f) where it will result in the doing of anything referred to in section 78A (3) of the Act for which an approval is required or in the removal of a tree or native vegetation for which an approval or consent is required, that approval or consent has been obtained, and
 - (g) it is not integrated development.
- (3) A complying development certificate must include the conditions specified in *Hastings Development Control Plan No 36—Exempt and Complying Development*, as in force when the certificate is issued, that are applicable to the particular type of development for which the certificate is sought.

9 Zoning of land and zone table

- (1) Development of land is controlled by zoning, subject to the general and special provisions of Parts 3–11. The zoning map shows what zone applies to land.
- (2) Consent may be granted to development (otherwise than as complying development) only if the consent authority has taken into consideration the objectives of the zone that are relevant to the development.
- (3) The following table specifies the objectives of each zone, and the development allowed with or without consent or prohibited within each zone.

Zone table

Zone 1 (a1) Rural

Zone objectives

- (a) To protect and encourage utilisation of the productive potential of agricultural, extractive and mineral resources located in rural areas.
- (b) To protect the amenity of rural residential subdivision areas.

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

- (c) To prevent the unnecessary, premature or sporadic fragmentation of rural land, to protect the agricultural potential of land and also to ensure that development does not create unreasonable or uneconomic demands for the provision or extension of public amenities and services.
- (d) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 1 (a1) the following development is:

1 Allowed without development consent

Development for the purpose of:

- Agriculture (other than buildings associated with agriculture)
- Forestry

2 Allowed only with development consent

Any development not included in Item 1 or 3.

3 Prohibited

Development for the purpose of:

- Aeroplane landing areas within one kilometre of the coast
- Boarding houses
- Brothels
- Car repair stations
- Cluster housing
- Commercial premises
- Dual occupancies (detached dwellings only)
- Exhibition homes
- Industries (other than offensive or hazardous industries and rural industries)
- Medical centres
- Motor showrooms

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Neighbourhood centres

Residential flats

Retailing of bulky goods

Shops

Tourist facilities (other than rural tourist facilities)

Warehouses

Zone 1 (a3) Rural Agricultural Protection

Zone objectives

- (a) To protect and encourage utilisation of the productive potential of resources located in rural areas, particularly rural land with high agricultural quality.
- (b) To prevent the unnecessary, premature or sporadic fragmentation of rural land, to protect the agricultural potential of land and also to ensure that development does not create unreasonable or uneconomic demands for the provision or extension of public amenities and services.
- (c) To enable appropriate development where permissible with consent.

Development within the zone

In Zone 1 (a3) the following development is:

1 Allowed without development consent

Development for the purpose of:

Agriculture (other than buildings associated with agriculture)

Forestry

2 Allowed only with development consent

Development for the purpose of:

Advertisements

Aeroplane landing areas

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

Animal establishments
Aquaculture
Bed and breakfast establishments
Buildings associated with agriculture
Car parks
Child care centres
Depots
Dual occupancies (attached dwellings only)
Educational establishments
Extractive industries
General stores
Home businesses
Mines
Oyster farming
Places of assembly
Places of public worship
Recreation areas
Recreation establishments
Recreation facilities
Retail plant nurseries
Roads
Roadside stalls
Rural industries
Rural tourist facilities
Rural workers' dwellings
Saw mills
Single dwellings
Stock and sale yards

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Utility installations

Demolition

3 Prohibited

Any development not included in Item 1 or 2.

Zone 1 (a4) Rural Agricultural Protection

Zone objectives

- (a) To control development and maintain the productive potential of steep or otherwise constrained rural land having regard to site constraints.
- (b) To protect and encourage utilisation of the productive potential of resources located within rural areas.
- (c) To prevent the unnecessary, premature or sporadic fragmentation of rural land, to protect the agricultural potential of land and to ensure that development does not create unreasonable or uneconomic demands for the provision or extension of public amenities and services.
- (d) To enable appropriate development where permissible with consent.

Development within the zone

In Zone 1 (a4) the following development is:

1 Allowed without development consent

Development for the purpose of:

Agriculture (other than buildings associated with agriculture)

Forestry (other than on land subject to clause 21)

2 Allowed only with development consent

Development for the purpose of:

Advertisements

Aeroplane landing areas

Animal establishments

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

Aquaculture
Bed and breakfast establishments
Buildings associated with agriculture
Car parks
Caravan parks
Child care centres
Community facilities
Depots
Dual occupancies (attached dwellings only)
Educational establishments
Extractive industries
Forestry (on land subject to clause 21)
General stores
Home businesses
Mines
Motels
Offensive or hazardous industries
Places of public worship
Recreation areas
Recreation establishments
Recreation facilities
Retail plant nurseries
Roads
Roadside stalls
Rural industries
Rural tourist facilities
Rural workers' dwellings
Saw mills
Single dwellings

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Stock and sale yards

Utility installations

Demolition

3 Prohibited

Any development not included in Item 1 or 2.

Zone 1 (f) State Forests

Zone objectives

- (a) To identify land dedicated as State Forest.
- (b) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 1 (f) the following development is:

1 Allowed without development consent

Any development authorised by or under the *Forestry Act 1916* and not included in Item 2

Development for the purpose of:

Gravel extraction on sites of less than 0.5 hectare

Roads

Utility installations (other than radio or television transmission towers)

2 Allowed only with development consent

Development for the purpose of:

Advertisements

Car parks

Extractive industries not included in Item 1

Mines

Recreation areas

Radio or television transmission towers

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

Saw mills

Demolition

3 Prohibited

Any development not included in Item 1 or 2.

Zone 1 (i) Rural Residential Investigation

Zone objectives

- (a) To identify land suitable for investigation for rural residential purposes.
- (b) To limit development so that subsequent land use conflicts with future rural residential development do not arise.
- (c) To limit vegetation removal so that it is consistent with habitat protection objectives for future rural residential development.
- (d) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 1 (i) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Development for the purpose of:

Advertisements

Agriculture

Animal establishments

Aquaculture

Bed and breakfast establishments

Car parks

Child care centres

Community facilities

Dual occupancies (attached dwellings only)

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Forestry

General stores

Home businesses

Recreation areas

Roads

Rural tourist facilities

Single dwellings

Utility installations

Demolition

3 Prohibited

Any development not included in Item 2.

Zone 1 (r1) Rural Residential

Zone objectives

- (a) To enable the development of land within this zone for rural residential purposes.
- (b) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 1 (r1) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Development for the purpose of:

Advertisements

Agriculture

Animal establishments

Aquaculture

Bed and breakfast establishments

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

Car parks
Child care centres
Community facilities
Dual occupancies (attached dwellings only)
Forestry
General stores
Home businesses
Recreation areas
Roads
Rural tourist facilities
Single dwellings
Utility installations

Demolition

3 Prohibited

Any development not included in Item 2.

Zone 1 (u) Rural Urban Fringe

Zone objectives

- (a) To allow land not suitable for urban building development (due to reasons such as environmental constraints or the need for buffers between different land uses) to be used as part of the curtilage of the urban buildings on the land parcel.
- (b) To enable the provision of services and facilities associated with an urban (in particular, residential) land use and which are unlikely to adversely affect the residential amenity or environmental qualities.
- (c) To enable appropriate development where allowed with consent.

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Development within the zone

In Zone 1 (u) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Development for the purpose of:

Advertisements

Agriculture

Animal establishments

Aquaculture

Car parks

Home businesses

Recreation areas

Retail plant nurseries

Roads

Utility installations

Demolition

3 Prohibited

Any development not included in Item 2.

Zone 2 (a1) Residential

Zone objectives

- (a) To identify land suitable for residential purposes.
- (b) To ensure the provision of services and facilities associated with residential land uses or which are unlikely to affect residential amenity.
- (c) To ensure a variety of housing choice.
- (d) To enable appropriate development where allowed with consent.

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

Development within the zone

In Zone 2 (a1) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Any development not included in Item 3

3 Prohibited

Development for the purpose of:

Aeroplane landing areas

Animal establishments

Aquaculture

Brothels

Car repair stations

Clubs

Commercial premises (other than those within neighbourhood centres)

Depots

Extractive industries

Forestry

Heliports

Hotels

Industries

Institutions

Junk yards

Liquid fuel depots

Mines

Motor showrooms

Places of assembly

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Radio or television transmission towers

Recreation facilities

Retailing of bulky goods

Roadside stalls

Rural workers' dwellings

Rural tourist facilities

Saw mills

Service stations (other than those within neighbourhood centres)

Shops (other than those within neighbourhood centres)

Stock and sale yards

Transport terminals (other than bus stations)

Warehouses

Zone 2 (a4) Low Density Residential

Zone objectives

- (a) To identify urban land suitable for low density residential development that is consistent with the protection of environmental qualities of the site.
- (b) To enable the provision of services and facilities associated with a residential land use and which are unlikely to adversely affect the residential amenity or environmental qualities in the vicinity.
- (c) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 2 (a4) the following development is:

1 Allowed without development consent

Nil

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

2 Allowed only with development consent

Development for the purpose of:

Advertisements
Agriculture
Animal establishments
Bed and breakfast establishments
Car parks
Child care centres
Dual occupancies (attached dwellings only)
Exhibition homes
Home businesses
Hospitals
Places of public worship
Recreation areas
Roads
Single dwellings
Utility installations (other than radio or television transmission towers)

Demolition

3 Prohibited

Any development not included in Item 2.

Zone 2 (t1) Residential Tourist

Zone objectives

- (a) To ensure that permanent residential development does not sterilise identified tourism precincts.
- (b) To permit and encourage tourist and ancillary residential development and associated services and facilities where such services and facilities are an integral part of the development and are of a scale appropriate to the needs generated by that

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

development, or which are compatible with tourist and associated residential accommodation.

(c) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 2 (t1) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Development for the purpose of:

Advertisements

Airline terminals

Bed and breakfast establishments

Boarding houses

Bus stations

Car parks

Caravan parks

Child care centres

Clubs

Community facilities

Educational establishments

Exhibition homes

General stores

Home businesses

Hotels

Medical centres

Motels

Places of assembly

Public buildings

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

Recreation areas
 Recreation establishments
 Recreation facilities
 Refreshment rooms
 Residential flats
 Roads
 Single dwellings
 Tourist facilities
 Utility installations (other than radio or television transmission towers)

Demolition

3 Prohibited

Any development not included in Item 2.

Zone 2 (t2) Tourist—Restricted

Zone objectives

- (a) To allow tourist-related development.
- (b) To restrict development to accommodation for non-permanent residents due to and in a manner consistent with the constraints created by the possibility of flooding and by aircraft noise.
- (c) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 2 (t2) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Development for the purpose of:

Advertisements
 Airline terminals

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Bed and breakfast establishments
Bus stations
Caravan parks catering exclusively for short-term residents
Car parks
Commercial premises
Educational establishments
General stores
Home businesses
Hotels
Motels
Places of assembly
Recreation areas
Recreation establishments
Recreation facilities
Refreshment rooms
Retail plant nurseries
Roads
Shops
Single dwellings
Tourist facilities
Utility installations (other than radio or television transmission towers)

Demolition

3 Prohibited

Any development not included in Item 2.

Clause 9 Hastings Local Environmental Plan 2001

Part 2 Exempt and complying development, zoning of land and zone table

Zone 2 (v) Village

Zone objectives

- (a) To provide for a wide range of land uses or works in a consolidated village environment.
- (b) To allow in appropriate locations business and neighbourhood services and facilities which serve the local community and surrounding rural area.
- (c) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 2 (v) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Any development not included in Item 3.

3 Prohibited

Development for the purpose of:

Aeroplane landing areas

Aquaculture

Brothels

Extractive industries

Institutions

Junk yards

Mines

Neighbourhood centres

Offensive or hazardous industries

Radio or television transmission towers

Rural workers' dwellings

Saw mills

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Zone 3 (a) General Business

Zone objectives

- (a) To allow a range of retail, office and commercial development appropriate to the status and function of the particular retail centre within the zone.
- (b) To allow a wide range of uses which may be ancillary to, supportive of, or appropriately located near, or within, retail and commercial facilities.
- (c) To facilitate strong, multi-functional town centres.
- (d) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 3 (a) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Any development not included in Item 3.

3 Prohibited

Development for the purpose of:

- Aeroplane landing areas
- Agriculture
- Animal establishments
- Aquaculture
- Brothels
- Cluster housing
- Dual occupancies
- Exhibition homes
- Extractive industries
- Industries (other than light industries)
- Junk yards

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

Liquid fuel depots

Mines

Recreation establishments

Rural tourist facilities

Rural workers' dwellings

Saw mills

Single dwellings (except those used in association with other development not prohibited by this Item and attached to a building used for that development)

Stock and sale yards

Zone 3 (c) Neighbourhood Business

Zone objectives

- (a) To identify shopping centres that serve a neighbourhood by providing services and facilities within convenient travelling distance.
- (b) To limit the range and size of retail activity appropriate to the retail hierarchy and residential locality.
- (c) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 3 (c) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Any development not included in Item 3.

3 Prohibited

Development for the purpose of:

Aeroplane landing areas

Agriculture

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Animal establishments

Aquaculture

Bed and breakfast establishments

Brothels

Car repair stations

Caravan parks

Cluster housing

Depots

Dual occupancies

Exhibition homes

Extractive industries

Forestry

Heliports

Industries

Institutions

Junk yards

Liquid fuel depots

Mines

Motor showrooms

Recreation establishments

Retailing of bulky goods

Rural tourist facilities

Rural workers' dwellings

Roadside stalls

Saw mills

Single dwellings (except those used in association with other development not prohibited by this Item and attached to a building used for that development)

Stock and sale yards

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

Transport terminals (other than airline terminals
and bus stations)

Warehouses

Zone 3 (t) Tourist Business

Zone objectives

- (a) To permit development appropriate to the status and function of the particular business centre.
- (b) To permit a range of tourist developments which take advantage of the tourism potential of the centre.
- (c) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 3 (t) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Any development not included in Item 3.

3 Prohibited

Development for the purpose of:

Aeroplane landing areas

Agriculture

Animal establishments

Brothels

Car repair stations

Caravan parks

Cluster housing

Depots

Dual occupancies

Exhibition homes

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Extractive industries

Forestry

Industries

Institutions

Junk yards

Liquid fuel depots

Medical centres

Mines

Motor showrooms

Public buildings

Retailing of bulky goods

Recreation establishments

Roadside stalls

Rural workers' dwellings

Single dwellings (except those used in association with other development not prohibited by this Item and attached to a building used for that development)

Saw mills

Stock and sale yards

Transport terminals (other than airline terminals and bus stations)

Warehouses

Zone 4 (a) General Industrial

Zone objectives

- (a) To ensure an adequate supply of land for industrial purposes in appropriate localities.
- (b) To allow land uses which may provide services and facilities, or may be ancillary or supportive of, or will not restrict the development of, the industrial area or detrimentally affect the economic structure of any business zone.

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

(c) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 4 (a) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Any development not included in Item 3.

3 Prohibited

Development for the purpose of:

Aeroplane landing areas

Bed and breakfast establishments

Boarding houses

Caravan parks

Cluster housing

Commercial premises (other than those referred to in Schedule 2)

Community facilities

Dual occupancies

Educational establishments

Exhibition homes

Extractive industries

Hospitals

Institutions

Medical centres

Mines

Motels

Neighbourhood centres

Places of assembly

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Places of public worship

Recreation establishments

Roadside stalls

Rural workers' dwellings

Shops (other than those referred to in Schedule 2)

Single dwellings (except those used in association with other development not prohibited by this Item and attached to a building used for that development)

Stock and sale yards

Tourist facilities

Zone 4 (b) Service Industrial

Zone objectives

- (a) To provide land for the establishment of services and light industry appropriate to the locality.
- (b) To enable a range of light industrial and related service land uses, without unduly detracting from the retail strength of existing business districts.
- (c) To ensure industrial activities are of a kind compatible with adjoining urban land uses.
- (d) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 4 (b) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Any development not included in Item 3.

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

3 Prohibited

Development for the purpose of:

- Aeroplane landing areas
- Airline terminals
- Bed and breakfast establishments
- Boarding houses
- Brothels
- Caravan parks
- Cluster housing
- Commercial premises (other than those referred to in Schedule 2)
- Dual occupancies
- Exhibition homes
- Extractive industries
- Forestry
- Home businesses
- Hospitals
- Hotels
- Industries (other than light industries)
- Institutions
- Junk yards
- Liquid fuel depots
- Medical centres
- Mines
- Motels
- Neighbourhood centres
- Recreation establishments
- Roadside stalls
- Rural workers' dwellings

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Saw mills

Shops (other than those referred to in Schedule 2)

Single dwellings (except those used in association with other development not prohibited by this Item and attached to a building used for that development)

Stock and sale yards

Tourist facilities

Zone 4 (t) Industrial Technology

Zone objectives

- (a) To provide land for:
 - (i) industries that require location near the airport, or are significantly benefited by location near the airport, and
 - (ii) information technology or emergent technology industries.
- (b) To provide land for industries which create new employment opportunities for the Hastings area due to the product produced by the industry being exported from the area, or otherwise.
- (c) To provide land for industries which have a significant multiplier effect in the regional economy.
- (d) To only allow:
 - (i) other industries, commercial activities or educational establishments that require location with the technology or employment-generating industries within the zone, or
 - (ii) commercial activities that require location near the airport, or are significantly benefited by location near the airport.
- (e) To allow other ancillary uses appropriate to service the needs of persons employed in the industrial area.
- (f) To ensure attractive and well landscaped development occurs within the zone.
- (g) To enable appropriate development where allowed with consent, subject to the special considerations contained in clause 28.

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

Development within the zone

In Zone 4 (t) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Development for the purpose of:

- Advertisements
- Aeroplane landing areas
- Car parks
- Child care centres
- Commercial premises
- Community facilities
- Dual occupancies
- Educational establishments
- Heliports
- Light industries
- Liquid fuel depots
- Public buildings
- Recreation areas
- Recreation facilities
- Roads
- Shops
- Single dwellings (used in association with other development allowed by this Item and attached to a building used for that development)
- Tourist facilities
- Transport terminals (other than bus depots)
- Utility installations

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Warehouses

Demolition

3 Prohibited

Any development not included in Item 2.

Zone 5 (a) Special Uses

Zone objectives

- (a) To identify land which is being used or likely to be used for public purposes and enable the development of particular land for the public purpose shown on the zoning map.
- (b) To enable other development of land within this zone where the consent authority is satisfied that the proposed use will not affect development of the land for the public purpose for which it has been zoned or the amenity of the locality.
- (c) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 5 (a) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Development for the purpose of:

Advertisements

Car parks

Recreation areas

Roads

The particular land use indicated by black lettering on the zoning map

Utility installations

Demolition

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

3 Prohibited

Any development not included in Item 2.

Zone 6 (a) Open Space

Zone objectives

- (a) To identify areas which are capable of being used for public recreation.
- (b) To enable development of land within this zone for recreational and other purposes that do not adversely affect the recreational use of the land.
- (c) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 6 (a) the following development is:

1 Allowed without development consent

Any development ordinarily incidental or ancillary to development included in Item 2.

2 Allowed only with development consent

Development (other than ordinarily incidental or ancillary development) for the purpose of:

- Advertisements
- Car parks
- Community facilities
- Recreation areas
- Recreation facilities
- Roads
- Utility installations

Demolition

3 Prohibited

Any development not included in Item 1 or 2.

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Zone 6 (c) Private Recreation

Zone objectives

- (a) To identify areas where privately operated recreation facilities are provided.
- (b) To enable development of land within this zone for recreational and other purposes that do not adversely affect the recreational use of the land.
- (c) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 6 (c) the following development is:

1 Allowed without development consent

Any development ordinarily incidental or ancillary to development included in Item 2.

2 Allowed only with development consent

Development (other than ordinarily incidental or ancillary development) for the purpose of:

Advertisements

Car parks

Clubs

Community facilities

Places of assembly

Recreation areas

Recreation facilities

Roads

Utility installations

Demolition

3 Prohibited

Any development not included in Item 1 or 2.

Clause 9 Hastings Local Environmental Plan 2001

Part 2 Exempt and complying development, zoning of land and zone table

Zone 7 (a) Environment Protection—Wetlands

Zone objectives

- (a) To identify and protect significant wetland areas from incompatible development which will have a significant impact on the wetland.
- (b) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 7 (a) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Development for the purpose of:

Advertisements

Agriculture

Aquaculture

Home businesses

Recreation areas

Roads

Single dwellings

Utility installations (other than radio or television transmission towers)

Demolition

3 Prohibited

Any development not included in Item 2.

Zone 7 (d) Environmental Protection—Scenic

Zone objectives

- (a) To identify and protect areas of particular scenic significance.
- (b) To enable appropriate development where allowed with consent.

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Development within the zone

In Zone 7 (d) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Development for the purpose of:

Advertisements

Agriculture

Aquaculture

Dual occupancies (attached dwellings only)

Forestry

Home businesses

Recreation areas

Roads

Rural tourist facilities

Single dwellings

Utility installations (other than radio or television transmission towers)

Demolition

3 Prohibited

Any development not included in Item 2.

Zone 7 (f1) Environment Protection—Coastal

Zone objectives

- (a) To identify and protect, from incompatible development, coastal foreshore areas which are environmentally sensitive, hazardous or visually significant.
- (b) To enable appropriate development where allowed with consent.

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

Development within the zone

In Zone 7 (f1) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Development for the purpose of:

Advertisements

Car parks

Caravan parks

Forestry

Home businesses in existing dwellings

Recreation areas

Roads

Single dwellings

Utility installations (other than radio or television transmission towers)

Demolition

3 Prohibited

Any development not included in Item 2.

Zone 7 (f2) Environment Protection—Coastal Land Acquisition

Zone objectives

- (a) To protect environmentally sensitive foreshore areas that are designated for acquisition by the Council or the Director-General.
- (b) To enable appropriate development where allowed with consent.

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Development within the zone

In Zone 7 (f2) the following development is:

1 Allowed without development consent

Nil

2 Allowed only with development consent

Development for the purpose of:

Recreation areas

Roads

Utility installations (other than radio or television transmission towers)

Demolition

3 Prohibited

Any development not included in Item 2.

Zone 7 (h) Environment Protection—Habitat

Zone objectives

- (a) To maintain natural habitats for native plants and animals within the local ecological subsystem.
- (b) To maintain a network of natural or semi-natural habitats and to re-establish missing sections of natural habitats.
- (c) To protect the environmental qualities and values of natural habitats (including creek lines).
- (d) To permit roads and services to cross habitat areas in a manner that has minimal adverse impacts on habitat values.
- (e) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 7 (h) the following development is:

1 Allowed without development consent

Nil

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

2 Allowed only with development consent

Development for the purpose of:

Advertisements

Recreation areas (excluding sporting fields)

Roads

Utility installations (other than radio or television transmission towers)

Demolition

3 Prohibited

Any development not included in Item 1 or 2.

Zone 8 (a) National Parks and Nature Reserves

Zone objectives

- (a) To identify land reserved under the *National Parks and Wildlife Act 1974*.
- (b) To identify land owned by the National Parks and Wildlife Service and proposed to be reserved under the *National Parks and Wildlife Act 1974*.

Development within the zone

In Zone 8 (a) the following development is:

1 Allowed without development consent

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

2 Allowed only with development consent

Nil

3 Prohibited

Any development not included in Item 1.

Hastings Local Environmental Plan 2001

Clause 9

Exempt and complying development, zoning of land and zone table

Part 2

Zone 8 (b) Proposed National Parks and Nature Reserves

Zone objectives

- (a) To identify land proposed to be acquired under the *National Parks and Wildlife Act 1974*.
- (b) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 8 (b) the following development is:

1 Allowed without development consent

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

2 Allowed only with development consent

Development for the purpose of:

Advertisements

Agriculture

Clearing of trees or native vegetation

Forestry

Utility installations (other than radio or television transmission towers)

Demolition

3 Prohibited

Any development not included in Item 1 or 2.

Zone No 9 (c) Proposed Local Roads

Zone objectives

- (a) To ensure that land required for future essential local roads and road widening is clearly designated.
- (b) To provide for the acquisition of land so designated.
- (c) To allow continued use of land so designated until it is required for local roads.

Clause 9	Hastings Local Environmental Plan 2001
Part 2	Exempt and complying development, zoning of land and zone table

(d) To enable appropriate development where allowed with consent.

Development within the zone

In Zone 9 (c) the following development is:

1 Allowed without development consent

Development for the purpose of:

Roads

Widening of existing roads

2 Allowed only with development consent

Development for the purpose of:

Advertisements

Car parks

Recreation areas

Utility installations (other than radio or television transmission towers).

Demolition

3 Prohibited

Any development not included in Item 1 or 2.

Hastings Local Environmental Plan 2001

Clause 10

General provisions

Part 3

Part 3 General provisions

10 Temporary development of land

Consent may be granted to development (other than designated development) for any purpose that is elsewhere prohibited by a provision of this plan for a maximum period of 28 days, whether consecutive or not, in any one year.

11 Development of uncoloured land on the zoning map

(1) Objectives:

- (a) To enable the control of development on unzoned land.
- (b) To ensure that development of unzoned land is compatible with surrounding development and zones.
- (c) To ensure that development of certain waters takes account of environmental impacts and all lawful users of the waters.

(2) A person must not carry out development on unzoned land except with development consent.

(3) In deciding whether to grant consent to development on unzoned land, the consent authority must consider:

- (a) whether the proposed development is compatible with development allowed in the adjoining zone and the character of existing lawful development in the vicinity, and
- (b) in the case of unzoned land that is below the mean high water mark of the ocean or an estuary, bay, lake or river:
 - (i) whether or not the proposed development would alienate the waters of the ocean, estuary, bay, lake or river from recreational uses or from commercial fishing and, if so, whether there is sufficient area in the locality for those uses to mitigate the adverse effect of the proposed development on those uses, and
 - (ii) the provisions of and the impact on any coastal, estuary or river plan of management in force from time to time that applies to the unzoned land or land in the vicinity, and
 - (iii) any impact on, or from, the natural environment and its processes.

Clause 12 Hastings Local Environmental Plan 2001

Part 3 General provisions

12 Development near zone boundaries

(1) Objective:

To provide flexibility where detailed investigation of a site and its surroundings reveals that minor encroachment of development over the zone boundary would allow more effective and appropriate development of the site.

(2) This clause applies to land which is:

- (a) within 100 metres of a boundary between any two of Zones 1 (a1), 1 (a3) and 1 (a4), or
- (b) within 20 metres of a boundary between any other zones, except land within Zone 7 (f1), 7 (f2), 8 (a) or 8 (b).

(3) Development may, with development consent, be carried out on land to which this clause applies for any purpose for which development may be carried out (with or without consent) in the adjoining zone.

(4) Consent may be granted to development referred to in subclause (3) only if the applicant demonstrates to the satisfaction of the consent authority that the proposed development is, due to planning, design, ownership, servicing or similar criteria, more appropriate than development allowed by the zoning of the land.

13 Availability of essential services

(1) Objectives:

- (a) To ensure that development does not occur without adequate measures to protect the environment and the community's health.
- (b) To ensure that development occurs in a coordinated and efficient manner and that costs attributable to it are borne equitably.

(2) Consent must not be granted to the carrying out of development on any land unless:

- (a) a water supply and facilities for the removal or disposal of sewage and drainage are available to that land, or
- (b) arrangements satisfactory to the Council have been made for the provision of that supply and those facilities,

if the proposed use of the land will, in the opinion of the consent authority, generate a need for such a supply or for those facilities.

Hastings Local Environmental Plan 2001

Clause 14

Subdivision

Part 4

Part 4 Subdivision

Note. Refer to section 4B of the Act for the definition of *subdivision of land*.

14 General

Unless the subdivision is exempt development, a person shall not subdivide land without development consent.

15 Subdivision in Zone 1 (a1), 1 (a3), 1 (a4), 1 (i), 7 (a) or 7 (d)

Consent may be granted to the subdivision of land:

- (a) within Zone 1 (a1), 1 (a3), 1 (i), 7 (a) or 7 (d), only if the area of each allotment created is at least 40 hectares, or
- (b) within Zone 1 (a4), only if the area of each allotment created is at least 100 hectares.

16 Rural Residential Zones: Kings Creek land within Zone 1 (i) or 1 (r1)

- (1) Consent shall not be granted to development on land within Zone 1 (i) unless the consent authority has taken into consideration the impact the development may have on the future intended use of the land for rural residential purposes, and is satisfied that the development will not unduly restrict the ability to use the land or adjoining land for rural residential purposes.
- (2) Consent shall not be granted to the creation of any lot within Zone 1 (r1) unless the consent authority is satisfied that buildings to be erected on the land will be situated within a building envelope below RL 45m AHD, and that a reticulated water supply will be provided to each lot.
- (3) Consent shall not be granted for the subdivision or other development of land within Zone 1 (i) or 1 (r1) unless the consent authority has taken into consideration the provisions of the Kings Creek Koala Plan of Management available from the office of the Council.

17 Lot sizes in Zone 1 (u), 2 (a1), 2 (a4), 2 (t1), 2 (t2) or 2 (v)

- (1) Consent may be granted to the subdivision of land by a plan of subdivision, within the meaning of section 195 of the *Conveyancing Act 1919*:
 - (a) within Zone 2 (a1) or 2 (v), only if the area of each lot created is not less than 450m², or

Clause 17 Hastings Local Environmental Plan 2001

Part 4 Subdivision

- (b) within Zone 2 (t1) or 2 (t2), only if the area of each lot created is not less than 600m², or
 - (c) within Zone 2 (a4), only if the area of each lot created is not less than 2,000m², or
 - (d) within Zone 1 (u) (or partly within that zone and another zone), only if the area of each lot created within Zone 1 (u) is not less than 450m² and (where the land is partly within that zone and another zone) only if there is a suitable site for the erection of a single dwelling within the other zone.
- (2) Despite subclause (1), consent may be granted to a subdivision associated with dual occupancy or cluster housing creating a lot smaller than 450m² within Zone 2 (a1) or 2 (v).

Hastings Local Environmental Plan 2001

Clause 18

Dwellings

Part 5

Part 5 Dwellings

18 Single dwellings within Zone 1 (a1), 1 (a3), 1 (a4), 1 (i), 7 (a), 7 (d) or 7 (f1)

- (1) Consent may be granted to the erection of a single dwelling on land:
 - (a) within Zone 1 (a1), 1 (a3), 1 (i), 7 (a), 7 (d) or 7 (f1), only if the area of the land is at least 40 hectares and no dwelling is erected on it, or
 - (b) within Zone 1 (a4), only if the area of the land is at least 100 hectares and no dwelling is erected on it.
- (2) Despite subclause (1), consent may be granted to the erection of a single dwelling on a parcel of land which is smaller than the minimum area of 40 hectares or 100 hectares required by subclause (1) (a) or (b), but only if the land:
 - (a) is vacant and is either an existing parcel or an approved lot, except an approved lot created for a purpose other than for the erection of a single dwelling, or
Note. Refer to Dictionary for definition of these terms.
 - (b) is referred to in Schedule 1 or is an allotment created by the boundary adjustment of an allotment referred to in Schedule 1.
- (3) Consent may be granted to one rural workers' dwelling on land within Zone 1 (a1), 1 (a3) or 1 (a4) if the allotment has an area of at least 80 hectares and the consent authority is satisfied that the dwelling is necessary to maintain or enhance the long-term agricultural use of the land.
- (4) Despite any other provisions of this clause, consent may be granted to the erection of a single dwelling on land within Zone 1 (a1), 1 (a3) or 1 (a4) where:
 - (a) the land comprises one or more allotments created prior to 26 May 1967, and
 - (b) at 2 October 1987 the land was owned by a person who did not own any adjacent or adjoining land, and
 - (c) prior to the appointed day, consent for the erection of a single dwelling may have been granted pursuant to the provisions of an environmental planning instrument applying to the land.

Clause 19 Hastings Local Environmental Plan 2001

Part 6 Environmental provisions

Part 6 Environmental provisions

19 Landform alteration in Zone 7 (a), 7 (d) or 7 (h)

(1) Objective:

To ensure that the impact of landform alteration of environmentally sensitive land is subject to specific considerations.

(2) A person shall not carry out development within Zone 7 (a), 7 (d) or 7 (h) which involves the construction of a levee, or excavation, filling or draining of land, without development consent.

(3) Consent may be granted to development within Zone 7 (a), 7 (d) or 7 (h) only if the consent authority has notified the Director-General of National Parks and Wildlife of the proposal and taken into consideration any comments received from the National Parks and Wildlife Service within 28 days of the notice being sent.

(4) Notice to the Director-General of National Parks and Wildlife is to include a request for comments on the likely environmental effects of the proposed development on flora and fauna.

(5) Consent required by this clause may be granted only if the consent authority has taken into consideration:

- (a) the effect of the development on the operation of the natural hydrological system of the land and adjoining land, and
- (b) the effect on areas of scenic significance, and
- (c) whether any feasible alternatives exist.

20 Tree preservation

(1) Objective:

To protect vegetation and provide for the assessment of the impact of clearing for the reasons of preserving amenity and the ecology of the area of Hastings.

(2) Pursuant to section 32 of the Act, the Council may by resolution make, revoke or amend a tree preservation order.

(3) A tree preservation order is to identify a tree or class of trees that must not be ringbarked, cut down, topped, lopped, removed or wilfully destroyed without development consent or the permission of the Council, but does not apply:

Hastings Local Environmental Plan 2001

Clause 20

Environmental provisions

Part 6

-
- (a) to trees in a State Forest or within a reserve under the *Forestry Act 1916*, or
 - (b) to trees in Zone 8 (a).
- (4) A person must not ringbark, cut down, top, lop, remove or wilfully destroy a tree to which a tree preservation order applies without development consent or the permission of the Council or unless authorised to do so by or under an Act.
 - (5) A tree preservation order, and any revocation or amendment of it, does not have effect until it has been published in a newspaper circulating in the area of the Council.
 - (6) A tree preservation order made and in force immediately before the appointed day under any environmental planning instrument that applied to land to which this plan applies shall be deemed to be a tree preservation order made by the Council under this clause identifying the trees to which it is expressed to apply and may be revoked or amended by the Council in accordance with this clause.
 - (7) This clause does not apply to land to which clause 21 applies.
 - (8) In Zone 7 (a), 7 (d), 7 (f1), 7 (f2) or 7 (h) a tree, which exceeds a height of 3 metres, shall not be cut down, lopped or otherwise destroyed without development consent or the permission of the Council.

21 Protected lands

- (1) Objective:

To enable the protection of vegetation and assessment of the impacts of clearing in certain areas for reasons of visual amenity and ecology.
- (2) This clause applies to land shown by vertical hatching on the zoning map.
- (3) Land to which this clause applies shall not be clear felled without development consent.

22 Development in Zone 7 (f1)

- (1) Consent for development in Zone 7 (f1) must not be granted except with the concurrence of the Director-General.
- (2) In determining whether to grant concurrence, the Director-General shall take into consideration the likelihood of the proposed development:

Clause 22 Hastings Local Environmental Plan 2001

Part 6 Environmental provisions

- (a) adversely affecting, or being adversely affected by, the behaviour of the sea or an arm of the sea or any bay, inlet, lagoon, lake, body of water, river, stream or watercourse, or
- (b) adversely affecting any beach or dune or the bed, bank, shoreline, foreshore, margin or floodplain of the sea or any arm of the sea or any bay, inlet, lagoon, lake, body of water, river, stream or watercourse, or
- (c) adversely affecting the landscape or scenic quality of the locality.

23 Development in Zone 8 (b)

Consent may be granted to development in Zone 8 (b) only if the consent authority has notified the Director-General of National Parks and Wildlife of the proposal and taken into consideration any comments received from the National Parks and Wildlife Service within 28 days of the notice being sent.

24 Habitat areas

- (1) Objective:
To ensure appropriate vegetation management on land identified as habitat.
- (2) This clause applies to land shown by horizontal hatching on the zoning map.
- (3) Vegetation removal, other than the removal of weeds and noxious weeds, shall not be carried out without development consent.
- (4) For the purposes of this clause, *vegetation removal* means:
 - (a) the cutting down, removal or destruction of a tree containing hollows, or
 - (b) the cutting down, removal or destruction of a species of tree identified as a primary koala browse tree within the Hastings area, the height of which exceeds 5 metres, or
 - (c) the removal of an area of vegetation including trees, understorey or ground cover (or any combination of them), by the use of machinery.

Descriptions of species of trees identified as a primary koala browse tree within the Hastings area are available from the office of the Council.

Hastings Local Environmental Plan 2001

Clause 24

Environmental provisions

Part 6

- (5) Nothing in this clause prevents the ongoing maintenance of existing fire radiation zones or fire trails.
- (6) Consent shall not be granted to vegetation removal on land to which this clause applies unless the consent authority has taken into consideration the provisions of the relevant plans of management applying to the land and available from the office of the Council.

Clause 25 Hastings Local Environmental Plan 2001

Part 7 Hazards and buffers

Part 7 Hazards and buffers

25 Flood liable land

- (1) Objectives:
 - (a) To minimise potential flood damage by ensuring that only appropriate development occurs on flood liable land.
 - (b) To minimise the effects of flooding on the community.
- (2) For the purposes of this clause, *flood liable land* is:
 - (a) land likely to be inundated in the 1 in 100 year flood, as identified on mapping held in the office of the Council, or
 - (b) land likely to be inundated in the 1 in 100 year flood because of topography or proximity to a watercourse.
- (3) In the case of land referred to in subclause (2) (a), consent shall not be granted to development of the land unless a survey identifying the level of the land relative to the 1 in 100 year flood level has been completed.
- (4) Consent shall not be granted to development of any flood liable land unless the consent authority has considered:
 - (a) the likelihood of loss of life or property from flooding, and
 - (b) the likelihood of increased demand for flood mitigation measures and emergency services, and
 - (c) any impediments to the operation of floodway systems in times of flood, and
 - (d) the effect of proposed development on adjoining land in times of flood, and
 - (e) limits on the intensity of development of urban flood liable land, and
 - (f) the provision of services and facilities appropriate to the flood liability of the land.
- (5) Despite any other clause in this plan:
 - (a) development (other than land filling) must not be carried out on land within Zone 4 (t) if the level of the land is less than 650 mm above the 1 in 100 year flood level, and

Hastings Local Environmental Plan 2001

Clause 25

Hazards and buffers

Part 7

- (b) where land within Zone 2 (t1), 2 (t2) or 4 (b) is identified as being at less than 800 mm above the 1 in 100 year flood level, development must not be carried out on the land unless all habitable floor levels have an appropriate freeboard, or are within a ring levee which has its upper lip not less than 800 mm above the 1 in 100 year flood level.

26 Acid sulfate soils

(1) Objective:

To ensure adequate assessment of development which may create an acid sulfate hazard.

- (2) A person must not, without development consent, carry out works on land to which this plan applies shown as being Class 1, 2, 3, 4 or 5 land on the acid sulfate soils map, being the works specified for the class of land in the following table:

Class of land	Works to which this clause applies
1	Any works.
2	Works below the ground surface, Works by which the watertable is likely to be lowered.
3	Works beyond 1 metre below the natural ground surface, Works by which the watertable is likely to be lowered beyond 1 metre below natural ground.
4	Works beyond 2 metres below the natural ground surface, Works by which the watertable is likely to be lowered beyond 2 metres below natural ground.
5	Works by which the watertable is likely to be lowered to below 1 metre AHD in adjacent Class 1, 2, 3 or 4 land.

- (3) For the purposes of subclause (2), *works* includes any landform alteration that results in the disturbance of soil (such as occurs in carrying out agriculture, the construction of dams, the maintenance of existing drains, flood mitigation works or any other works which will alter groundwater levels), but does not include minor works such as septic tank installation or trenching for installation of services where such works may not be carried out without the issue of an approval by the Council.

Clause 26 Hastings Local Environmental Plan 2001

Part 7 Hazards and buffers

- (4) Such a consent must not be granted unless the consent authority has considered:
- (a) a preliminary soil assessment determining the presence or absence of potential or actual acid sulfate soils within the area of proposed landform alteration, unless the applicant agrees that potential or actual acid sulfate soils are present within the area of proposed landform alteration, and
 - (b) where the preliminary soil assessment identifies, or the applicant agrees about the presence of, potential or actual acid sulfate soils—the adequacy of an acid sulfate soils management plan prepared in accordance with the Acid Sulfate Soil Manual, and
 - (c) the likelihood of the proposed development resulting in the oxidation of acid sulfate soils, and
 - (d) any comments received from any relevant public authority the consent authority may consult with in respect of the application.

Hastings Local Environmental Plan 2001

Clause 27

Particular area provisions

Part 8

Part 8 Particular area provisions

27 Development in Zone 2 (t2)

- (1) Objectives:
 - (a) To ensure that the potential impact of any major flood inundation is taken into account in deciding what development will be carried out on land within Zone 2 (t2).
 - (b) To ensure that appropriate tourist-related land uses are permissible within the zone.
- (2) Despite any other provision of this plan, a person must not develop land within Zone 2 (t2) if the development would result in habitable floor levels that are less than 800 mm above the 1 in 100 year flood level. The only exception to this requirement is where a ring levee is provided in accordance with clause 25.
- (3) Despite any other provision of this plan, a person must not develop land within Zone 2 (t2) if the development would result in an increase in the number of permanent residents occupying the land.
- (4) Subclause (3) does not apply to an increase in permanent residents resulting from occupation of:
 - (a) the first single dwelling erected on a parcel of land in existence at 27 June 1997, being the date of gazettal of *Hastings Local Environmental Plan 1987 (Amendment No 55)*, or
 - (b) a single dwelling or other dwelling erected in conjunction with a use permissible within Zone 2 (t2) (other than a home business) and situated on the same land as the land on which that use is carried out, where that dwelling will be occupied exclusively as a manager's residence required for the effective control of that use on that land.
- (5) Despite any other provision of this plan, consent must not be granted to development for the purpose of a shop or commercial premises within Zone 2 (t2) unless the consent authority is satisfied that the use of the proposed shop or commercial premises will be a tourist-related use.
- (6) For the purposes of this clause, a *tourist-related use* is a land use that relies for its commercial success on tourist patronage and that promotes local tourism activities or facilities. Examples of tourist-related land uses are:

Clause 27 Hastings Local Environmental Plan 2001

Part 8 Particular area provisions

- (a) sale of local crafts or souvenirs, and
- (b) booking of local attractions and recreational facilities and activities, and
- (c) provision of tourist information and other similar services that assist in the establishment of the area as a specialised tourist precinct.

28 Development in Zone 4 (t)

- (1) Consent must not be granted to the carrying out of development for the purpose of commercial premises, an educational establishment, tourist facilities or a transport terminal within Zone 4 (t) unless the consent authority is satisfied that the development:
 - (a) relies on, or would significantly benefit from, being located within Zone 4 (t), or
 - (b) is required to provide services or training facilities predominantly for industries or persons employed within Zone 4 (t).
- (2) Consent must not be granted to the carrying out of development for the purpose of a depot, light industry, liquid fuel depot, public building or warehouse within Zone 4 (t) unless the consent authority is satisfied that the development is better suited to being located within Zone 4 (t) than any other industrial zone.
- (3) Consent must not be granted to the carrying out of development on land within Zone 4 (t) for the purpose of a child care centre, recreation area, recreation facility or shop unless the consent authority is satisfied that the development provides services predominantly for persons employed within Zone 4 (t).
- (4) Consent must not be granted to the carrying out of development on land within Zone 4 (t) for the purpose of a dwelling unless the consent authority is satisfied that there is a need for the dwelling to be provided as part of other development carried out in Zone 4 (t).
- (5) Consent must not be granted to the carrying out of any development on land within Zone 4 (t) unless the consent authority is satisfied that the development will achieve a high standard of visual amenity.

Hastings Local Environmental Plan 2001

Clause 29

Particular area provisions

Part 8

29 Development for additional purposes

- (1) Nothing in this plan prevents a person, with development consent, from carrying out development on land referred to in Schedule 3 and indicated on the zoning map by a vertical stipple if the development is specified in relation to that land in that Schedule, subject to such conditions, if any, as are so specified.
- (2) If a condition referred to in subclause (1) allows consent to be granted only within a specified period from the date of gazettal of an environmental planning instrument, consent must not be granted after the expiration of that period (or after such later date as the Minister may, before expiration of that period, notify by order published in the Gazette).
- (3) Nothing in subclause (2) prevents consent from being granted to the carrying out of alterations or extensions to, or the rebuilding of, a building or place being used for development for which consent has been granted in accordance with subclause (1).

30 Land adjoining Wauchope Racecourse—Lot 6 DP 884424 in Zones 1 (a1), 1 (u) and 2 (a1)

- (1) Objectives:
 - (a) To avoid allowing residential development that could give rise to conflict between it and adjoining land uses, having particular regard to noise from an adjoining existing racecourse.
 - (b) To enhance protection of an area of Aboriginal archaeological sensitivity.
- (2) Consent must not be granted to the subdivision of such of the land in Lot 6 DP 884424 as is within Zone 1 (a1), 1 (u) or 2 (a1) unless the consent authority is satisfied that:
 - (a) the subdivision pattern provides sites for dwellings which will not be subject to noise levels greater than 45 dB(A) L_{90} in the daytime or 35 dB(A) L_{90} in the night-time, having regard to adjoining land uses on Lot 1 DP 206905 and Lot 3 DP 595087, and
 - (b) the length of each of the proposed allotments is not excessive in relation to its width, and
 - (c) there will be a suitable timbered buffer at least 25 metres wide between the site of any existing or future dwelling and the racecourse.

Clause 30 Hastings Local Environmental Plan 2001

Part 8 Particular area provisions

- (3) Consent must not be granted to any such subdivision for residential purposes unless the consent authority has considered a noise management report containing the following:
- (a) an evaluation of the noise level contours over the site,
 - (b) a description of proposed noise attenuation measures to be carried out as part of the residential development,
 - (c) recommendations for any special requirements regarding dwellings to be imposed on the development, such as requirements relating to siting, noise insulation and permissible height.
- (4) In relation to land within Zone 1 (a1) or 1 (u) and within 350 metres of the intersection of Beechwood Road and Yippen Creek Road, consent must not be granted unless it contains conditions which provide for the protection of Aboriginal relics that are or may be on the land.

31 Neighbourhood centres—Zone 2 (a1)

- (1) Objective:
- To ensure that the neighbourhood centres are viable and not in competition with one another and are compatible with a hierarchy of business centres.
- (2) Consent must not be granted to development for the purpose of a neighbourhood centre within Zone 2 (a1) unless:
- (a) the consent authority is satisfied that the development is consistent with the objectives of this clause, with particular regard to size, facilities and location, and
 - (b) the neighbourhood centre is located at least 1.5 kilometres from the nearest land within another neighbourhood centre or a business zone.

Hastings Local Environmental Plan 2001

Clause 32

Acquisition

Part 9

Part 9 Acquisition

32 Acquisition of land in Zone 5 (a), 7 (f2), 8 (b) or 9 (c)

- (1) The owner of land within Zone 5 (a) (for which the particular land use “Education” or “Water Supply” is indicated by black lettering on the zoning map), 7 (f2), 8 (b) or 9 (c) may, by notice in writing, require:
 - (a) in the case of land within Zone 5 (a) reserved for educational purposes—the Minister for Education and Training,
 - (b) in the case of land within Zone 5 (a) reserved for water supply purposes, 7 (f2) or 9 (c)—the Council,
 - (c) in the case of Lots 14 and 15 DP 560259, Pacific Drive, Port Macquarie, within Zone 7 (f2)—the corporation within the meaning of the Act, or
 - (d) in the case of land within Zone 8 (b)—the Director-General of National Parks and Wildlife,to acquire that land.
- (2) On receipt of a notice referred to in subclause (1), the person or public authority concerned shall acquire the land.
- (3) Where land within Zone 9 (c) cannot, in the opinion of the Council, be used or otherwise developed within a reasonable time after the appointed day for the purpose for which it has been zoned, the land may, with consent, be developed for any other purpose.
- (4) Nothing in subclause (2) requires the Council to acquire land within Zone 9 (c) during the currency of a consent obtained under subclause (3).

Clause 33 Hastings Local Environmental Plan 2001

Part 10 Heritage

Part 10 Heritage

33 Heritage items

- (1) A person must not, in respect of a building, work, relic, tree or place that is a heritage item:
 - (a) demolish or alter the building or work, or
 - (b) damage or move the relic, or
 - (c) excavate for the purpose of exposing the relic, or
 - (d) damage or despoil the place or tree, or
 - (e) erect a building on or subdivide land on which the building, work or relic is situated or that comprises the place, or
 - (f) damage any tree on land on which the building, work or relic is situated or on the land which comprises the place, or
 - (g) make structural changes to, or non-structural changes to the detail, fabric, finish or appearance of, the interior of a building or work listed in Part 2 of Schedule 4,except with development consent.
- (2) Consent must not be granted to a development application required by subclause (1) unless the consent authority has taken into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item and any stylistic or horticultural features of its setting.
- (3) The consent authority may decline to grant a consent required by this clause unless it has considered a conservation plan that enables the consent authority to fully consider the heritage significance of the heritage item and the impact of the proposed development on the significance of the heritage item and its setting.

34 Development in the vicinity of heritage items

Consent must not be granted to development on land in the vicinity of a heritage item unless the consent authority has made an assessment of the effect the carrying out of that development will have on the heritage significance of the item and its setting.

Hastings Local Environmental Plan 2001

Clause 35

Heritage

Part 10

35 Notification of Heritage Council

Consent may be granted to a development application involving a heritage item listed in Part 1 of Schedule 4 only if the consent authority has notified the Heritage Council of its intention to grant consent and taken into consideration any comments received from the Heritage Council within 28 days of the notice being sent

Note. Only items of State heritage significance require referral to the Heritage Council.

36 Conservation incentives

- (1) Nothing in this plan prevents the granting of consent to the use for any purpose of a building that is a heritage item, or of land on which a building that is a heritage item is erected, if the consent authority is satisfied that:
 - (a) the proposed use would have little or no adverse effect on the amenity of the area, and
 - (b) the conservation of the heritage item depends on granting consent as provided by this clause.
- (2) When considering an application for consent to erect a building on land on which there is situated a building which is a heritage item, the consent authority may:
 - (a) for the purpose of determining the floor space ratio, and
 - (b) for the purpose of determining the number of parking spaces to be provided on the site,

exclude the floor space of the heritage item from its calculation of the floor space of the buildings erected on the land, but only if the consent authority is satisfied that the conservation of the item depends on making that exclusion.

37 Archaeological significance

- (1) This clause applies to land identified on the zoning map as a potential archaeological site.
- (2) Where the consent authority receives an application for consent to carry out development involving the excavation or filling of land, or the erection or demolition of buildings on land, to which this clause applies, it must not grant consent unless it has considered a report which includes an assessment of how the proposed development would affect the archaeological significance of the site.

Clause 38 Hastings Local Environmental Plan 2001

Part 11 Miscellaneous

Part 11 Miscellaneous

38 Suspension of covenants, agreements and similar instruments

(1) Objective:

To enable development to be carried out in accordance with this plan or a consent.

(2) For the purpose of enabling development to be carried out in accordance with this plan or a consent granted under the Act, any agreement, covenant or similar instrument that restricts or prohibits development allowed by this plan shall not apply to development to the extent necessary to serve that purpose.

(3) Nothing in subclause (2) affects the rights or interests of any public authority under any registered instrument.

(4) Pursuant to section 28 of the Act, before the making of this clause the Governor approved of subclauses (2) and (3).

39 Demolition

A person shall not carry out demolition without development consent unless it is exempt development.

40 Advertisements

(1) Objective:

To ensure that signage relates either to the use of the land or promotion of tourism.

(2) Consent must not be granted to the display of an advertisement unless:

- (a) the advertisement relates to the use of the land on which it is to be displayed, or
- (b) the advertisement indicates the location of tourist facilities or activities, or places of scientific, historical or scenic interest, or
- (c) the sign complies with the provisions of *Development Control Plan No 7—Policy on Advertisements*.

Hastings Local Environmental Plan 2001

Single dwellings permitted on certain lots

Schedule 1

Schedule 1 Single dwellings permitted on certain lots

(Clause 18 (2))

Oxley Highway, Port Macquarie

DP 22077—Lots 1 and 4 and part lot 5

DP 22676—Lots 1–3 and 6–18

DP 22692—Lot 3

DP 24461—Lots 19–25

DP 31128—Lots 6, 7 and 10

FP 406807—Lot 1

Land in FP 417065

DP 514628—Lots 1–3

DP 523370—Lots 4 and 6

DP 571815—Lots 4 and 5

DP 600988—Lots 2 and 3

DP 616530—Lot 9

DP 629356—Lots 1 and 2

DP 630393—Lot 4

Riverside Drive, Parish of Torrens

DP 215928—Lots 1–10, 13–19, 22–35 and 37

DP 238301—Lots 1–9, 11–16, 18–26, 28–36, 38–62 and 64–71

DP 251919—Lot 6

DP 251920—Lots 1–13

DP 552384—Lots 1–3

DP 583466—Lot 1

DP 606017—Lot 1

Hastings Local Environmental Plan 2001

Schedule 1 Single dwellings permitted on certain lots

Locality of North Shore Drive, Parish of Torrens

RP 98649—Lot 1

DP 217022—Lots 2–13, 15–27, 29–38, 40, 42–44, 46 and 48

DP 238782—Lots 1–68

DP 244317—Lots 89–125

DP 247188—Lots 72–88

DP 562420—Lot 1

DP 613259—Lots 2 and 3

DP 635703—Lot 1

Corilla Estate, Parish of Torrens

DP 221558—Lots 1–26

Rossglen, Parish of Johns River

DP 103619—Lot A

DP 103620—Lot B

DP 514948—Lot 1

DP 754418—Lots 177, 178, 192–198, 200, 202, 203, 206 and 225

Hastings Local Environmental Plan 2001

Specified commercial premises

Schedule 2

Schedule 2 Specified commercial premises

(Clause 9 (3)—4 (a) and 4 (b) Zones)

Delicatessen

Financial institution

Mortuary

Newsagency

Take-away foodshop

Veterinary establishment

Hastings Local Environmental Plan 2001

Schedule 3 Development of specific sites

Schedule 3 Development of specific sites

(Clause 29)

Land	Additional development permitted	Conditions
Lake Innes Nature Reserve	Development for the purpose of roads and utility installations	
Lot 10 and Part Lot 16 DP 244977, Oakes Crescent, Port Macquarie	Development for the purpose of a small ship building factory	
Part Lot 201 DP 710567, Lot 44 DP 843127, Lot 1 DP 619797, Lot 1 DP 539307 and part Settlement Point Road within Zone 2 (a1), Port Macquarie	Development for the purpose of commercial premises, a service station and shops	Development to be integrated with uses permissible in the zone in which the land is situated.
SP 32552, No 94 William Street, Port Macquarie	Development for the purpose of commercial premises	
Lot 2 DP 33630 and Lot 1 DP 798068, Nos 4 and 8 Hayward Street, Port Macquarie	Development for the purpose of commercial premises	Retain existing buildings in their form and style. Any additions to conform with existing form and style of building.
Lots 63, 67 and 68 DP 834483, Livingstone Road, Port Macquarie	Erection of a dwelling on each lot	
Part Lot 6 DP 739270 and Part Lots 337 and 319 DP 754434, Ocean Drive, Port Macquarie	Development for the purpose of a manufactured home estate within the meaning of <i>State Environmental Planning Policy No 36—Manufactured Home Estates</i>	
Lots 1 and 2 DP 858695 and Timbertown Museum Reserve R210105, Oxley Highway, Wauchope	Development for the purpose of a tourist facility	

Hastings Local Environmental Plan 2001

Development of specific sites

Schedule 3

Land	Additional development permitted	Conditions
Lot 22 DP 852214, Wrights Road, Port Macquarie	The provision of laundry services	Services provided only to hospitals and aged care facilities comprising nursing homes and hostels.
Part Lot 2 DP 244850 within Zone 1 (a1), Lincoln Road, Port Macquarie	Development for the purpose of a manufactured home estate within the meaning of <i>State Environmental Planning Policy No 36—Manufactured Home Estates</i>	Land to be filled to or above 1 in 100 year flood level. Clause 19 must be complied with as if consent for the development were required by that clause.
Lot 1 DP 262236, Wrights Road, Port Macquarie	Erection of residential flats in conjunction with medical centre	
Part Lot 2 DP 826003, Hastings River Drive, Port Macquarie	Development for the purpose of commercial premises	
Lot 54 DP 833573, Jindalee Road, Port Macquarie	Development for the purpose of a barber/hairdressing shop	
Lot 1 DP 826003, corner Hastings River Drive and Newport Island Road, Port Macquarie	Development for the purpose of commercial premises and shops	To be part of integrated development otherwise permitted in the zone in which the land is situated
Land to which Hastings DCP No 31 applies, generally in the vicinity of Lord and Burrawan Streets, between Gordon and Hill Streets, Port Macquarie	Development for the purpose of commercial premises	To have an association with the Council's or another public authority's administrative functions.
Land generally in the vicinity of Hollingsworth, Gore and Bridge Streets, Port Macquarie	Development for the purpose of commercial premises	
Lots 58 and 59 DP 754417, off Oxley Highway, Yarras (Mt Seaview Resort)	Subdivision under the <i>Community Land Development Act 1989</i>	For a limited occupancy rural tourist facility only.
Lot B DP 380244, No 85 William Street, Port Macquarie	Development for the purpose of commercial premises	
Lot 2 DP 812017, Waugh Street, Port Macquarie	Development for the purpose of commercial premises	
Lot 4 DP 262236, No 1, Lot 1 DP 262236, No 2 and Lot 5 DP 262236, No 3 Highfields Circuit, Port Macquarie	Development for the purpose of a medical centre	

Hastings Local Environmental Plan 2001

Schedule 3 Development of specific sites

Land	Additional development permitted	Conditions
Fernbank Creek Road adjoining the Hastings River	Land-based oyster processing operations	
Lot 2 SP 19929, No 10 Jindalee Road, Port Macquarie	Development for the purpose of a medical centre	
Lot 5, DP 775534, Rawdon Island Road, Rawdon Island	Subdivision under the <i>Community Land Development Act 1989</i> creating allotments of less than the minimum lot size for land in the zone in which the land is situated	The Council must be satisfied that: <ul style="list-style-type: none"> (a) the allotments to be created are intended to be used for the purpose of a rural tourist facility, and (b) occupancy of the facility by any one person will be limited to a maximum of 12 weeks (whether consecutive or not) in any calendar year

Hastings Local Environmental Plan 2001

Heritage items

Schedule 4

Schedule 4 Heritage items

(Clauses 33 and 35 and Dictionary)

Part 1 Heritage items of State significance

Lake Innes House ruins and environs (including boathouse and corduroy road sites). (HS0006 and HS0074) Lot 3 DP 801087 and part Lake Innes Nature Reserve, The Ruins Way, Port Macquarie.

Kendall School of Arts (Community) Hall. (HS0031) Lot 36 DP 754418, No 19 Comboyne Street (corner Albert Street).

Laurieton School of Arts building. (HS0017) Lot 1 DP 525966, No 58 Bold Street (corner Laurie Street).

Former Courthouse building and mature Norfolk Island pine trees. (HS0013) Lot 675 DP 722652, corner Clarence and Hay Streets, Port Macquarie.

Hastings District Historical Society Museum building. (HS0015) Lot 1 DP 744652, No 22 Clarence Street, Port Macquarie.

Wauchope Railway Station Group including railway bridge (HS 0089), residence (HS0103), double sided railway goods shed (HS0104) and Canary Island palms in Wallace Street.

Part 2 Heritage items where interior has heritage significance

Kendall

Railway Station buildings (main building and detached men's toilets). (HS0130) Railway Street

Port Macquarie

St Thomas The Apostle Anglican Church building. (HS0004) Lots 1 and 2 Section 7 and Lot 1 Section 7A DP 758852, Hay Street.

St Agnes Roman Catholic Church building and grounds. (HS0054) Part Lots 8-10 Section 6 DP 758852, part Lot 2 DP 634711 and Lot 2 DP 571455, Horton and Hay Streets.

"Roto House" building. (HS0001) Macquarie Nature Reserve, Lord Street.

Page 73

Hastings Local Environmental Plan 2001

Schedule 4 Heritage items

Wauchope

Courthouse building (excluding additions). Part Lot 2, No 41 Hastings Street.
(HS0048)

Part 3 Other heritage items**Bagnoo**

Thone River Bridge. (HS0036) Oxley Highway.

Ballengarra

Historic well. (HS0025) Part Portions 13 and 82, Smiths Creek Road,
Parish of Cairncross.

Former sugar plantation, "Yadillah". Part Portions 11 and 12, Rollands Plains Road,
(HS0024) Parish of Cairncross.

Beechwood

School building. (HS0107) Lot 141 DP 754446, and part Portion 107.

Uniting Church building. (HS0108) Part Lot 3 DP 729837, Beechwood Road,
Parish of Redbank.

Cemetery. (HS0012) Reserve No 15482, corner Pappinbarra Road
and Koree Island Road.

Camden Haven (Kendall to Dellward)

Former timber tramway earthworks. Vicinity of Kew-Comboyne Road.
(HS0032)

Camden Head

Training wall. (part HS0113) Camden Haven River entrance.

Pilot station (single dwelling, weatherboard garage/boathouse, Lot 201 DP 754405, via Camden Head Road.
corrugated garage/boathouse, corrugated
shed and concrete shelter). (HS0114)

Graves. (HS0115) Reserve No 78791, Camden Head Road.

Hastings Local Environmental Plan 2001

Heritage items

Schedule 4

Cells CreekFormer goldmine. (HS0116)
Cemetery. (HS0117)Within Doyles River State Forest.
Reserve No 48917, O'Sullivan's Lane.**Ellenborough**Cemetery. (HS0118)
Police Station building and associated
mature trees. (HS0119)Reserve No 19356, Oxley Highway.
Reserve No 59933, via Oxley Highway.**Fernbank Creek**

Dwelling-house. (HS0057)

Lot 3 DP 613998, Fernbank Creek Road.

Hérons Creek

Saint Mary The Virgin Church

Lot 2 DP 837307, Blackbutt Forest Road.

KendallRailway bridge. (HS0120)
ANZAC War Memorial. (HS0121)
All Saints Anglican Church. (HS0123)
Dwelling-house. (HS0122)
School building (built 1880). (HS0124)
Cemetery. (HS0125)
Roman Catholic Church building.
(HS0128)
Single dwelling. (HS0126)
Uniting Church building. (HS0127)
Dwelling-house. (HS0129)Over Camden Haven River.
Corner Comboyne and Albert Streets.
Lot 1 DP 574137, Comboyne Street.
Lots 13 and 14 Section A DP 5678, No 34
Comboyne Street.
Corner Comboyne Street and Logans Crossing
Road.
Kendall Forest Road.
Lot 1 DP 717923, Laurel Street.
Lot 1 DP 339359, No 9 Laurel Street.
Part Lot 29 Section A DP 7734, No 5 Laurel
Street.
Lot 40 Section B DP 7734, No 23 Railway
Street.**Kew**Police Station building. (HS0131)
Royal Hotel. (HS0132)Part Portion 62, No 20 Tathra Road, Parish of
Camden Haven.
Lot 1 DP 557965, corner Pacific Highway and
Ocean Drive.

Hastings Local Environmental Plan 2001

Schedule 4 Heritage items

Kindee

Kindee Road suspension bridge. (HS0011) Over Hastings River.

Laurieton

ANZAC War Memorial (monument and artillery piece). (HS0134) Reserve No 84064, corner Bold and Castle Streets.
 Holy Trinity Church. (HS0133) Lot 1 Section 17 DP 758603, Bold Street.
 Former Post Office and single dwelling buildings. (HS0137 and HS0138) Lot 2 DP 776806, No 5 Laurie Street (corner Lake Street).
 Cemetery. (HS0136) Ocean Drive.

Mortons Creek

Dwelling-house and graves (Bellangry House). (HS0110) Lot 137 DP 754406, off Bellangry Road.

North Haven

Training wall. (Part HS0113) Camden Haven River entrance.
 Single dwelling. (HS0140) Lot 1 DP 20780, No 623 Ocean Drive.
 Single dwelling. (HS0143) Lot 9 DP 20780, No 639 Ocean Drive.

Port Macquarie

Hibbard Slipway. (HS0019) Lot 1 DP 774887, Lot 694 DP 729765 and Lot 699 DP 822635, Boundary Street.
 Graves. (HS0016) Reserve No 82916, Clarence Street.
 Brick stormwater drain. (HS0035) Clarence Street between Hay and Murray Streets.
 "Garrison" building. (HS0014) Lot 1 DP 630109, No 26 Clarence Street (corner Hay Street).
 Former Pilots boatshed building. (HS0022) Western end, No 79 Clarence Street.
 Historic Cemetery. (HS0003) Gordon Street.
 Part of original Gordon Street Bridge abutments. (HS0058) Reserve No 87617, Kooloonbung Creek, north of Gordon Street.
 "Lindel Hostel" building. (HS0065) Lot 2 DP 536032, No 2 Hastings River Drive (corner Gordon Street).
 Training walls and breakwalls. (HS0060) Hastings River entrance.
 "Ballina" paddlesteamer wreck. (HS0020) Off mouth of Hastings River.

Hastings Local Environmental Plan 2001

Heritage items

Schedule 4

“Hamilton House” (former school) (HS0062) and “The Manor House”. (HS0063)	Reserves Nos 93247 and 97977, No 198 Hastings River Drive.
Former police station, lockup and residence. (HS0068)	Lot 674 DP 722652, Hay Street.
Colonial Chapel of Christ the Healer building. (HS0038)	Lots 1 and 2 Section 7 and Lot 1 Section 7A DP 758852, Hay Street.
Cemetery. (HS0030)	Reserve No 9355, Hibbard Drive.
War Memorial. (HS0061)	Town Green, Reserve No 82306, Horton Street.
Royal Hotel. (HS0039)	Lot 1 DP 607258, Horton Street.
Macquarie Hotel. (HS0052)	Lot 2 DP 607258, Horton Street.
Ritz Theatre Complex. (HS0053)	Lot 1 DP 631801 and Lot 2 DP 631810, Horton Street.
Westpac Bank building. (HS0070)	Lot 2 DP 597002, No 35 Horton Street.
ANZ Bank building—original street facade. (HS0072)	Lot 10 DP 773026, No 49 Horton Street.
Hayward House building. (HS0002)	Part Lot A DP 161382, No 102 Horton Street.
Former single-storey Methodist Church building. (HS0073)	Lot 1 DP 817934, Horton Street.
Convict well. (HS0071)	Lot 1 DP 704798, No 158 Horton Street (corner Gordon Street).
“Coolenberg” dwelling-house. (HS0069)	Lot 1 DP 616008, No 60 Lake Road (corner Hill Street).
Remains of former Tacking Point Lighthouse keeper’s single dwelling. (HS0055)	Lot 2 DP 226861, Lighthouse Road.
Tacking Point Lighthouse building. (HS0009)	Lot 2 DP 859841, Lighthouse Road.
Well. (HS0008)	Lot 659 DP 47332, Munster Street, adjoining Courthouse.
“Grantham” dwelling-house. (HS0007)	Lot 1 DP 815326, Muston Street.
“Douglas Vale” dwelling-house and grounds. (HS0075)	Lots 12–14 DP 794235, Oxley Highway.
Cemetery. (HS0076)	Corner Oxley Highway and Widderson Street.
Obelisk. (HS0005)	Reserve No 71183, Pacific Drive, Nobby’s Head.
“The Cross” navigational marker. (HS0082)	Vicinity of Lot 5 DP 263360, Park Street.
Well. (HS0029)	Historic Well Motel, Lots 4 and 5 and part Lot 3 Section 63 DP 758852, No 1 Stewart Street (corner Lord Street).

Hastings Local Environmental Plan 2001

Schedule 4 Heritage items

Remnants of stone swale and kerbing. (HS0037)	North side of William Street between Hay and Horton Streets.
Pilots Memorial. (HS0077)	Reserve No 82916, William Street, Flagstaff Hill.
Three dwelling-houses. (HS0078, HS0079 and HS0080)	Lot 16 Section 65 DP 758852, Nos 2, 4 and 6 William Street.
Former dwelling-house. (HS0081)	Part Lot 2 Section 8 DP 758852, being land in FP 168127, No 98 William Street.
Rawdon Island	
Former School building and teacher's dwelling-house. (HS0146)	Lot 30 FP 905648 Rawdon Island Road.
Former Post Office building. (HS0051)	Lots 28, 29, 33, 37 and 38 DP 754446 and part Portion 9, off Rawdon Island Road, Parish of Redbank.
Rollands Plains	
Road bridge. (HS0147)	Over Brill Brill Creek, Rollands Plains Road.
Cemetery. (HS0148)	Off Rollands Plains Road.
Rosewood	
Crossroads Cemetery. (HS0040)	Adjoining Lot 15 DP 754428, Rosewood Road.
Telegraph Point	
Road bridge over railway line. (HS0153)	Serving in part former butter factory, off Cooperabung Drive.
Former butter factory. (HS0157)	Lot 2 DP 206773, off Cooperabung Drive.
Timber mill. (HS0155)	Lot 1 DP 512380, No 320 Cooperabung Drive.
Cemetery. (HS0154)	Farrawells Road.
Two shops. (HS0042 and HS0043)	Lots 8 and 9 DP 243959, River Street.
Railway station water tower. (HS0152)	Railway land adjoining River Street.
Railway bridge. (HS0050)	Over Wilson River.
Upper Rollands Plains	
Former tin mine. (HS0149)	Bobs Ridge Road, within Kippara State Forest.

Hastings Local Environmental Plan 2001

Heritage items

Schedule 4

Wauchope

Davis Memorial Church building. (HS0085)	Part Portion 4, No 39 Campbell Street, Parish of Koree.
“Lincoln Hall” single dwelling. (HS0087)	Lot 12 DP 569016, No 20 Guy Street.
Former police dwelling-house. (HS0045)	Part Lot 2, No 41 Young Street (corner Hastings Street).
Uniting Church building (excluding extensions). (HS0091)	Lot 1 DP 797394, No 41 Hastings Street.
“Sheathers Tractor Shop” building. (HS0088)	Part Lots 30 and 31 RP 543, No 87 High Street (corner Beechwood Road).
Former Rawdon Island church building. (HS0095)	Lot 2 DP 858695, Oxley Highway.
St Josephs Convent building. (HS0096)	Lot 9, King Street.
Cemetery. (HS0098)	Oxley Highway.
Memorial Gates. (HS0100)	Bain Park, Oxley Lane.
Cheese and butter factory. (HS0047)	Lots 10–16 Section C DP 975586 and part railway land, Randall Street.
Primary School buildings, mature palms and fencing (excluding additions). (HS0105)	Lot 1 DP 795186, Waugh Street.

Yarras

Pedestrian suspension bridge. (HS0026)	Over Hastings River, near Forbes River Road.
Former Oxley Highway. (HS0027)	Within Parishes of Debenham, Graeme, Hastings and Tobin, being partly within Doyles River State Forest.
Stone pitched embankment. (HS0028)	Vehicular track, Lot 24 DP 754411, Oxley Highway.
Road Bridge. (HS0033)	Over Ralfes Creek, Oxley Highway.

Hastings Local Environmental Plan 2001

Schedule 5 Savings

Schedule 5 Savings

(Clause 7 (2))

- 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:
 - (c) the construction of new railways, railway stations and bridges over roads,
 - (d) 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,
 - (e) the formation or alteration of any means of access to a road, and
 - (f) 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, telecommunications 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,

Hastings Local Environmental Plan 2001

Savings

Schedule 5

-
- (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, 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 the 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 of buildings, so as materially to affect their design or external appearance, 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 **wharf or river undertakings**, on land comprised in their undertakings, of any development required for the purposes of shipping or in connection with the embarking, loading, discharging or transport of passengers, livestock or goods at a wharf or the movement

Hastings Local Environmental Plan 2001

Schedule 5 Savings

- of traffic by a railway forming part of the undertaking, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, works and plant for those purposes, except:
- (a) the construction of bridges, the erection of any other buildings, and the reconstruction or alteration of bridges or 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.
- 5 The carrying out by persons carrying on public utility undertakings, being **air transport undertakings**, on land comprised in their undertakings within the boundaries of any aerodrome, of any development required in connection with the movement of traffic by air, 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.
- 6 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
 - (b) the formation or alteration of any means of access to a road.
- 7 The carrying out by the owner or lessee of a **mine** (other than a mineral sands mine), on the mine, of any development required for the purposes of a mine, except:
- (a) the erection of buildings (not being plant or other structures or erections required for the mining, working, treatment or disposal of minerals) and the reconstruction, alteration or extension 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.

Hastings Local Environmental Plan 2001

Savings

Schedule 5

-
- 8 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.
 - 9 The carrying out of any **forestry work** by State Forests 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 on any Crown land temporarily reserved from sale as a timber reserve under the *Forestry Act 1916*.
 - 10 The carrying out by the local 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 external appearance, or
 - (b) any development designed to change the use or purpose of any such reserve.
 - 11 The carrying out or causing to be carried out by the Council or by the Department of Land and Water Conservation engaged in any work for the purposes of **soil conservation, irrigation, afforestation, reafforestation, flood mitigation, water conservation or river improvement** in pursuance of the provisions of the *Water Act 1912*, the *Farm Water Supplies Act 1946*, the *Rivers and Foreshores Improvement Act 1948* or the *Water Management Act 2000*, 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.
 - 12 The **control of noxious weeds** in accordance with the *Noxious Weeds Act 1993*.

Hastings Local Environmental Plan 2001

Schedule 6 Zones and zoning map amendments

Schedule 6 Zones and zoning map amendments

(Clause 6)

Part 1 Zones

Zone	Shown on the zoning map as coloured
1 (a1) Rural	Light brown and lettered 1 (a1)
1 (a3) Rural Agricultural Protection	Light brown and lettered 1 (a3)
1 (a4) Rural Agricultural Protection	Light brown and lettered 1 (a4)
1 (f) State Forests	Light green and lettered 1 (f)
1 (i) Rural Residential Investigation	Light brown and lettered 1 (i)
1 (r1) Rural Residential	Light brown and lettered 1 (r1)
1 (u) Rural Urban Fringe	Light brown and lettered 1 (u)
2 (a1) Residential	Light scarlet and lettered 2 (a1)
2 (a4) Low Density Residential	Light scarlet and lettered 2 (a4)
2 (t1) Residential Tourist	Light scarlet and lettered 2 (t1)
2 (t2) Tourist—Restricted	Light scarlet and lettered 2 (t2)
2 (v) Village	Light scarlet and lettered 2 (v)
3 (a) General Business	Light blue and lettered 3 (a)
3 (c) Neighbourhood Business	Light blue and lettered 3 (c)
3 (t) Tourist Business	Light blue and lettered 3 (t)
4 (a) General Industrial	Purple and lettered 4 (a)
4 (b) Service Industrial	Purple and lettered 4 (b)
4 (t) Industrial Technology	Purple and lettered 4 (t)
5 (a) Special Uses	Yellow and lettered 5 (a)
6 (a) Open Space	Dark green and lettered 6 (a)
6 (c) Private Recreation	Dark green and lettered 6 (c)
7 (a) Environment Protection—Wetlands	Orange and lettered 7 (a)
7 (d) Environment Protection—Scenic	Orange and lettered 7 (d)
7 (f1) Environment Protection—Coastal	Orange and lettered 7 (f1)
7 (f2) Environment Protection—Coastal Land Acquisition	Orange and lettered 7 (f2)
7 (h) Environment Protection—Habitat	Orange and lettered 7 (h)
8 (a) National Parks and Nature Reserves	Light green and lettered 8 (a)

Hastings Local Environmental Plan 2001

Zones and zoning map amendments

Schedule 6

Zone	Shown on the zoning map as coloured
8 (b) Proposed National Parks and Nature Reserves	Light green and lettered 8 (b)
9 (c) Proposed Local Roads	Grey and lettered 9 (c)

Part 2 Zoning map amendments

Note. This is currently blank.

Hastings Local Environmental Plan 2001

Dictionary

Dictionary

(Clause 6 (1))

acid sulfate soil is soil containing highly acidic soil horizons or layers resulting from the aeration of soil materials that are rich in iron sulfides, primarily pyrite.

Acid Sulfate Soil Manual means the “Acid Sulfate Soil Manual” published by the Acid Sulfate Soils Management Advisory Committee and as amended from time to time.

acid sulfate soils map means the map marked “Hastings Local Environmental Plan 2001—Acid Sulfate Soils Map”.

actual acid sulfate soils means acid sulfate soils containing acidic soil material resulting from the oxidation of iron sulfides. The soil material has a pH of less than 4.0 when measured in dry season conditions and may be identified by yellow mottles and coatings of jarosite, overlying potential acid sulfate soils or 0.05% or more oxidisable sulfur.

advertisement has the meaning ascribed to it in section 4 of the Act.

aeroplane landing area means an area in private ownership and not used for scheduled public aircraft flights, which is set apart for the taking off and landing of light aircraft, but does not include a helipad. (For the purposes of this definition, ***light aircraft*** means an aircraft of no more than 5,700 kilograms take-off weight.)

agriculture means:

- (a) the cultivation of crops, including cereal, fruit, vegetable or flower crops, or
- (b) the keeping or breeding of livestock, bees or poultry or other birds, or
- (c) the cultivation of plants in a wholesale plant nursery, for commercial purposes, but does not include use of land for an animal establishment.

airline terminal means a building or place used for the assembly of passengers and goods prior to the transport of those passengers and goods either to or from an airport or an aerodrome.

Hastings Local Environmental Plan 2001

Dictionary

alter, in relation to a heritage item, means:

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

animal establishment means land used for the purpose of any one or more of intensive animal husbandry, boarding animals, animal training, conducting horse riding schools or the keeping of animals, birds, fish, crustaceans, insects or the like. The use generally requires the importation of feed not produced on the same land.

appointed day means the day on which this plan takes effect.

approved lot means a lot created by a subdivision for which consent was granted, under the provisions of an environmental planning instrument applying to the land, after 26 May 1967 and prior to the appointed day.

aquaculture means:

- (a) cultivating fish or marine vegetation (in each case, as defined when used in this definition) for the purpose of harvesting the fish or marine vegetation or their progeny with a view to sale, or
- (b) keeping fish or marine vegetation (as so defined) in a confined area for a commercial purpose (such as a fish-out pond),

but does not include:

- (c) keeping anything in a pet shop for sale or in an aquarium for exhibition (including an aquarium operated commercially), or
- (d) anything done for the purpose of maintaining a collection of fish or marine vegetation otherwise than for a commercial purpose.

Hastings Local Environmental Plan 2001

Dictionary

bed and breakfast establishment means a building used as a single dwelling and for providing holiday accommodation. Such holiday accommodation is to be limited to three bedrooms and is not to include self-contained accommodation.

boarding house includes a house let in lodgings or a hostel, but does not include a motel.

brothel means premises habitually used for the purposes of prostitution or premises that are designed to be used for that purpose. Premises may constitute a brothel even though used by only one prostitute for the purposes of prostitution.

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

bus station means a building or place used as a terminal for the assembly and dispersal of passengers travelling by bus.

car park means land used for the parking of private passenger vehicles.

car repair station means a building or place used for the purpose of carrying out repairs to motor vehicles or agricultural machinery not being:

- (a) body building, or
- (b) panel beating which involves dismantling, or
- (c) spray painting other than of a touching-up character.

caravan park means an area used for the purpose of:

- (a) placing moveable dwellings (within the meaning of the *Local Government Act 1993*) for permanent occupation or for the temporary accommodation of tourists, or
- (b) the erection, assembly or placement of cabins for the temporary accommodation of tourists.

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:

Hastings Local Environmental Plan 2001

Dictionary

- (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*,
- (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 such building is the premises of a club registered under the *Registered Clubs Act 1976*.

cluster housing means integrated residential development that consists of:

- (a) the subdivision of land into three or more allotments, and
- (b) the erection of a single dwelling on each of the allotments to be created by that subdivision, provided that the erection of the dwelling occurs prior to the issue of a subdivision certificate (except where a strata management statement, or restriction as to user, prohibits any dwelling on each lot other than the dwelling approved as part of the cluster housing consent).

commercial premises means a building or place used as an office or for other business or commercial purposes, but (in the table to clause 9) does not include a building or place elsewhere specifically defined in this Dictionary or a building or place used for a land use elsewhere specifically defined in this Dictionary.

community facility means a building or place owned or controlled by a public authority or a body of persons which may provide for the physical, social, cultural or intellectual development or welfare of the local community, but (in the table to clause 9) does not include a building or place elsewhere defined in this Dictionary.

Council means the Hastings Council.

Hastings Local Environmental Plan 2001

Dictionary

demolish or **demolition** means the destruction, pulling down, dismantling or removal of a building or structure, in whole or in part and, in relation to a heritage item, includes the damaging or defacing of the heritage item in whole or in part.

depot means a building or place used for the storage (but not sale) of plant, machinery, goods or materials used or intended to be used by the owner or occupier of the building or place, but (in the table to clause 9) does not include a building or place elsewhere defined in this Dictionary.

dual occupancy means 2 dwellings, whether detached or not, on a single lot.

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 residence.

educational establishment means land used for a primary or secondary school, a museum, gallery, or a tertiary education institution (being a university, technical college, TAFE establishment or other specialist college providing formal education beyond secondary education and which is constituted by or under an Act).

It includes ancillary residential accommodation and facilities for students or staff, and land does not cease to be an educational establishment if there is community use or development for community use of the facilities or the land, whether for gain or not.

It does not include an institution, a training facility or a child care centre.

exhibition home means a single dwelling on temporary display.

existing parcel means the total area of all adjoining or adjacent land held in the one ownership at 26 May 1967.

extractive industry means:

- (a) the winning of extractive material, or
- (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

Hastings Local Environmental Plan 2001

Dictionary

washing, crushing, grinding, milling or separating into different sizes of that extractive material on that land,

but does not include earthworks or works for drainage and landfill or maintenance dredging.

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

fish, when used in the definition of **aquaculture**, means marine, estuarine or freshwater fish or other aquatic animal life at any stage of their life history (whether alive or dead), and includes:

- (a) oysters and other aquatic molluscs, and
- (b) crustaceans, and
- (c) echinoderms, and
- (d) beachworms and other aquatic polychaetes.

It also includes any part of a fish, but does not include whales, mammals, reptiles, birds, amphibians or other things excluded from the definition of **aquaculture** in Schedule 3 to the *Environmental Planning and Assessment Regulation 2000*.

forestry includes arboriculture, silviculture, forest protection, the cutting, dressing and preparation, otherwise than in a saw mill, 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.

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

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

Hastings Local Environmental Plan 2001

Dictionary

- (d) an optometrist registered under the *Optometrists Act 1930*.

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

heliport means an area or place open to public use for use by helicopters and includes terminal buildings and facilities for the parking, servicing and repair of helicopters.

heritage item means a building, work, relic, tree or place described in Schedule 4.

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

home business means an activity, industry or occupation carried on in a single dwelling, or in the curtilage of a single dwelling, by a permanent resident or residents of the dwelling:

- (a) which does not adversely affect the amenity of the neighbourhood by reason of:
- (i) the creation of or increase in traffic movements, motor or heavy vehicle servicing or the reduction of parking availability in the vicinity of the dwelling, or
 - (ii) the creation of noise, vibration, smoke, smell, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or other substances, or
 - (iii) changes to the visual character of the dwelling, and
- (b) where no articles or goods are displayed, sold, advertised or offered for sale on or from the dwelling or lot on which the dwelling is located, and
- (c) where no or only one sign is in or on the dwelling which displays the name of the home business and the names of the residents who conduct the home business, and
- (d) which is not a bed and breakfast establishment, brothel, child care centre or medical centre.

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,

Hastings Local Environmental Plan 2001

Dictionary

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 a hotelier's licence granted under the *Liquor Act 1982* relates.

industry means:

- (a) any manufacturing process within the meaning of the *Factories, Shops and Industries Act 1962*, or
- (b) the breaking up or dismantling of any goods or any article for trade, sale or gain or as ancillary to any business,

but (in the table to clause 9) does not include an extractive industry, light industry, rural industry or offensive or hazardous industry.

institution means a penal or reformatory establishment.

junk yard means land used for the collection, storage, abandonment or sale of scrap metals, waste paper, rags, bottles or other scrap materials or goods 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 neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise.

Hastings Local Environmental Plan 2001

Dictionary

liquid fuel depot means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquid.

marine vegetation, when used in the definition of **aquaculture**, means any species of plant that at any time in its life must inhabit water (other than fresh water).

medical centre means a building used by one or more legally qualified medical practitioners or by one or more dentists within the meaning of the *Dentists Act 1989*, or by one or more health care professionals, who practise there the profession of medicine, dentistry or health care, respectively, and who employ ancillary staff in connection with that practice.

Where the building is not located on land within Zone 3 (a), a building is not a medical centre if the total number of medical practitioners, dentists and health care professionals practising within the building exceeds 3.

mine means any place, open cut, shaft, tunnel, pit, drive, level or other excavation, drift, gutter, lead, vein, lode or reef on which, in which or by which any operation is carried on for or in connection with the purpose of obtaining any metal or mineral by any mode or method and includes any place on which any product of the mine is stacked, stored, crushed or otherwise treated, but does not include a quarry.

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 or residential flats) substantially used for the overnight accommodation of travellers and the vehicles used by them whether or not the building or buildings are also used in the provision of meals to those travellers or the general public.

motor showroom means a building or place used for the display or sale of motor vehicles, caravans or boats, whether or not motor vehicle accessories, caravan accessories or boat accessories are sold or displayed in it or on it.

neighbourhood centre means an integrated development containing shops and commercial premises which serve the local community and are limited in scale, with ancillary parking and landscaping and whether or not it also contains

Hastings Local Environmental Plan 2001

Dictionary

development for the purpose of a bus station, child care centre, club, community facility, dwelling attached to other buildings, hotel, place of assembly, place of public worship, medical centre, public building, recreation facility, refreshment room, retail plant nursery or service station.

offensive or hazardous industry means an industry to which *State Environmental Planning Policy No 33—Hazardous and Offensive Development* applies.

place of assembly means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl, racecourse, showground, or any other building of a like character used as such and whether used for the purposes of gain or not, but (in the table to clause 9) 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 whether or not in the Christian faith and whether or not the building or place is also used for counselling, social events, instruction or religious training.

potential acid sulfate soils means soil material which is waterlogged and contains oxidisable sulfur compounds and that has a field pH of 4 or more but will become severely acidic when oxidised.

potential archaeological site means a site identified on the zoning map with horizontal stiple.

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 under the authority of, or in pursuance of, any Commonwealth or State Act:

- (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,

Hastings Local Environmental Plan 2001

Dictionary

- (c) emergency services,
 - (d) waste management facilities,
 - (e) telecommunications, radio and television transmission,
- 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.

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 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 facilities for those purposes,

but does not include a racecourse or a showground.

recreation establishment means a health farm, religious retreat house, rest home, youth camp and the like, but (in the table to clause 9) does not include a building or place elsewhere specifically defined in this Dictionary or a building or place used or intended for use for a land use elsewhere specifically defined in this Dictionary.

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 and whether used for the purpose of gain or not, but does not include a place of assembly.

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

relic means any deposit, object or material evidence (terrestrial or underwater) relating to the use or settlement of the local government area of Hastings which is 50 or more years old.

Hastings Local Environmental Plan 2001

Dictionary

residential flats means a building containing three or more dwellings.

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 at it.

retailing of bulky goods means use of land for the sale by retail or auction, or the hire or display, of articles which are of such a size, shape or weight as to require:

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

Use of the land may include:

- (a) plant sales and hire (which may include associated repairs and service), and
- (b) vehicle part and accessory sales (which may include fitting), and
- (c) the sale of hardware, or landscaping or building supplies, and
- (d) the sale of furniture, floor coverings, light fittings, large electrical goods, swimming pools, spas or camping equipment.

It does not include use of land for the sale of clothing or foodstuffs, or a motor showroom.

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.

Hastings Local Environmental Plan 2001

Dictionary

rural industry means handling, treating, processing, packing or transportation of primary products and includes the servicing in a workshop of plant or equipment used for rural purposes in the locality.

rural tourist facility means:

- (a) tourist educational or tourist recreational facilities which may include ancillary accommodation and are based on the rural, scenic or natural attributes of the locality, or
- (b) tourist accommodation associated with the dwelling and farm buildings on a property principally used for primary production.

rural worker's dwelling means a dwelling:

- (a) which is the second dwelling on land on which there was a single dwelling, and
- (b) which is occupied by persons engaged in rural occupations on that land.

saw mill 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,
- (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 the purpose of selling, exposing or offering for sale by retail, goods, merchandise or materials, but (in the table to clause 9) does not include a building or place elsewhere specifically defined in this Dictionary or a building or place used for a land use elsewhere specifically defined in this Dictionary.

Hastings Local Environmental Plan 2001

Dictionary

single dwelling means the only dwelling on an allotment.

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

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

tourist facility means an establishment providing for holiday accommodation or recreation and may include a boatshed, boat landing facilities, camping ground, caravan park, holiday cabins, hotel, houseboat facilities, 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.

utility installation means:

- (a) 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, or
- (b) a radio, television or telecommunications transmission tower.

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.

waste management facility means any Council-controlled premises or works used for the storage, treatment, reprocessing, sorting or disposal of waste and, without limiting the generality of the foregoing, includes:

- (a) waste management and disposal centres, including landfill sites and waste transfer stations, and
- (b) recycling facilities, including material recovery facilities and waste processing facilities, and
- (c) parking or storage areas for equipment and plant associated with the Council's waste management program.

Hastings Local Environmental Plan 2001

Dictionary

zoning map means the series of maps marked “Hastings Local Environmental Plan 2001”, as amended by the maps (or specified sheets of the maps) listed in Part 2 of Schedule 6.

HORNSBY SHIRE LOCAL ENVIRONMENTAL PLAN 1994 (AMENDMENT NO. 61)**UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the Environmental Planning and Assessment Act 1979. (S99/01786/S69)

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

Sydney, 31 May 2001.

Name of plan

1. This plan may be called Hornsby Shire Local Environmental Plan 1994 (Amendment No. 61).

Aims of plan

2. This plan aims to:
 - (a) identify significant aquatic vegetation habitats; and
 - (b) preclude commercial development of the subject foreshore.

Land to which plan applies

3. This plan applies to land at Sanbrook Inlet, Brooklyn, as shown edged heavy black on the map marked "Hornsby Shire Local Environmental Plan 1994 (Amendment No. 61)" deposited in the office of Hornsby Council.

Relationship to other environmental planning instruments

4. This plan amends Hornsby Shire Local Environmental Plan 1994 in the manner set out in Clause 5.

Amendment of Hornsby Shire Local Environmental Plan 1994

5. Hornsby Shire Local Environmental Plan 1994 is amended by inserting, in appropriate order, at the end of the definition of "the map" in Clause 23 (1) the following words:

Hornsby Shire Local Environmental Plan 1994 (Amendment No. 61)

Kiama Local Environmental Plan 1996 (Amendment No 45)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(W00/00112/S69)

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

Clause 1 Kiama Local Environmental Plan 1996 (Amendment No 45)

Kiama Local Environmental Plan 1996 (Amendment No 45)

1 Name of plan

This plan is *Kiama Local Environmental Plan 1996 (Amendment No 45)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from Zone No 2 (a) Residential "A" to Zone No 2 (b) Residential "B" under *Kiama Local Environmental Plan 1996*.

3 Land to which plan applies

This plan applies to land situated in the local government area of Kiama, being land fronting Shoalhaven, Barney, Manning and Farmer Streets, Kiama, as shown edged heavy black on the map marked "Kiama Local Environmental Plan 1996 (Amendment No 45)" deposited in the office of the Council of the Municipality of Kiama.

4 Amendment of Kiama Local Environmental Plan 1996

Kiama Local Environmental Plan 1996 is amended by inserting in appropriate order in the definition of *the map* in clause 6 (1) the following words:

Kiama Local Environmental Plan 1996 (Amendment No 45)

Lismore Local Environmental Plan 2000 (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(G94/00144/S69)

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

Sydney, 28th May 2001.

Clause 1 Lismore Local Environmental Plan 2000 (Amendment No 2)

Lismore Local Environmental Plan 2000 (Amendment No 2)

1 Name of plan

This plan is *Lismore Local Environmental Plan 2000 (Amendment No 2)*.

2 Aim of plan

This plan revises the lists of heritage items and heritage conservation areas to which the provisions of *Lismore Local Environmental Plan 2000* apply.

3 Land to which plan applies

This plan applies to all land within the City of Lismore and in particular to the land shown edged heavy black on the maps marked "Lismore Local Environmental Plan 2000 (Amendment No 2) Sheets 1–121" deposited in the office of the Council of the City of Lismore.

4 Amendment of Lismore Local Environmental Plan 2000

The *Lismore Local Environmental Plan 2000* is amended as set out in Schedule 1.

Lismore Local Environmental Plan 2000 (Amendment No 2)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 14 Heritage conservation areas

Insert after clause 14 (1) (c):

(c1) damage or remove a tree within the area, or

[2] Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Heritage items

(Clause 12)

Map No	Property Title or Description	Address/ Location	Item (including the site unless otherwise specified)	Heritage Study Reference	Significance
1	Graham Centre	22 Woodlark Street, Lismore	Office Building and Former Bank	20016	State Built item
2	St Carthages Catholic Cathedral	6-8-10 Leycester Street, Lismore	Church	20022 40003	State Built item Conservation area Archaeological site
3	"Monaltrie"	451 Wyrallah Road, East Gundurimba	House and Grounds	20095 40008 10004 30156	State Built item Landscape item Archaeological site
4	The Lismore Clinic	185 Molesworth Street, Lismore	Medical Clinic	20003	Built item

Page 3

Lismore Local Environmental Plan 2000 (Amendment No 2)

Schedule 1 Amendments

Map No	Property Title or Description	Address/ Location	Item (including the site unless otherwise specified)	Heritage Study Reference	Significance
5	Former Lismore Municipal Building	165 Molesworth Street, Lismore	Public Building	20005 40009	Built item Conservation area Archaeological site
6	Former Post Office	172 Molesworth Street (Cnr Magellan Street), Lismore	Post Office	20009 40009	Built item Conservation area Archaeological site
7	Lismore Uniting Church	116 Woodlark Street (Cnr Keen Street), Lismore	Church	20013	Built item
8	Former Boarding House (Gwalia Flats)	7 Coleman Street (Cnr Cambrian), Lismore	Boarding House	20014 40001	Built item Conservation area
9	St Andrews Anglican Church	8 and 14 Zadoc Street (Cnr Keen Street), Lismore	Church	20017 40001 30005	Built item Conservation area Landscape item
10	Former Church of Christ	178 Keen Street (Cnr Magallen Street), Lismore	Church	20019	Built item
11	St Pauls Presbyterian Church	188 Keen Street, Lismore	Church	20020	Built item
12	Former St Mary's Convent	5 Dawson St, Lismore	Convent	20023 40003	Built item Conservation area
13	Winsome Hotel	11 Bridge Street, North Lismore	Hotel	20024	Built item Archaeological site

Lismore Local Environmental Plan 2000 (Amendment No 2)

Amendments

Schedule 1

Map No	Property Title or Description	Address/ Location	Item (including the site unless otherwise specified)	Heritage Study Reference	Significance
14	"Trevallyn"	69 Cathcart Street, Lismore	House	20030 30143 40009	Built item Conservation area Landscape item
15	House	27 Bridge Street, Wyrallah	House	20031 30158	Built item Landscape item
16	"Ermello"	638 Ballina Road, Lindendale	House	20060	Built item
17	Disputed Plain Homestead	1014 Kyogle Road, Fernside	House and Site	20062	Built item Archaeological site
18	St Thomas Anglican Church	32 Fernside Road, Fernside	Church	20063 30020	Built item Landscape item
19	"Maybrook"	652 Eltham Road, Eltham	House	20068 30054	Built item Landscape item
20	Freemasons Hotel	53 and 53A Cullen Street, Nimbin	Hotel	20073 40010 40002	Built item Conservation area
21	St John's Presbyterian Church	11 Main Street, Clunes	Church	20074	Built item
22	"Wendella"	143 Rocky Creek Dam Road, Dunoon	House	20083 30082	Built item Landscape item
23	Woodlawn College	203 Woodlawn Road, North Lismore	School	20101 30097	Built item Landscape item
24	"Tulloona"	106 Ballina Road, Goonellabah	House	20108	Built item Archaeological site
25	Richmond River High School	89 Lake Street, North Lismore	School	20110 30186	Built item

Lismore Local Environmental Plan 2000 (Amendment No 2)

Schedule 1 Amendments

Map No	Property Title or Description	Address/ Location	Item (including the site unless otherwise specified)	Heritage Study Reference	Significance
26	Lismore Police Station	40 Molesworth Street, Lismore	Police Station	20001 40001	Built item Conservation area
27	Westpac Bank	65 Molesworth Street, Lismore	Bank	20002	Built item
28	Memorial Baths	179 Molesworth Street, Lismore	Swimming Pool and Entrance Pavilion	20004 40009	Built item Conservation area Archaeological site
29	Commonwealth Bank	180 Molesworth Street, Lismore	Bank	20008 40009	Built item Conservation area
30	The Lismore Club	9 and 9A Club Lane, Lismore	Club	20010 40014	Built item
31	Lismore Court House	9 Zadoc Street, Lismore	Court House	20015 40001	Built item Conservation area
32	Former Lismore High School	150 and 152 Keen Street, Lismore	School	20018 40012 20042	Built item
33	St Paul's Memorial Hall	190 Keen Street, Lismore	Hall	20021	Built item
34	Railway Station Platform Building	1/38 Union Street, South Lismore	Railway Station	20025 40006	Built item
35	Armstrong House "Kiaora"	83 Uralba Street (Cnr Dibbs Street), Lismore	Former Private Hospital	20026 30072	Built item Landscape item

Lismore Local Environmental Plan 2000 (Amendment No 2)

Amendments

Schedule 1

Map No	Property Title or Description	Address/ Location	Item (including the site unless otherwise specified)	Heritage Study Reference	Significance
36	"Clovelly"	13 Wyrallah Road, Girards Hill	House	20028 20105 40011	Built item Conservation area
37	House	42 Cathcart Street, Girards Hill	House	20029 40011	Built item Conservation area
38	House	312 Molesworth Street, East Lismore	House	20036	Built item
39	Station Hotel	2 Casino Street, South Lismore	Hotel	20038	Built item
40	Uniting Church Hall	118 Woodlark Street, Lismore	Hall	20041	Built item
41	Roy Waddell Community Centre	149 Richmond Hill Road, Richmond Hill	Former School	20065	Built item
42	House	511 Tuckurimba Road, East Coraki	House	20051	Built item
43	House	1129 Wyrallah Road, Tucki Tucki	House	20056	Built item
44	Glassware Gallery	264 Cowlong Road, McLeans Ridges	Former School	20066	Built item
45	Eltham Village Tea Room	445 Eltham Road, Eltham	Refreshment Room	20069	Built item
46	"Kembla"	40 Main Street, Clunes	House	20075 30049	Built item Landscape item

Lismore Local Environmental Plan 2000 (Amendment No 2)

Schedule 1 Amendments

Map No	Property Title or Description	Address/ Location	Item (including the site unless otherwise specified)	Heritage Study Reference	Significance
47	Clunes Coronation Hall	22 Walker Street, Clunes	Hall	20076	Built item
48	CWA Rooms	1/115 Molesworth Street (Spinks Park), Lismore	Community Centre	20078 40009	Built item Conservation area
49	Band Rotunda	3/115 Molesworth Street (Spinks Park), Lismore	Bandstand	20079 40009 30002	Built item Conservation area Archaeological site Landscape item
50	Former Bank	39 Cullen Street, Nimbin	Surgery	20084 40002 40010	Built item Conservation area
51	House	67A McPherson Road, Bexhill	House	20089	Built item
52	St Andrews Presbyterian Church	102 James Street, Dunoon	Church	20091 30088	Built item Landscape item
53	Former Govt Savings Bank	30 Woodlark Street, Lismore	Office Building	20103	Built item
54	"Cedarville"	27 Rayward Road, Dunoon	House	20107 30089	Built item Archaeological site Landscape item
55	St Andrews Anglican Ministry (Former Police Station)	17 Keen Street, Lismore	House	20121 40001 20001 20015 20137	Built item Conservation area Archaeological site

Lismore Local Environmental Plan 2000 (Amendment No 2)

Amendments

Schedule 1

Map No	Property Title or Description	Address/ Location	Item (including the site unless otherwise specified)	Heritage Study Reference	Significance
56	School	64 Conway Street, Lismore	School	20122	Built item
57	Barbeques Galore	68 Conway Street (Cnr Dawson St), Lismore	Commercial Building	20127	Built item
58	City Club Apparel	52 and 54 Newbridge Street, Lismore	Factory	20128	Built item
59	Public Trustees Office (Former Rectory)	6 Zadoc Street, Lismore	Office	20136	Built item Conservation area Archaeological site
60	"Cabarita"	2970 Wyrallah Road, Buckendoon	House	20140	Built item
61	Corndale Hall	556 Corndale Road, Corndale	Hall	20152	Built item
62	House	34 Cullen Street, Nimbin	House	20159	Built item Conservation area Archaeological site
63	Masonic Hall	5 and 5A Mayfield Street, Eltham	Hall	20143 22237	Built item Archaeological site
64	Lismore Cemetery	9A, 9B, 9D Military Road, Lismore	Cemetery	30139 10033	Built item Landscape item Archaeological site

Lismore Local Environmental Plan 2000 (Amendment No 2)

Schedule 1 Amendments

Map No	Property Title or Description	Address/ Location	Item (including the site unless otherwise specified)	Heritage Study Reference	Significance
65	Boer War Memorial	4/115 Molesworth Street (Spinks Park), Lismore	War Memorial	30044 40009	Built item Conservation area Archaeological site
66	Coleman's Bridge	Leycester Creek, Lismore	Bridge	10027	Built item Archaeological site
67	Monaltrie Cemetery (Wilson Family Cemetery)	55 Monaltrie Road, Monaltrie	Cemetery	10004 40008 20095	Archaeological site Landscape item
68	Tucki Tucki Bora Ring	1305-1305B Wyrallah Road, Tucki	Bora Ring	10001	Archaeological site Landscape item
69	Cubawee Aborigines School Site	466 Kyogle Road, Tuncester	Former School Site	10002	Archaeological site
70	Norco Butter Factory	Union Street/ Foleys Road and Taylor Street, Lismore	Butter Factory	40007	Archaeological site
71	Boatharbour Nature Reserve and Jetty	623 and 624 Bangalow Road, Bexhill	Reserve and Wharf remains	10020	Archaeological site
72	Railway Wharf	Wilson's River adjacent to Union Street, South Lismore	Former Wharf	10022	Archaeological site
73	Railway Strait Carriage Shed	18, 20 and 30 Kyogle Street, South Lismore	Shed	10023 40006	Archaeological site

Lismore Local Environmental Plan 2000 (Amendment No 2)

Amendments

Schedule 1

Map No	Property Title or Description	Address/ Location	Item (including the site unless otherwise specified)	Heritage Study Reference	Significance
74	Engine Shed	7 Engine Street, South Lismore	Shed	10024 40006	Archaeological site
75	Fawcett's Bridge	Wilson's River, joining Bridge and Woodlark Sts, Lismore	Bridge	10026	Archaeological site
76	Bexhill Brickworks	56 Coleman Street, Bexhill	Former Brickworks	10031	Archaeological site Landscape item
77	Lismore Bowling Club	171A Molesworth Street, Lismore	Bowling Club	20129 40009 30002	Archaeological site Conservation area
78	Pioneer Cemetery and Memorial Rest Park	2 Nimbin Road, North Lismore	Cemetery and Aboriginal Bora Ring	10028	Archaeological site
79	Railway Viaduct	Terania Street, North Lismore	Viaduct	10017 40006	Archaeological site Landscape item
80	Railway Bridge	Wilson's Creek adjacent to Eltham Road, Eltham	Bridge	10014	Archaeological site
81	"Locheil"	1 Bouyon Street, North Lismore	House Interior	10003	Archaeological site
82	House	688A Eltham Road, Eltham	House	N/A	Built item Landscape item
83	"Ringby"	35 John Street, Girards Hill	House	N/A	Built item

Lismore Local Environmental Plan 2000 (Amendment No 2)

Schedule 1 Amendments

Map No	Property Title or Description	Address/ Location	Item (including the site unless otherwise specified)	Heritage Study Reference	Significance
84	Farm	312 Ridgewood Road, Rosebank	Dry Stone Wall	N/A	Landscape item
85	Former District Works Office	186 Molesworth Street, Lismore	Office	N/A	Built item Conservation area
86	Spinks Park	115 Molesworth Street, Lismore	Landscape (Gardens and setting)	30002	Landscape item Conservation area
87	Alphadale Cemetery	589 and 601 Ballina Road (Bruxner Highway), Lindendale	Cemetery	30193	Landscape item
88	Blakebrook School	417 Rosehill Road, Blakebrook	School Grounds	30196	Landscape item
89	Bungabee State Forest	Bordering Bice Road, Leycester, Back Creek Road, Bently and Cawolga Road, Rock Valley, Blakebrook	State Forest	30070	Landscape item
90	Clunes Public School	19 Walker Street, Clunes	School Grounds	30047	Landscape item
91	Glebe Bridge	Richmond River, bridging Coraki Road, East Coraki	Lift Bridge	30041	Landscape item

Lismore Local Environmental Plan 2000 (Amendment No 2)

Amendments

Schedule 1

Map No	Property Title or Description	Address/ Location	Item (including the site unless otherwise specified)	Heritage Study Reference	Significance
92	Dunoon War Memorial	1/114 James Street, Dunoon	War Memorial and Surrounds	30087	Landscape item
93	Dunoon Cemetery	1271 Dunoon Road, Dunoon	Cemetery	30102	Landscape item
94	Dunoon Public School	65 and 65A James Street, Dunoon	Grounds	30104	Landscape item
95	Trees	612, 622 and 632 Skyline Road, Gundurimba	Trees	30113	Landscape item
96	Spinaze Park	686 Dunoon Road, Tullera	Park and Surrounds	30100	Landscape item
97	Modanville Public School	889 and 877 Dunoon Road, Modanville	Grounds	30101	Landscape item
98	Nimbin Showground	37 Cecil Street, Nimbin	Show-ground and Surrounds	30027	Landscape item
99	Nimbin Central School	71 Cullen Street, Nimbin	Grounds	30026	Landscape item
100	St Patrick's Church	92 and 96 Cullen Street, Nimbin	Grounds	30023	Landscape item
101	Nimbin Park	67 and 69 Cullen Street, Nimbin	Park and Surrounds	30022	Landscape item

Lismore Local Environmental Plan 2000 (Amendment No 2)

Schedule 1 Amendments

Map No	Property Title or Description	Address/ Location	Item (including the site unless otherwise specified)	Heritage Study Reference	Significance
102	Nimbin Cemetery	23 and 23A Nimbin Cemetery Road, Nimbin	Cemetery	30128	Landscape item
103	Nightcap Range and National Park	Terania, Whian Whian	Scenic Landscape	30108	Landscape item
104	Tucki Tucki Nature Reserve	11 Munro Wharf Road and 1497 Wyrallah Road, Tucki Tucki	Nature Reserve	30043	Landscape item
105	Whian Whian State Forest	Whian Whian	Scenic Landscape	30081	Landscape item
106	House	38 John Street, Girards Hill	House	N/A	Built item

[3] Schedule 2

Omit the Schedule. Insert instead:

Schedule 2 Heritage conservation areas

(Clause 14)

Dalley Street Conservation Area	Map Sheet 116
Girards Hill Conservation Area	Map Sheet 117
St Andrews Conservation Area	Map Sheet 118
Spinks Park/ Civic Precinct Conservation Area	Map Sheet 119
St Carthages Conservation Area	Map Sheet 120
Nimbin Conservation Area	Map Sheet 121

Lismore Local Environmental Plan 2000 (Amendment No 2)

Amendments

Schedule 1

[4] Schedule 7 Definitions

Omit the definitions of *heritage conservation area* and *heritage area*.

Insert instead:

heritage conservation area means land described in Schedule 2 and shown edged heavy black on the sheet of the map marked "Lismore Local Environmental Plan 2000 (Amendment No 2) Conservation Area" specified in that Schedule in respect of that land.

heritage item means a building, work, relic, tree or place (which may or may not be situated on or within land that is a heritage conservation area) described in Schedule 1 and shown edged heavy black on the maps marked "Lismore City Council Local Environmental Plan 2000 (Amendment No 2) Heritage Items".

Liverpool Local Environmental Plan 1997 (Amendment No 52)

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*.
(P00/00332/S69)

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

Sydney, 29th May 2001.

Clause 1 Liverpool Local Environmental Plan 1997 (Amendment No 52)

Liverpool Local Environmental Plan 1997 (Amendment No 52)

1 Name of plan

This plan is *Liverpool Local Environmental Plan 1997 (Amendment No 52)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies, being part of the land that was “deferred matter” under clause 3 of *Liverpool Local Environmental Plan 1997*, partly as 2 (a) Residential, partly as 5 (d) Special Uses—Local Road and partly as 5 (a) Special Uses—Drainage under that plan.

3 Land to which plan applies

This plan applies to part Lots 11 and 12, DP 771677, part Lots 2 and 3, DP 1009168, part Lots 4 and 10, DP 532047, part Lot 9, DP 38749 and part of the road at the intersection of Camden Valley Way and Bernera Road, Prestons, as shown edged heavy black on the map marked “Liverpool Local Environmental Plan 1997 (Amendment No 52)” deposited in the office of the Council of the City of Liverpool.

4 Amendment of Liverpool Local Environmental Plan 1997

Liverpool Local Environmental Plan 1997 is amended by inserting in appropriate order in the definition of *The Map* in clause 6 (1) the following words:

Liverpool Local Environmental Plan 1997 (Amendment No 52)

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**PITTWATER LOCAL ENVIRONMENTAL PLAN 1993 (AMENDMENT No. 57)**

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

(S00/01394/S69)

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

Sydney, 28 May 2001

Citation

1. This plan may be cited as Pittwater Local Environmental Plan 1993 (Amendment No. 57).

Aims, objectives etc

2. This plan aims to amend Pittwater Local Environmental Plan 1993 to permit multi-unit housing on the land to which this plan applies.

Land to which plan applies

3. This plan applies to land known as Nos. 1644, 1646 and 1648 Pittwater Road, Mona Vale, being Lot 2 DP 595412, Lot 3 DP 595412 and Lot 6 DP 9759, respectively, as shown edged heavy black on the map marked "Pittwater Local Environmental Plan 1993 (Amendment No. 57)" deposited in the office of Pittwater Council.

Relationship to other environmental planning instruments

4. This plan amends Pittwater Local Environmental Plan 1993 in the manner set out in Clause 5.

Amendment of Pittwater Local Environmental Plan 1993

5. Pittwater Local Environmental Plan 1993 is amended by inserting at the end of the definition of "the multi-unit housing map" in Clause 21M the following words:

Pittwater Local Environmental Plan 1993 (Amendment No. 57)

Queanbeyan Local Environmental Plan 1998 (Amendment No 20)

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*.
(Q00/00065/PC)

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

Sydney, 31st May 2001.

Clause 1 Queanbeyan Local Environmental Plan 1998 (Amendment No 20)

Queanbeyan Local Environmental Plan 1998 (Amendment No 20)

1 Name of plan

This plan is *Queanbeyan Local Environmental Plan 1998 (Amendment No 20)*.

2 Aims of plan

- (1) This plan aims to repeal and remake the provision for the classification or reclassification of public land as operational land as a consequence of major changes made to the statutory scheme in section 30 (Reclassification of community land as operational) of the *Local Government Act 1993*.
- (2) This plan consequentially establishes possible new categories for operational land, but does not make any change with respect to existing operational land.

3 Land to which plan applies

This plan applies to all public land within the City of Queanbeyan under *Queanbeyan Local Environmental Plan 1998*.

4 Amendment of Queanbeyan Local Environmental Plan 1998

Queanbeyan Local Environmental Plan 1998 is amended as set out in Schedule 1.

Queanbeyan Local Environmental Plan 1998 (Amendment No 20)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clauses 82, 83

Omit clause 82. Insert instead:

82 Classification and reclassification of public land as community land

The public land described in Schedule 5 is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.

83 Classification and reclassification of public land as operational land

- (1) The public land described in Schedule 6 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.
- (2) Land described in Part 1 of Schedule 6 is land that was classified, or reclassified, as operational land before the application of the amendments made by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993*.
- (3) Land described in Part 2 of Schedule 6:
 - (a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.
- (4) Land described in Columns 1 and 2 of Part 3 of Schedule 6, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land except

Queanbeyan Local Environmental Plan 1998 (Amendment No 20)

Schedule 1 Amendments

those specified opposite the land in Column 3 of Part 3 of Schedule 6.

- (5) In this clause, *the relevant amending plan*, in relation to land described in Part 3 of Schedule 6, means the local environmental plan cited at the end of the description of the land.
- (6) Before the relevant amending plan inserted the description of land into Part 3 of Schedule 6, the Governor approved of subclause (4) applying to the land.

[2] Schedules 5, 6

After Schedule 4, insert:

Schedule 5 Classification and reclassification of public land as community land
(Clause 82)

Schedule 6 Classification and reclassification of public land as operational land
(Clause 83)

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

Part of 1 Southbar Road, being part of Lot 548, DP 259942, as shown edged heavy black on the map marked "Queanbeyan Local Environmental Plan 1998 (Amendment No 3)".

2 Southbar Road, being Lots 514–518, DP 244051.

Part 2 Interests not changed

Queanbeyan Local Environmental Plan 1998 (Amendment No 20)

Amendments

Schedule 1

Part 3 Interests changed

Column 1

Column 2

Column 3

Locality

Description

**Trusts etc not
discharged**

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991**

Notice Of Compulsory Acquisition Of Land In
The Municipality Of Strathfield

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

Dated at Sydney this 23rd day of May 2001.

Professor MARIE BASHIR, AC
Governor

By Her Excellency's Command,

ANDREW REFSHAUGE, M.P.
Deputy Premier,
Minister for Urban Affairs and Planning,
Minister for Aboriginal Affairs,
Minister for Housing

SCHEDULE

All that piece or parcel of land at Homebush, in the Municipality of Strathfield, Parish of Concord, County of Cumberland being Lot 2 Deposited Plan 1002876 and being the whole of the land in Folio Identifier 2/1002876 and being located between Parramatta Road and Allen Street excepting thereout those Easements which affect the land as created in Dealings 435981, 435982, A995, C331420, F997118, G109007, M153985, Y578715 together with Easements as described in Deposited Plan 269189. The land is said to be in the ownership of Kirela Pty Limited.

Sydney Regional Environmental Plan No 31—Regional Parklands

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following regional environmental plan under the *Environmental Planning and Assessment Act 1979*.
(P96/00098/PC)

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

Sydney Regional Environmental Plan No 31—Regional Parklands

Contents

Contents

	Page
Part 1 Preliminary	
1 Name of plan	4
2 Land to which plan applies	4
3 Aims of plan	4
4 Relationship to other environmental planning instruments	5
5 Consent authority	5
6 Definitions	6
Part 2 Control and assessment of development	
7 General development controls	7
8 Additional uses of land	8
9 Advertised development	8
10 Restrictions on certain development	9
11 Minimum lot size for dwelling	10
12 Matters to be taken into consideration	10
13 Site management plans	11
14 Concurrence	11
15 Consultation	12
Part 3 Special protections	
16 Cultural heritage	13
17 Bushland	15
18 Bulk water supply infrastructure	16
Part 4 Supplementary	
19 Acquisition of land	17
20 Exempt development	17
21 Savings	17

Page 2

Sydney Regional Environmental Plan No 31—Regional Parklands

Contents

Schedules

1	Amendments	19
2	Additional uses	21
3	Heritage items	24

Dictionary

26

Clause 1 Sydney Regional Environmental Plan No 31—Regional Parklands

Part 1 Preliminary

Sydney Regional Environmental Plan No 31— Regional Parklands

Part 1 Preliminary

1 Name of plan

This plan is *Sydney Regional Environmental Plan No 31—Regional Parklands*.

2 Land to which plan applies

- (1) This plan applies to the land shown edged heavy black and coloured green on Sheet 1 of the map, except any of the land referred to on that sheet as “DEFERRED MATTER”.
- (2) The land to which this plan applies is referred to in this plan as *the Regional Parklands* and is part of a region declared under the Act.

Note. This plan applies to land in the local government areas of Blacktown, Fairfield and Liverpool. It applies to most of the land that has previously been identified by the Department of Urban Affairs and Planning as the Eastern Creek, Prospect, Horsley Park and Hoxton Park Corridors, as well as to certain additional land.

3 Aims of plan

This plan aims:

- (a) to promote the consistent planning and management of the Regional Parklands by replacing the existing planning controls with a single regional environmental plan, and
- (b) to strengthen the perception of the Regional Parklands as a unit that is a focus for the conservation of natural systems and a diverse range of recreational uses in Western Sydney, and
- (c) to enhance the ability of the Regional Parklands to meet the needs of the residents of Sydney for:
 - high quality open space, and
 - a range of recreational opportunities, and
 - a visual and physical break between areas of urban development, and

Sydney Regional Environmental Plan No 31—Regional Parklands

Clause 3

Preliminary

Part 1

-
- (d) to maintain, enhance and rehabilitate the natural systems of the Regional Parklands, particularly those that include threatened species, populations or ecological communities, or their habitats, and
 - (e) to preserve, care for and manage the cultural assets of the Regional Parklands, and
 - (f) to improve management of the Regional Parklands by all those responsible for land within the Regional Parklands, and
 - (g) to protect the quality of the water in Prospect Reservoir, its Upper Canal and other bulk water supply infrastructure.

4 Relationship to other environmental planning instruments

- (1) The following environmental planning instruments do not apply to land to which this plan applies. They are amended as set out on Schedule 1:

State Environmental Planning Policy No 19—Bushland in Urban Areas,

State Environmental Planning Policy No 29—Western Sydney Recreation Area,

Blacktown Local Environmental Plan 1988,

Fairfield Local Environmental Plan 1994,

Liverpool Local Environmental Plan 1997.

- (2) In the event of an inconsistency between this plan and another regional environmental plan or a local environmental plan (whether made before or after this plan), this plan prevails to the extent of that inconsistency, subject to section 36 (4) of the Act.

5 Consent authority

- (1) For the purposes of this plan, the consent authority for development of land to which this plan applies is the council of the local government area in which the land is situated, subject to the Act and subclause (2).
- (2) The consent authority for development of the following land is the Minister:
 - (a) land specified in item 7 of Schedule 2 (*Eastern Creek Raceway*),

Clause 5 Sydney Regional Environmental Plan No 31—Regional Parklands

Part 1 Preliminary

- (b) land specified in item 9 of Schedule 2 (*Olympic Shooting Centre*).

6 Definitions

- (1) Terms are defined for the purposes of this plan in the Dictionary at the end of this plan.
- (2) Notes in this plan and the list of its contents are not part of this plan.

Sydney Regional Environmental Plan No 31—Regional Parklands

Clause 7

Control and assessment of development

Part 2

Part 2 Control and assessment of development

7 General development controls

(1) Objectives

The objectives for development in the Regional Parklands are to:

- (a) support the aims of this plan, and
- (b) implement development control plans providing more detailed provisions for land in the Regional Parklands, and
- (c) conserve and enhance the biodiversity of the region through retention of remnant vegetation, restoration of vegetation and revegetation, and
- (d) encourage ecologically sustainable development by ensuring that all development has minimal adverse environmental impact.

(2) Development that does not require consent

The following may be carried out without consent:

Development allowed by or under the *National Parks and Wildlife Act 1974*, but only if carried out on land reserved or dedicated under that Act.

Development, in accordance with a management plan approved by the Director-General, for the purpose of the following:

clearing of vegetation that is not native to the Regional Parklands; grazing; landscaping; occasional community events; revegetation,

but only if carried out on land owned by the Corporation or owned or managed by a council.

Development for the purpose of bush fire hazard reduction work in accordance with a bush fire management plan approved under the *Rural Fires Act 1997*.

Development for the purpose of eradicating noxious weeds, within the meaning of the *Noxious Weeds Act 1993*.

Development specified in Schedule 1 to the *Environmental Planning and Assessment Model Provisions 1980*.

Clause 7 Sydney Regional Environmental Plan No 31—Regional Parklands

Part 2 Control and assessment of development

Demolition in accordance with a management plan approved by the Director-General, but only if carried out on land owned by the Corporation or owned or managed by a council.

Exempt development.

Note. Exempt development is specified in *Regional Parklands Development Control Plan No 2* as referred to in clause 20.

(3) **Development that requires consent**

The following, if it is not allowed by subclause (2) to be carried out without consent, may be carried out only with consent:

Development for the purpose of the following:

agriculture; clearing; community facilities; dams; detention basins; drains; dwelling-houses; grazing; home occupations; landfilling; landscaping; occasional community events; public utility undertakings; recreation areas; revegetation; roads.

Demolition.

Subdivision.

(4) **Prohibited development**

The carrying out of development is prohibited if it is not allowed by this clause to be carried out without consent or only with consent.

8 Additional uses of land

On land that is both specified in Schedule 2 and shown by hatching on Sheet 3 of the map, the development described in that Schedule in relation to that land may be carried out with consent, despite clause 7.

9 Advertised development

- (1) Development for the purpose of a structured recreation facility allowed to be carried out with consent by clause 8 is identified as advertised development for the purposes of the Act.
- (2) In addition, all other development allowed by this plan to be carried out with consent on land specified in item 7 of Schedule 2 (*Eastern Creek Raceway*) is identified as advertised development for the purposes of the Act.

Sydney Regional Environmental Plan No 31—Regional Parklands

Clause 10

Control and assessment of development

Part 2

10 Restrictions on certain development

- (1) The following controls apply only to development for the purpose of occasional community events, recreation areas and structured recreation facilities:
 - (a) the erection or use of take-away facilities is prohibited, except take-away facilities that are ancillary to an occasional community event allowed by clause 7 and kiosks that are ancillary to a recreation area allowed by clause 7 or to a structured recreation facility allowed by clause 8,
 - (b) the erection or use of refreshment rooms and visitor facilities is prohibited, unless they are either ancillary to the use of a recreation area allowed by clause 7, or ancillary to a structured recreation facility allowed by clause 8,
 - (c) a refreshment room is not to seat more than 50 people,
 - (d) the total floor space of buildings (including refreshment rooms and visitor facilities) the use of which is ancillary to the use of a recreation area allowed by clause 7 is not to exceed 1% of the size of the recreation area,
 - (e) the erection or use of a restaurant is prohibited, unless its use is ancillary to the use of a structured recreation facility allowed by clause 8,
 - (f) the erection or use of reception rooms is prohibited, unless their use is ancillary to the use of a structured recreation facility allowed by clause 8,
 - (g) a structured recreation facility that includes a restaurant or reception rooms (or both) is not to be erected or used if the facility has a total site area of less than 10 hectares. The total floor space occupied by that restaurant or those rooms (or both) is not to exceed 1% of that site area or 2,500 square metres, whichever is the greater.
- (2) The erection of advertising structures and the display of advertisements within the Regional Parklands are each prohibited if the structure or advertisement would be visible from a public road, except the erection and use of signs only to display matter identifying the sites or events at sites on which they are located.

Clause 11 Sydney Regional Environmental Plan No 31—Regional Parklands

Part 2 Control and assessment of development

11 Minimum lot size for dwelling

Objective: to minimise development that does not support the long-term aims of the Regional Parklands.

A dwelling-house can be built only on an allotment of 20 hectares or more.

12 Matters to be taken into consideration

- (1) In deciding whether to grant consent, the consent authority must take into consideration such of the following matters as are relevant to the proposed development:
 - (a) the consistency of the proposal with the aims of this plan set out in clause 3 and the objectives for development in the Regional Parklands declared in clause 7,
 - (b) whether the proposal will protect and enhance the natural systems of the Regional Parklands,
 - (c) the adequacy of measures proposed to conserve and enhance remnant vegetation to ensure protection of biodiversity, and threatened species, populations and ecological communities, and their habitats, and areas of environmental importance,
 - (d) the adequacy of measures proposed to conserve and enhance watercourses and riparian areas,
 - (e) the ability of the proposal to protect public health by having a neutral or beneficial effect on drinking water,
 - (f) the contribution of the proposal to the diversity and quality of recreational uses within the Regional Parklands,
 - (g) the contribution of the proposal to the visual quality and the continuity of the Regional Parklands and to the visual break the Regional Parklands provide within the urban area,
 - (h) the contribution of the proposal to the establishment of biodiversity and pedestrian and cyclist movement corridors linking significant recreation areas and areas of environmental importance,
 - (i) the ability of the proposal to improve long-term Regional Parklands management and the appropriateness of any management systems proposed,
 - (j) the impact of the proposal on surrounding land and measures to mitigate any adverse impacts,

Sydney Regional Environmental Plan No 31—Regional Parklands

Clause 12

Control and assessment of development

Part 2

-
- (k) the need to limit vehicle access points to the site on which the proposal will be carried out,
 - (l) the impact of the proposal on public utilities within the Regional Parklands.
- (2) A determining authority, within the meaning of Part 5 of the Act, must take such of the matters described in subclause (1) as are relevant into consideration before carrying out an activity, or granting an approval in relation to an activity proposed to be carried out, within the Regional Parklands.

13 Site management plans

Objective: to ensure ongoing management and conservation of all land within the Regional Parklands.

- (1) Consent must not be granted for development unless the consent authority has considered a site management plan setting out provisions for the management, conservation and restoration of the land on which the development is proposed to be carried out.
- (2) The site management plan is to be prepared in accordance with the requirements of any relevant development control plan.

14 Concurrence

- (1) Consent may be granted for the following development only with the concurrence of the Director-General:
 - (a) development allowed to be carried out by clause 8 (additional uses of land),
 - (b) development of any land to which clause 19 (acquisition of land) applies.
- (2) In deciding whether concurrence should be granted for consent for development allowed to be carried out by clause 8, the Director-General must take into consideration the aims of this plan set out in clause 3 (b) and (c).
- (3) In deciding whether concurrence should be granted for consent for any development of land to which clause 19 applies, the Director-General must take into consideration:
 - (a) the imminence of acquisition, and
 - (b) the effect of carrying out the proposed development on acquisition costs, and

Clause 14 Sydney Regional Environmental Plan No 31—Regional Parklands

Part 2 Control and assessment of development

- (c) the effect of carrying out the proposed development on the natural systems of the regional Parklands, and
 - (d) the cost of restoring those systems after the development has been carried out.
- (4) This clause does not require concurrence for consent granted by the Minister.

15 Consultation

- (1) The consent authority must not determine any application for development consent until after it has consulted the Director-General of National Parks and Wildlife, where the proposed development:
- (a) is within the long-term boundary of the Western Sydney Regional Park, as indicated on Sheet 5 of the map by cross-hatching, or
 - (b) adjoins any land reserved or dedicated under the *National Parks and Wildlife Act 1974*.
- (2) The consent authority must send a copy of the development application, and of any additional documentation requested by the consent authority for the purpose of determining the application, to the Director-General of National Parks and Wildlife within 7 days after the consent authority has received the development application or the additional documentation.
- (3) The consent authority must take into consideration any comments received from that Director-General within 28 days after the copy of the development application, or of the additional documentation, is sent.
- (4) Compliance with subclauses (2) and (3) comprises consultation for the purposes of this clause.

Sydney Regional Environmental Plan No 31—Regional Parklands

Clause 16

Special protections

Part 3

Part 3 Special protections

16 Cultural heritage

Objective: to conserve items of known or potential cultural heritage significance in the Regional Parklands.

- (1) The following development may be carried out only with development consent:
 - (a) demolishing a building or work that is a heritage item, or any development involved in dismantling, moving or altering a heritage item,
 - (b) erecting a building on, or subdividing, land on which a heritage item is located,
 - (c) any development involved in moving a relic or in a person's 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 a relic being discovered, exposed, moved, damaged or destroyed.
- (2) However, but without affecting any requirement for development consent made by any other provision of this plan or any other environmental planning instrument, this clause does not require consent:
 - (a) if the heritage item or relic concerned is listed on the State Heritage Register, or is the subject of an interim heritage order under the *Heritage Act 1977*, or
 - (b) if all of the proposed development must be authorised by an excavation permit under the *Heritage Act 1977*, or
 - (c) if all of the proposed development must be authorised by or under the *National Parks and Wildlife Act 1974* and consists of moving an Aboriginal relic or a person's 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 relic being discovered, exposed, moved, damaged or destroyed, or

Clause 16 Sydney Regional Environmental Plan No 31—Regional Parklands

Part 3 Special protections

- (d) in the case of a heritage item, if the proponent has obtained written advice that the Minister is satisfied that the proposed development is of a minor nature, or consists only of maintenance of the item, and will not adversely affect the heritage significance of the item.

Note. To avoid duplication of assessment of proposed development, development consent is not required by this clause for certain development that needs to be authorised by or under the *Heritage Act 1977* or the *National Parks and Wildlife Act 1974*.

- (3) When determining a development application 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 or relic concerned. The assessment is to include (but is not limited to) consideration of:
- (a) the heritage significance of the item or relic as part of the Regional Parklands and the local government area in which it is located, and
 - (b) the impact the proposed development will have on the heritage significance of the item or relic and its setting, including any landscape or horticultural features, and
 - (c) the measures proposed to conserve the heritage significance of the item or relic and its setting, and
 - (d) the impact of the proposed development on any significant views of, or from, the heritage item or relic.
- (4) The consent authority must not grant a consent required by this clause until it has considered a heritage impact statement which includes an assessment of each of the matters listed in subclause (3).
- (5) Before granting consent for development that, in the opinion of the consent authority, is likely to have a significant impact on an Aboriginal site (other than development that must be authorised by or under the *National Parks and Wildlife Act 1974*), the consent authority must:
- (a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the site and any Aboriginal relic known or reasonably likely to be located at the site, and

Sydney Regional Environmental Plan No 31—Regional Parklands

Clause 16

Special protections

Part 3

(b) notify the local Aboriginal communities 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 is sent.

(6) In this clause:

Aboriginal relic means any relic that relates to Aboriginal habitation of the Regional Parklands.

17 Bushland

Objectives: *to conserve existing bushland and protect it from the impact of development and locate all development on land that is already cleared.*

- (1) In this clause, **remnant bushland** means vegetation (including both trees and undergrowth) that:
- (a) is a remainder of the native vegetation of the land, or
 - (b) if that native vegetation has been altered, is still representative of the structure and floristics of that native vegetation.
- (2) Consent must not be granted for development if it will disturb any remnant bushland, unless the consent authority is satisfied that:
- (a) the disturbance of the bushland is essential for a purpose in the public interest and no reasonable alternative is available to the disturbance of that bushland, and
 - (b) the amount of bushland proposed to be disturbed is as little as possible and, where bushland will be disturbed to allow construction work to be carried out, the bushland will be reinstated as far as possible on completion of that work, and
 - (c) if the disturbance is likely to cause any loss of remnant bushland, the loss will be compensated by appropriate revegetation on, or in the proximity of, the affected land so that there will be no nett loss of remnant bushland after the revegetation.

Clause 18 Sydney Regional Environmental Plan No 31—Regional Parklands

Part 3 Special protections

18 Bulk water supply infrastructure

Objective: to protect the quality of the water in bulk water supply infrastructure.

Consent must not be granted for development within the Regional Parklands unless the consent authority is satisfied that the development will have no adverse impact on the quality of the water in the bulk water supply infrastructure the site of which is identified by shading on Sheet 5 of the map.

Sydney Regional Environmental Plan No 31—Regional Parklands

Clause 19

Supplementary

Part 4

Part 4 Supplementary

19 Acquisition of land

- (1) The owner of any land which is identified by shading on Sheet 2 of the map can, by notice in writing, require the Corporation to acquire the land.
- (2) On receipt of such a notice, the Corporation must acquire the land to which the notice relates, subject to subclause (3).
- (3) The Corporation is required to acquire land to which a notice under subclause (1) relates only when the land is included in a priority program for acquisition as determined by the Corporation or the Corporation is of the opinion that the owner of the land will suffer hardship if the land is not acquired.

20 Exempt development

Objective: to exempt development of a minor nature from the development control process

- (1) Development listed in *Regional Parklands Development Control Plan No 2*, as approved by the Director-General on 30 April 2001, is exempt development, despite any other provision of this plan.
- (2) Development is exempt development only if it complies with the development standards and other requirements applied to the development by *Regional Parklands Development Control Plan No 2*, as approved by the Director-General on 30 April 2001.

21 Savings

- (1) The provisions of this plan do not apply to or in respect of a development application, or an application for approval of an activity, that was lodged with a consent authority or determining authority, but that had not been finally determined, before the commencement of this plan.
- (2) Also, the provisions of this plan do not apply to the carrying out of an activity by or on behalf of the Director-General of National Parks and Wildlife or any other person if the activity:
 - (a) was lawfully commenced under the *National Parks and Wildlife Act 1974*, whether or not pursuant to an approval, before the commencement of this plan, or

Clause 21 Sydney Regional Environmental Plan No 31—Regional Parklands

Part 4 Supplementary

- (b) is commenced, after the commencement of this plan, in accordance with an approval granted under that Act before the commencement of this plan or an approval granted under that Act pursuant to subclause (1) after that commencement.

Sydney Regional Environmental Plan No 31—Regional Parklands

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4 (1))

1.1 State Environmental Planning Policy No 19—Bushland in Urban Areas

Clause 3 Application of Policy

At the end of clause 3 (2) (b), insert:

, or

- (c) land to which *Sydney Regional Environmental Plan No 31—Regional Parklands* applies.

1.2 State Environmental Planning Policy No 29—Western Sydney Recreation Area

Clause 4 Land to which this Policy applies

At the end of clause 4, insert:

- (2) However, this Policy does not apply to the following land:

Land to which *Sydney Regional Environmental Plan No 31—Regional Parklands* applies.

1.3 Blacktown Local Environmental Plan 1988

Clause 3 Land to which plan applies

Omit “applies” from clause 3 (2).

Insert instead “or *Sydney Regional Environmental Plan No 31—Regional Parklands* apply”.

Sydney Regional Environmental Plan No 31—Regional Parklands

Schedule 1 Amendments

1.4 Fairfield Local Environmental Plan 1994**Clause 3 Where does this plan apply?**

At the end of clause 3, insert:

- (2) However, this plan does not apply to the following land:

Land to which *Sydney Regional Environmental Plan No 31—Regional Parklands* applies.

1.5 Liverpool Local Environmental Plan 1997**Clause 3 Land where this plan applies**

At the end of clause 3, insert:

- (2) However, this plan does not apply to the following land:

Land to which *Sydney Regional Environmental Plan No 31—Regional Parklands* applies.

Sydney Regional Environmental Plan No 31—Regional Parklands

Additional uses

Schedule 2

Schedule 2 Additional uses

(Clause 8)

Location	Property description	Development for the purpose of the following is allowed with consent
1 Knox Road (<i>Nurragingy Reserve</i>)	Lot 16 DP 12229	reception rooms
2 Rooty Hill Road (<i>between Eastern Road and Church Street</i>)	DP 909138	place of public worship
3 Wallgrove Road (<i>Eastern Creek Waste Management Centre</i>)	Lot 2 DP 549703	waste facility
4 Wallgrove Road (<i>Eastern Creek Waste Management Centre</i>)	Lot Y DP 376524	waste facility
5 Note. This provision relates to certain land in Ferrers Road that is <i>deferred matter</i> , having been excluded by the Director-General under section 50 (2) of the Act.		
6 Wallgrove Road (<i>Austral Bricks</i>)	Lot 3 DP 235478, Part lot 1 DP 206617, Lot 4 DP 235478, Lot E DP 384514	extractive industry, brick making and ancillary public display and sales, waste facility

Sydney Regional Environmental Plan No 31—Regional Parklands

Schedule 2 Additional uses

Location	Property description	Development for the purpose of the following is allowed with consent
7 Ferrers Road, M4 (<i>Eastern Creek Raceway</i>)	Lot 100 DP 815766	motor sports, including motor racing, sportsgrounds and stadiums, showgrounds, equestrian and like facilities, including racecourses, cultural and entertainment facilities, training facilities in conjunction with activities carried out for recreational, sporting and cultural purposes, motor sport industry related to the Eastern Creek Raceway, including research and development, promotion and marketing, structured recreation facility, any like or similar use
8 Redmayne Avenue (Stewards Foundation Christ Brethren)	Lot 1 DP 541719	place of public worship
9 Elizabeth Drive (<i>Olympic Shooting Centre</i>)	Lot 1 DP 875790	structured recreation facility (not including facility for motor sport)
10 15th Avenue (<i>Liverpool Transport Bus Depot</i>)	Lot 345 DP 307334	bus depot
11 Cricketers Arms Road (<i>Greater Union Drive-in Theatre</i>)	Lot 1 DP 194539	drive-in theatre
12 Cricketers Arms Road (<i>Royal Cricketers Arms Inn</i>)	Lot 111 DP 839532	hotel
13 Cnr Old Western Road and Thornley Road	Portions 23, 23A and 23B, Parish of Prospect	place of public worship

Sydney Regional Environmental Plan No 31—Regional Parklands

Additional uses

Schedule 2

Location	Property description	Development for the purpose of the following is allowed with consent
14 Land that is: <ul style="list-style-type: none">• south of the Main Western Railway line, and• north of Chandos Road, and• west of Prospect Reservoir and the Eastern Creek Raceway, and• shown on Sheet 3 of the map by diagonal hatching		structured recreation facility (not including facility for motor sport)

Sydney Regional Environmental Plan No 31—Regional Parklands

Schedule 3 Heritage items

Schedule 3 Heritage items

(Dictionary)

LGA	No	Heritage item	Address	Property description
Liverpool City	1	Liverpool Offtake Reservoir	Elizabeth Drive, Liverpool	Lot 1 DP 606858
	2*	Sydney Water Supply Upper Canal	Between Camden Valley Way and Elizabeth Drive	
	3	Carnes Hill Vegetation Group	Carnes Hill, off Bringelly Road, Austral	Lot 8 DP 231528
	4	Row of Bunya Pines	Bringelly Road, Austral	Land in DP 19406
Fairfield City	5	Calmsley Hill Farm Cottage and curtilage	Darling Street, Abbotsbury	Part lot 1 DP 553350
	6	Relics of early homestead and stands of exotic vegetation	Elizabeth Drive, Abbotsbury	Lots 6, 7, 9, 10, 11 and 12 Sec 1 DP 2954, Lot 80 Sec 1 DP 812293 and Lot A DP 344556
	7	Remnants of Abbotsbury House	Southdown Road, Horsley Park	Lot 5 DP 825571 and Lot 16 DP 234284
	8	Group of Hoop Pines	Prospect Reservoir, South Hill. Chandos Road and Trivet Street, Wetherill Park	Part lot 1 DP 235478

Sydney Regional Environmental Plan No 31—Regional Parklands

Heritage items

Schedule 3

LGA	No	Heritage item	Address	Property description
	9*	Sydney Water Supply Upper Canal	Between Elizabeth Drive and Prospect Reservoir	
Blacktown City	10*	Royal Cricketers Arms Inn	Corner Reservoir and Cricketers Arms Roads	Lot 111 DP 839532
	11*	Sydney Water Supply Upper Canal, Prospect Reservoir and surrounding areas, including the Valve House	Off Reservoir Road	Part lot 5 DP 832281
	12*	Remains and site of Veteran Hall	1 km south of Reservoir Road	Part lot 5 DP 832281

***Note.** Items 2, 9, 10, 11 and 12 are not heritage items for the purposes of this plan but are listed on the State Heritage Register under the *Heritage Act 1977* and subject to the controls imposed by that Act.

Sydney Regional Environmental Plan No 31—Regional Parklands

Dictionary

Dictionary

(Clause 6 (1))

Aboriginal site means:

- (a) any site 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, midden deposits, scarred and carved trees, 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 and areas of more contemporary cultural significance.

advertisement has the same meaning as in the Act.

agriculture means grazing, whether on improved or natural pastures, and cultivation of commercial crops of plants.

bank means land evidencing a change of slope that defines the bank of the watercourse concerned in a geomorphic sense.

bus depot has the same meaning as in the *Environmental Planning and Assessment Model Provisions 1980*.

clearing means destroying or removing vegetation by any means.

community facility means a building or place owned or controlled by a public authority or body of persons which may provide for the physical, social, cultural or intellectual development or welfare of the community, but does not include a club registered under the *Registered Clubs Act 1976*.

Corporation means the corporation constituted by section 8 (1) of the Act.

demolish, in relation to a heritage item that is a building, work, relic, tree or place, means wholly or partly destroy or dismantle the building, work, relic, tree or place.

detention basin means a constructed drainage area or wetlands system the principal purpose of which is to support land management and development located within the Regional Parklands.

development has the same meaning as in the Act.

Director-General has the same meaning as in the Act.

Sydney Regional Environmental Plan No 31—Regional Parklands

Dictionary

drain means any channel, conduit or pipe used for removing water other than sewage, but does not include a detention basin.

dwelling-house has the same meaning as in the *Environmental Planning and Assessment Model Provisions 1980*.

exempt development is identified in clause 20.

extractive industry has the same meaning as in the *Environmental Planning and Assessment Model Provisions 1980*.

grazing means grazing on pasture that does not involve either the clearing of trees or undergrowth or the application of water or fertilizer.

heritage impact statement means a statement demonstrating the significance of a heritage item or a relic, providing an assessment of the impact that proposed development will have on that significance and specifying the measures that are proposed to minimise that impact.

heritage item means a building, work, relic, tree or place that is described in Schedule 3 (but not item 2, 9, 10, 11 or 12 in that Schedule each of which is listed on the State Heritage Register under the *Heritage Act 1977*) and includes all parts of the fabric, structure, fixtures and fittings of any such building, work, relic, tree or place.

home occupation has the same meaning as in the *Environmental Planning and Assessment Model Provisions 1980*.

hotel has the same meaning as in the *Environmental Planning and Assessment Model Provisions 1980*.

landfilling means the filling of land, including submerged aquatic land, by raising the ground level through disposal of spoil from any landfill method (such as mining, dredging or refuse dumping), whether or not to enable the construction of a road or the erection of buildings or pylons or any other structure, where the filling:

- (a) exceeds 200 millimetres in depth, or 100 square metres in area, or
- (b) is located below the flood planning level shown by shading on Sheet 6 of the map.

landscaping means any reforming of land involving excavation or filling, or the carrying out of paving or otherwise creating a hard surface area, and includes planting vegetation.

Sydney Regional Environmental Plan No 31—Regional Parklands

Dictionary

maintenance, in relation to a heritage item, means ongoing protective care. It does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology, such as use of injectable damp proof courses.

Minister means the Minister administering the Act.

natural watercourse means a river or stream, whether perennial or flowing intermittently, in a natural channel with an established bed.

occasional community event means a community event, such as a sporting event, fair, fete, market, concert, exhibition or any like event which may require temporary facilities, including temporary shelters, portable toilets, public address systems or car parking.

place of public worship has the same meaning as in the *Environmental Planning and Assessment Model Provisions 1980*.

public utility undertaking means any undertaking carried on by, or under the authority of, any Commonwealth or State Government department or agency, or in pursuance of any Commonwealth or State Act, for the purpose of providing:

- (a) railway, road or air transport services or facilities, or
- (b) sewerage or drainage services, or
- (c) water, electricity or gas (other than generating works), or
- (d) telecommunications facilities.

reception rooms means a building or place (including premises licensed under the *Liquor Act 1982*, but not a club registered under the *Registered Clubs Act 1976*) that is used for the holding of functions, being wedding receptions, celebratory functions, conferences or the like.

recreation area means an area (whether naturally occurring or landscaped) used for outdoor recreational activities, such as a picnic area, a barbeque area, an oval, a golf course, a tennis court, a bicycle track, a children's playground or any other like area.

refreshment room means a building or place, such as a café or tea room, the purpose of which is to provide food and only non-alcoholic drinks for consumption on the premises.

relic means any deposit, object or material evidence (which may consist of human remains) that relates to the settlement of the Regional Parklands and that is 50 or more years old or, in the case of Aboriginal habitation of the Regional Parklands, that is of any age.

Sydney Regional Environmental Plan No 31—Regional Parklands

Dictionary

restaurant means a building or place (including premises licensed under the *Liquor Act 1982*) where meals or light refreshments are prepared and served to the public for consumption on the premises.

revegetation means planting of large areas maximising the use of locally indigenous native species propagated from local seed stock.

structured recreation facility means a facility used for indoor or outdoor recreational activities, or both, including sporting or cultural activities.

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

the map means the map consisting of 5 sheets marked “Sydney Regional Environmental Plan No 31—Regional Parklands” deposited in the head office of the Department of Urban Affairs and Planning.

visitor facilities means kiosks, shops selling tourist-related items, toilet facilities, picnic facilities, car parking, information (and interpretative) signs and displays, viewing platforms and any other like facilities.

waste facility has the same meaning as in the *Waste Minimisation and Management Act 1995*.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**TUMUT LOCAL ENVIRONMENTAL PLAN 1990
(AMENDMENT No. 2 1)**

I, the Minister for Urban Affairs and Planning, in pursuance of section 70 of the Environmental Planning and Assessment Act 1979, make the local environmental plan set out hereunder (Q00/00020).

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

Sydney, 31 May 2001

Citation

- 1, This plan may be cited as Tumut Local Environmental Plan 1990 (Amendment No. 21).

Aims, objectives etc.

2. This plan aims to rezone Lot 65, DP 757252 from the Rural Future Urban Zone to the Residential Medium Density Zone under Tumut Local Environmental Plan 1990.

Land to which plan applies

3. This plan applies to Lot 65, DP 757252 in the Tumut local government area in Maroo Avenue in the Town of Tumut, as shown edged heavy black on the map marked "Tumut Local Environmental Plan 1990 (Amendment No. 21)" deposited in the office of the Tumut Shire Council.

Relationship to other environmental planning instruments

4. This plan amends Tumut Local Environmental Plan 1990 in the manner set out in Clause 5.

Amendment of Tumut Local Environmental Plan 1990

5. Tumut Local Environmental Plan 1990 is amended by inserting, in appropriate order, at the end of the definition of "the map" in Clause 5 (1) the following words:

Tumut Local Environmental Plan 1990 (Amendment No. 21)

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)

ROADS ACT 1993**LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Erratum

The Roads and Traffic Authority of New South Wales corrects an error in the notice published in Government Gazette No 89 of 25 May 2001 on page 2929 under the heading "Notice of Compulsory Acquisition of Land at Brunswick Heads in the Byron Shire Council area" by making the following alteration to part of the SCHEDULE

deleting - "(R84057)";
and substituting - "(R80457)".

D J Lorsch
Manager Statutory Processes
Roads and Traffic Authority of New South Wales

(RTA Papers FPP 1M1012; RO 10/62.1573)

ROADS ACT 1993**LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land at Karuah in the
Port Stephens 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 that piece or parcel of land situated in the Port Stephens Council area, Parish of Tarean and County of Gloucester, shown as Lot 33 Deposited Plan 1024344, being part of the land in Certificate of Title 1/874652.

The land is said to be in the possession of Hunter Water Corporation.

(RTA Papers FPP 1M1669; RO 10/362.1660)

Roads Act 1993

Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation, 1996

Quirindi Shire Council, in pursuance of Division 2 of Part 3 of the *Road Transport (Mass, Loading and Access) Regulation 1996*, by this Notice, specify the routes and areas on or in which B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Paul Sheridan
General Manager
Quirindi Shire Council
(by delegation from the Minister for Roads)

Schedule

1. Citation

This Notice may be cited as the Quirindi Shire Council B-Doubles Notice No 1/2000.

2. Commencement

This Notice takes effect from date of gazettal.

3. Effect

This Notice remains in force until June 2006 unless it is amended or repealed earlier.

4. Application

4.1 This Notice applies to B-Doubles which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) regulation 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

B-Double routes within the Quirindi Shire Council (Local road System)

Type	Road No	Road Name	Starting point	Finishing point	Conditions
25m	MR126	Wallabadah to Quirindi Road	New England Hwy (SH9)	East Street, Quirindi	

Roads Act 1993

Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation, 1996

Shoalhaven City Council, in pursuance of Division 2 of Part 3 of the *Road Transport (Mass, Loading and Access) Regulation 1996*, by this Notice, specify the routes and areas on or in which B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

G. A. Napper
General Manager
Shoalhaven City Council
(by delegation from the Minister for Roads)

Schedule

1. Citation

This Notice may be cited as the Shoalhaven City Council B-Doubles Notice No 3/2001.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 1 May 2006 unless it is amended or repealed earlier.

4. Application

4.1 This Notice applies to B-Doubles which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) regulation 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

B-Double routes within the Shoalhaven City Council

Type	Road No	Road Name	Starting point	Finishing point	Conditions
25	000	Alexandra St, Berry	Princes Hwy (SH1)	BP Garage, 50m south of the Princes Hwy	

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.

BANKSTOWN COUNCIL, AT PADSTOW: PROJECT NUMBER 3001761, CONTRACT NUMBER 971590S2. SIDELINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING BALDWIN STREET AND CORAL AVENUE.

BOTANY COUNCIL, AT EASTLAKES: PROJECT NUMBER 3000427, CONTRACT NUMBER 966474SA. SIDELINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING GEORGE STREET.

BURWOOD COUNCIL, AT BURWOOD: PROJECT NUMBER 381389, CONTRACT NUMBER 959434S1. SIDELINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING WAIMEA STREET.

CONCORD COUNCIL, AT RHODES: PROJECT NUMBER 381121, CONTRACT NUMBER 955599S1. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINE AND INLETS SERVING CONCORD ROAD AND ALFRED STREET.

HURSTVILLE COUNCIL, AT PEAKHURST: PROJECT NO. 3001510 (CONTRACT NO. 971243S2). LINE 1 INCLUSIVE AND ITS APPURTENANT JUNCTIONS, SIDELINE AND INLET SERVING BELMORE ROAD AND PARK STREET.

MARRICKVILLE COUNCIL, AT MARRICKVILLE: PROJECT NO. 3000698 (CONTRACT NO. 966378SB). LINE 1 INCLUSIVE AND ITS APPURTENANT JUNCTIONS, SIDELINE AND INLETS SERVING JULIET STREET AND SCOLLER STREET.

SOUTH SYDNEY COUNCIL, AT REDFERN: PROJECT NUMBER 3000382, CONTRACT NUMBER 966184S7. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINE AND INLETS SERVING YOUNG STREET, PHILLIP STREET AND EVAN LANE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

GERRY DACOCO
Developer Activity Officer
Rockdale

8 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 973646S1, PROJECT NUMBER 3002079. PROPERTY CONNECTION SEWER LINE 1 AND ITS APPURTENANT JUNCTIONS, SERVING CEDAR ROAD AND BARCELONA DRIVE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VALDIS VIKSNE,
Developer Activity Officer
Liverpool Commercial Centre

8 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 WAKELEY: CONTRACT NUMBER 971793S7, PROJECT NUMBER 3001661. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING WINBURDALE ROAD AND CANLEY VALE 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.

G. MAIMONE,
Developer Activity Officer
Liverpool Commercial Centre

8 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.

THE COUNCIL OF CAMDEN, AT CURRANS HILL: CONTRACT NUMBER 971089S6, PROJECT NUMBER 3002115. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING RESERVE CIRCUIT.

FAIRFIELD CITY COUNCIL, AT FAIRFIELD: CONTRACT NUMBER 967531SA, PROJECT NUMBER 3002114. LINE 1 AND P.C.S 1, INCLUSIVE, AND THEIR APPURTENANT JUNCTIONS, SIDELINES AND INLETS, SERVING MALABAR STREET.

FAIRFIELD CITY COUNCIL, AT WAKELEY: CONTRACT NUMBER 971793S7, PROJECT NUMBER 3001661. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS, SERVING WINBURNDALE 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.

MITKO BALALOVSKI
Developer Activity Officer
Urban Development
Liverpool Regional Office

8 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 960411S7, PROJECT NUMBER 3001654. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING POUND ROAD.

CITY/MUNICIPALITY OF HORNSBY, AT CHELTENHAM: CONTRACT NUMBER 965478SA, PROJECT NUMBER 3001068. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING COBRAN ROAD.

CITY/MUNICIPALITY OF WARRINGAH, AT FRENCHS FOREST: CONTRACT NUMBER 972670S5, PROJECT NUMBER 3001916. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING HOLLAND CRESCENT.

CITY/MUNICIPALITY OF WILLOUGHBY, AT CASTLE COVE: CONTRACT NUMBER MX428575F8, PROJECT NUMBER 3001267. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING ROSEBRIDGE AVENUE.

CITY/MUNICIPALITY OF NORTH SYDNEY, AT KIRIBILLI. CONTRACT NUMBER 965583SA, PROJECT NUMBER 3001495. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING JEFFREY STREET.

CITY/MUNICIPALITY OF PARRAMATTA, AT PARRAMATTA: CONTRACT NUMBER 970119SB, PROJECT NUMBER 3001443. SIDELINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING CHURCH 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.

MARTHA AMADOR,
Developer Activity Officer
Chatswood

8 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.

BAULKHAM HILLS SHIRE, AT CASTLE HILL: CONTRACT NUMBER 968897S9, PROJECT NUMBER 3001327. LINES 1 TO 19 AND PROPERTY CONNECTION SEWER 1, INCLUSIVE, AND THEIR APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING BELLEMARIE DRIVE, PAULS AVENUE, BORDEAUX WAY, NINETTE PLACE, LUCETTE PLACE AND VICTORIA AVENUE.

BAULKHAM HILLS SHIRE, AT CASTLE HILL: CONTRACT NUMBER 968838S2, PROJECT NUMBER 3001337, LINES 1 AND 2, INCLUSIVE, AND THEIR APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING FIRST FARM DRIVE AND OLD CASTLE HILL ROAD.

BAULKHAM HILLS SHIRE, AT KELLYVILLE: CONTRACT NUMBER 967050S6, PROJECT NUMBER 3001578. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING LINFORD PLACE.

BLACKTOWN CITY, AT PROSPECT: CONTRACT NUMBER 968382S3, PROJECT NUMBER 3001828. LINES 1 AND 2, INCLUSIVE, AND THEIR APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING GREAT WESTERN HIGHWAY.

BLACKTOWN CITY, AT PROSPECT: CONTRACT NUMBER 963855S7, PROJECT NUMBER 3000262. LINES 1 AND 2, INCLUSIVE, AND THEIR APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING MYRTLE 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

8 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 SHELLHARBOUR, AT BLACKBUTT: CONTRACT NUMBER 964421S9, PROJECT NUMBER 3001021. LINES 1 TO 8, INCLUSIVE, AND THEIR APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING PARK AVENUE, MAIN STREET, CINEMA WAY AND LITTLE 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.

MARGARET McTAINSH,
Developer Activity Officer

8 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.

HURSTVILLE CITY, AT HURSTVILLE: PROJECT NUMBER 381125, CONTRACT NUMBER 954306S6. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING DORA STREET AND QUEENS ROAD.

SUTHERLAND SHIRE, AT CRONULLA: PROJECT NUMBER 381271, CONTRACT NUMBER 957593SB. SIDELINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING WOOLLOOWARE ROAD.

SUTHERLAND SHIRE, AT HEATHCOTE: PROJECT NUMBER 3001678, CONTRACT NUMBER 969720S5. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING PRINCES HIGHWAY.

SUTHERLAND SHIRE, AT MENAI: PROJECT NUMBER 381562, CONTRACT NUMBER 963196SB. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING ROSEWALL DRIVE.

SUTHERLAND SHIRE, AT MENAI: PROJECT NUMBER 381637, CONTRACT NUMBER 963289S3. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING ALLISON CRESCENT.

SUTHERLAND SHIRE, AT OYSTER BAY: PROJECT NUMBER 3001671, CONTRACT NUMBER 969746SB. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING COMO ROAD.

SUTHERLAND SHIRE, AT WORONORA: PROJECT NUMBER 381632, CONTRACT NUMBER 963288SA. LINE 1 AND ITS APPURTENANT JUNCTIONS, SIDELINES AND INLETS SERVING THE 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.

BOB HOLLANDS
Developer Activity Officer
Sutherland Customer Centre
Sutherland Council Chambers

8 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.

LEICHHARDT COUNCIL, AT ROZELLE: CONTRACT NUMBER 966349W2, PROJECT NUMBER 1000208. WATERMANS ARE NOW LAID AND SHOWN ON SAID PLAN AND CAPABLE OF SERVING THE PROPERTIES IN TERRY STRET AND MARGARET STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

GERRY DACOCO
Developer Activity Officer
Rockdale

8 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/MUNICIPALITY OF HORNSBY, AT HORNSBY: CONTRACT NUMBER 960411WB, PROJECT NUMBER 1000672. WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES IN POUND 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

8 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.

BAULKHAM HILLS SHIRE, AT KELLYVILLE: CONTRACT NUMBER 968936W3, PROJECT NUMBER 1000578. WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT REDGUM CLOSE.

BAULKHAM HILLS SHIRE, AT KELLYVILLE: CONTRACT NUMBER 968936W3, PROJECT NUMBER 7000090. RECYCLED WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT REDGUM CLOSE.

BAULKHAM HILLS SHIRE, AT CASTLE HILL: CONTRACT NUMBER 968897W1, PROJECT NUMBER 1000569. WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT BELLE MARIE DRIVE, BORDEAUX WAY, NINETTE PLACE, LUCETTE PLACE AND PAULS AVENUE.

BAULKHAM HILLS SHIRE, AT CASTLE HILL: CONTRACT NUMBER 968897W1, PROJECT NUMBER 7000085. RECYCLED WATER MAINS ARE NOW LAID AND CAPABLE OF SERVING IDENTIFIED PROPERTIES AT VICTORIA 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.

VICKI MAWBY,
Developer Activity Officer

8 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 Bathurst 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. – Rylstone Shire Council

Being: Lot 180, DP 755789 at Rylstone Shire; Lot 218, DP 755789, at Rylstone Shire; Lot 246, DP 755789 at Rylstone Shire; Lot 249, DP 755789 at Rylstone Shire; Lot 250, DP 755789 at Rylstone Shire.

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 Ashford 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. – Inverell Shire Council

Being: Lot 1, DP 0, 24 Dudley Street, Ashford; Lot 125, DP 705155, Kneipp Street, Ashford; Lot 8, DP 750072, Blloonbah; Lots 149/152, DP 750077, Bukkulla; Lots 154/156, DP 750077, Bukkulla; Lot 1, DP 758036, Frome Street, Ashford; Lot 10, DP 758036, Cook Street, Ashford; Lot 11, DP 758036, Cook Street, Ashford; Lot 9, DP 758036, Cook Street, Ashford; Lot 1, DP 758036, Ely Street, Ashford; Lot 2, DP 758036, Ely Street, Ashford; Lot 5, DP 758036, Ely Street, Ashford; Lot 6, DP 758036, Ely Street, Ashford; Lot 7, DP 758036, Ely Street, Ashford; Lot 8, DP 758036, Ely Street, Ashford; Lot 8, DP 758036, Frome Street, Ashford; Lot 9, DP 758036, Frome Street, Ashford.

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 Tweed Byron 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. – Tweed Shire Council

Being: Lot 265, DP 755740 at Letitia Road, Fingal Head; Lot 273, DP 755740 at Letitia Road, Fingal Head.

CHARITABLE TRUSTS ACT 1993

Notice under section 15

Proposed Cy-Pres Scheme relating to The Estate of the Late Theresa Mary Le Brocque

THE deceased, Theresa Mary Le Brocque, died on 8 December 1999. The Public Trustee is the executor and trustee of her will. By that will dated 11 December 1998, for which probate was granted on 4 February 2000, the testatrix made gifts to various persons and bequeathed the residue. Her will also relevantly provides:

“7.00 After payment of my estate liabilities, I give the remainder of my property to the PORT MACQUARIE PUBLIC HOSPITAL of Port Macquarie if it still exists when I die.

7.10 This corporation may use this gift as it sees fit and I direct the Public Trustee to pay it to the person authorised to receive money on its behalf.”

This gift is the basis of an application for a cy-pres scheme. As at the date of the testatrix's will there was no hospital known as Port Macquarie Public Hospital. The hospital at Port Macquarie was known as the Hastings District Hospital until November 1994, when it was replaced by Port Macquarie Base Hospital. This hospital is now owned by Mayne Nickless and is a privatised hospital under contract to the Government for utilisation of some public patients.

The Solicitor General, under delegation from the Attorney General in and for the State of New South Wales, has formed the view that the gift to Port Macquarie Public Hospital in the testatrix's will is a gift for charitable purposes and has approved a recommendation that the Attorney General establish a cy-pres scheme pursuant to section 12(1)(a) of the *Charitable Trusts Act 1993*.

The scheme is to be applied to give effect to the gift cypres to Port Macquarie Base Hospital to be held on trust and applied for the benefit of public patients at Port Macquarie Base Hospital.

Take note that within one month after the publication of this notice any person may make representations or suggestions to the Attorney General in respect of the proposed scheme.

A copy of the proposed scheme may be inspected, by appointment, during business hours at Level 9, Goodsell Building, 8-12 Chifley Square, Sydney. Please telephone 9228-7883 for an appointment.

W. GRANT,
Deputy Director General,
Attorney General's Department

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 Queanbeyan and Yarrowlumla Crime Prevention Strategy as a Safer Community Compact for the purposes of Division 3 of Part 4 of that Act.

This Order takes effect on 8 June 2001 and remains in force until 7 June 2004.

Signed at Sydney, this 4th day of June 2001.

BOB DEBUS,
Attorney General

FOOD PRODUCTION (SAFETY) ACT 1998

Order under Section 69

CLAUSE 7 of Schedule 1 to the Food Production (Dairy Food Safety Scheme) Regulation 2000 ("Regulation") made under the Food Production Safety Act 1998, does not apply to any purchase and sale of milk or cream by Dairy Farmers Supply Co-operative Limited, ARBN 088 550 921, provided that the purchase and sale complies with the following conditions:

- (a) The milk or cream must be purchased by Dairy Farmers Supply Co-operative Limited from a dairy farmer or dairy produce merchant who is the holder of a current licence issued under the Regulation;
- (b) The milk must be sold by Dairy Farmers Supply Co-operative Limited to Australian Co-operative Foods Limited, ARBN 010 308 068; and
- (c) Dairy Farmers Supply Co-operative Limited must not deal with, or handle, any such milk or cream except by way of a bare purchase or sale in accordance with paragraphs (a) and (b) above.

Dated: 1st June 2001.

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

GEOGRAPHICAL NAMES ACT 1966

Notice of Proposal to Assign Geographical Names and Determine the Extent of Localities within Uralla Shire

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to assign geographical names listed below to the areas indicated on map GNB3812. The map may be viewed at Uralla Shire Council Chambers, the General Stores at Bundarra, Invergowrie, Kingstown and Kentucky, and the office of the Geographical Names Board, Land and Property Information, Panorama Avenue, Bathurst.

The twenty five bounded Locality names proposed to be assigned, to be used as the address are:

Abington, Arding, Bakers Creek, Balala, Boorolong, Briarbrook, Bundarra, Camerons Creek, Dangarsleigh, Dumaresq, Gostwyck, Invergowrie, Kellys Plains, Kentucky South, Kentucky, Kingstown, Mihi, Rocky River, Salisbury Plains, Saumarez Ponds, Saumarez, Torryburn, Uralla, Wollun and Yarrowyck.

SUBSEQUENT to the determination of names and boundaries for Localities within Uralla Shire, the following assigned names will be redesignated as:

Rural Place: Abington, Arding, Austins Crossing, Bakers Creek, Big Ridge, Bindawalla, Gostwyck, Kentucky South, Lower Wallaby Rocks, Martins Flat, Saumarez Ponds, Strahle Lagoon, Torryburn, Wallaby Rocks, Wollun and Yarrowyck.

Historical Site: Rocky River.

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

Notice of Proposal to Assign Names and Determine Boundaries for Two Address Localities in Yarrowlumla Council Area

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to assign names The Angle and Clear Range to two address localities as indicated on map GNB3822/A which may be viewed at Yarrowlumla Council Offices, The Tharwa General Store and the office of the Geographical Names Board during normal opening hours.

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.

**NOTICE OF ASSIGNMENT OF
GEOGRAPHICAL NAMES**

ERRATUM

IN the notice referring to the assignment of names and boundaries for localities in Evans Council area, Folio 3691, 14 July 1995. The notice was in error and should read as follows:

**Notice of Assignment of Geographical Names for
Localities in Evans Council Area**

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 below in the areas indicated on map GNB3763/C.

The names are

Abercrombie, Arkell, Bald Ridge, Ballyroe, Bathampton, Billywillinga, Brewongle, Bruinbun, Burraga, Callola, Charlton, Clear Creek, Colo, Copperhannia, Cow Flat, Crudine, Curragh, Dog Rocks, Dunkeld, Duramana, Eglinton, Evans Plains, Fitzgeralds Mount, Fitzgeralds Valley, Freemantle, Garthowen, Gemalla, Georges Plains, Gilmandyke, Glanmire, Gowan, Hill End, Isabella, Jeremy, Judds Creek, Killongbutta, Kirkconnell, Limekilns, Locksley, Meadow Flat, Milkers Flat, Millah Murrh, Mount David, Mount Rankin, Napoleon Reef, O'Connell, Paling Yards, Peel, Perthville, Rock Forest, Rockley, Rockley Mount, Sallys Flat, Sofala, Sunny Corner, Tambaroora, Tarana, The Lagoon, The Rocks, Triangle Flat, Trunkey, Turondale, Upper Turon, Vittoria, Walang, Wambool, Wattle Flat, Watton, White Rock, Wiagdon, Wimbledon, Winburndale, Wisemans Creek, Yarras, Yetholme.

Subsequent to the determination of names and boundaries of localities in Evans Council area, the following geographical names are also assigned and designated as follows:

<i>Geographical Name</i>	<i>Designation</i>	<i>Geographical Name</i>	<i>Designation</i>
Burraga	Village	Wimbledon	Village
Georges Plains	Village	Yetholme	Village
Hill End	Village	Brewongle	Village
Mount David	Village	Vittoria	Village
Tambaroora	Village	Peel	Village
The Lagoon	Village	Rockley	Village
Trunkey	Village	Sofala	Village
Wattle Flat	Village	Sunny Corner	Village
GermanTown	Historic Site	Irish Town	Historic Site
Abercrombie Caves	Rural Place	Kangaroo Flat	Rural Place
Big Flat	Rural Place	Lower Wallaby	Rural Place
Bingham	Rural Place	Macquarie Vale	Rural Place
Box Corner	Rural Place	Mahoneys Corner	Rural Place
Brownlea	Rural Place	Maitland Camp	Rural Place
Butcher Boy Reef	Rural Place	Mares Nest	Rural Place
Cherry Tree	Rural Place	One Eye	Rural Place
Dunns Plains	Rural Place	Root Hog	Rural Place
Fox Den	Rural Place	Round Water Hole	Rural Place
Tarana Quarry	Rural Place	Arkell	Rural Place
The Bluff	Rural Place	Bald Ridge	Rural Place
The Junction	Rural Place	Ballyroe	Rural Place
The Reefs	Rural Place	Bathampton	Rural Place
The Round Hole	Rural Place	Billywillinga	Rural Place
Abercrombie	Rural Place	Bruinbun	Rural Place
Caloola	Rural Place	Copperhannia	Rural Place
Curragh	Rural Place	Cow Flat	Rural Place

<i>Geographical Name</i>	<i>Designation</i>	<i>Geographical Name</i>	<i>Designation</i>
Charlton	Rural Place	Crudine	Rural Place
Clear Creek	Rural Place	Dog Rocks	Rural Place
Colo	Rural Place	Dunkeld	Rural Place
Duramana	Rural Place	Evans Plains	Rural Place
Fitzgeralds Mount	Rural Place	Fitzgeralds Valley	Rural Place
Fosters Valley	Rural Place	Freemantle	Rural Place
Garthowen	Rural Place	Gemalla	Rural Place
Gilmandyke	Rural Place	Glanmire	Rural Place
Gowan	Rural Place	Isabella	Rural Place
Jeremy	Rural Place	Judds Creek	Rural Place
Killongbutta	Rural Place	Kirkconnell	Rural Place
Limekilns	Rural Place	Locksley	Rural Place
Milkers Flat	Rural Place	Millah Murrh	Rural Place
Mount Rankin	Rural Place	Napoleon Reef	Rural Place
Paling Yards	Rural Place	Rock Forest	Rural Place
Rockley Mount	Rural Place	Sallys Flat	Rural Place
The Rocks	Rural Place	Triangle Flat	Rural Place
Turondale	Rural Place	Upper Turon	Rural Place
Walang	Rural Place	Wambool	Rural Place
Watton	Rural Place	White Rock	Rural Place
Wiagdon	Rural Place	Winburndale	Rural Place
Wisemans Creek	Rural Place	Yarras	Rural Place

This notice is to supersede the notice in Folio 3691 published on 14 July 1995.

W. WATKINS,
Chairman

Geographical Names Board
PO Box 143 Bathurst 2795

**NOTICE OF ASSIGNMENT OF
GEOGRAPHICAL NAMES**

ERRATUM

IN the notice referring to the assignment of names and boundaries for localities in Blayney Council area, Folio 4410, 26 July 1996. The notice was in error and should read as follows:

**Notice of Assignment of Geographical Names for
Localities in Evans Council Area**

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 below in the areas indicated on map GNB3626/A.

The names are

Barry, Blayney, Browns Creek, Burnt Yards, Caloola, Carcoar, Errowanbang, Forest Reefs, Garland, Hobbys Yards, Kings Plains, Lyndhurst, Mandurama, Millthorpe, Moorilda, Neville, Newbridge, Panuara, Tallwood.

Subsequent to the determination of names and boundaries of localities in Evans Council area, the following geographical names are also assigned and designated as follows:

<i>Geographical Name</i>	<i>Designation</i>	<i>Geographical Name</i>	<i>Designation</i>
Barry	Village	Lyndhurst	Village
Millthorpe	Village	Neville	Village
Newbridge	Village	Mandurama	Village
Carcoar	Village	Blayney	Town

<i>Geographical Name</i>	<i>Designation</i>	<i>Geographical Name</i>	<i>Designation</i>
Hobbys Yards	Rural Place	Kings Plains	Rural Place
Forest Reefs	Rural Place	Golden Gully	Historic Site
Athol	Historical Area	Beneree	Historical Area
Carbine	Historical Area	Flyers Creek	Historical Area
Gresham	Historical Area	Mallowgrove	Historical Area
Somers	Historical Area	Wombiana	Historical Area
The Village	Historical Area	The Dry Diggings	Historical Area
Wire Gully Diggings	Historical Area	Shaw	Historical Area
Kangaroo Flat	Historical Area	Greghamstown	Historical Area
Gallymont	Historical Area		

This notice is to supersede the notice in Folio3691 published on 14 July 1995.

W. WATKINS,
Chairman

Geographical Names Board
PO Box 143 Bathurst 2795

HERITAGE ACT 1977

Interim Heritage Order No. 45

IN pursuance of section 24 of the Heritage Act 1977, I, the Minister for Urban Affairs and Planning, do, by this my order:

- (i) make an interim heritage order in respect of the item of the environmental heritage specified or described in Schedule A; and
- (ii) declare that the interim heritage order shall apply to the curtilage or site of such item, being the land described in Schedule B.

Sydney, 5 June 2001.

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

SCHEDULE A

The property known as 8 Ashmead Ave, Revesby, situated on the land described in Schedule 'B'.

SCHEDULE B

All those pieces or parcels of land known as Lot 2 DP 212471.

INDEPENDENT PRICING AND REGULATORY TRIBUNAL OF NEW SOUTH WALES

Application for Variation of Gas Reticulator's Authorisation – (Reference: 00/252)

THE Tribunal has received an application from Great Southern Energy Gas Networks Pty Ltd (ACN 083 199 839), for a variation to its Gas Reticulator's Authorisation issued under the Gas Supply Act 1996.

If approved, the variation would authorise the company to reticulate natural gas in the Local Government Areas of Temora and Cootamundra.

The Tribunal invites public submissions on the application. A summary of the application details can be

obtained from the Tribunal's offices. Submissions should address the assessment criteria contained in the Gas Supply Act 1996.

All submissions should reach the Tribunal by 18 July 2001.

Inquiries to Mr Stephen Rix (02) 9290 8406.

Dated: 8 June 2001.

THOMAS G. PARRY,
Chairman

Level 2, 44 Market Street, Sydney, NSW 2000
PO Box Q290, QVB Post Office, NSW 1230.

LOCAL GOVERNMENT ACT 1993

Gosford Regional Sewerage

THE Minister for Land and Water Conservation of the State of New South Wales, declares that the land described in the Schedule hereto, which was acquired for the purpose of the Gosford Regional Sewerage Scheme is vested in Gosford City Council.

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

SCHEDULE

Land

Lot 177, Deposited Plan 1014148 (SB55106).

DPWS reference S671 Conv 63.

LOCAL GOVERNMENT ACT 1993

Moruya Heads Sewerage

THE Minister for Land and Water Conservation of the State of New South Wales, declares that all right, title and interest in the works described in the Schedule hereto, which were constructed for the purpose of Moruya Heads Sewerage Scheme are vested in Eurobodalla Shire Council.

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

SCHEDULE

Works of sewerage for the town of Moruya comprising augmentation of existing sewerage treatment plant, sewerage of village of South Head comprising gravity and rising mains and seven sewerage pump stations and all works incidental thereto.

DPWS Reference: S866.

Office of the Minister for Police
SYDNEY 22 April, 2001

MURDER

One Hundred Thousand Dollars (\$100,000) Reward.

ON 15 June, 1993 the bodies of Anthony Albert PERISH, aged 91 years and Frances Vera PERISH, aged 93 years, were found in their Leppington home. Both had sustained fatal gunshot wounds.

Notice is hereby given that a reward of up to one hundred thousand dollars (\$100,000) will be paid by the Government of New South Wales for information leading to the arrest and conviction of the person or persons who may have been responsible for the murder of Anthony Albert PERISH and Frances Vera PERISH.

The allocation of this reward will be at the sole discretion of the Commissioner of Police.

The urgent assistance and co-operation of the public is especially sought in the matter. Any information, which will be treated as confidential, may be given at any time of the day or night at any Police Station or by telephoning Police Headquarters telephone (02) 92810000 or Crime Stoppers on 1800 333 000.

PAUL WHELAN, M.P.,
Minister for Police

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)

Astrotricha cordata A Bean, a shrub

Genoplesium insignis D. L. Jones, a terrestrial orchid

Hibbertia superans Toelken, a low spreading shrub

Loggerhead Turtle *Caretta caretta* (Linnaeus)

The Committee is of the opinion that these species are likely to become extinct in nature in NSW unless the circumstances and factors threatening their survival or evolutionary development cease to operate.

Endangered Population (Part 2 of Schedule 1)

Emu, *Dromaius novaehollandiae* population in the NSW North Coast Bioregion

The Committee is of the opinion that this 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 disjunct and at or near the limit of its geographic range and is otherwise of significant conservation value.

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 13 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.

**POISONS AND THERAPEUTIC GOODS
ACT 1966**

Order Under Clause 151 (1), Poisons and Therapeutic Goods Regulation 1994

Withdrawal of Drug Authority

IN accordance with the provisions of Clause 151 (1) of the Poisons and Therapeutic Goods Regulation 1994, an Order has been made on Jennifer Ann O'NEILL of 98 Ferris Street, Annandale, prohibiting her until further notice, as a nurse from having possession of and supplying drugs of addiction as authorised by Clauses 103 and 105 of the Regulation.

This order is to take effect on and from Friday, 1 June 2001.

MICHAEL REID,
Director-General.

Department of Health, New South Wales,
Sydney, Monday, 28 May 2001.

SUBORDINATE LEGISLATION ACT 1989

SafeFood Production NSW

Public Consultation on the Making of the Food Production (Seafood Safety Scheme) Regulation 2001 under the Food Production (Safety) Act 1998

NOTICE is hereby given in accordance with section 5 of the Subordinate Legislation Act 1989, of the intention to make a regulation known as the Food Production (Seafood Safety Scheme) Regulation 2001, under the Food Production (Safety) Act 1998.

The proposed Regulation prescribes a Food Safety Scheme for seafood and seafood products through to the back door of retail sale. The Scheme specifies requirements to be complied with in the production, harvesting, collection, extraction, processing, storing or transporting of seafood in NSW in order to ensure the safety of these food products for human consumption. These requirements are essentially new but include those which are prescribed in respect of the NSW Shellfish Quality Assurance Program (NSW SQAP) under the Fisheries Management (Aquaculture) Regulation 1995 and expanded to include all bivalve shellfish species collected for human consumption.

Copies of the Regulatory Impact Statement and the draft Food Production (Seafood Safety Scheme) Regulation 2001, may be inspected or obtained by contacting:

Penelope Joy,
Safe Food Production NSW,
Level 7, 179 Elizabeth Street,
Sydney NSW 2000,
PO Box A2613,
Sydney South NSW 1235.
Telephone: 02 9295 5803.
Facsimile: 02 9261 5614.
Email: pjoy@safefood.nsw.gov.au.

Comments or submissions on the proposed Regulation are invited and should be received at the above address no later than close of business on Monday, 9 July 2001.

SUBORDINATE LEGISLATION ACT 1989

THE *Teaching Services (Education Teaching Service) Regulation 1994*, made under the Teaching Services Act 1980 is subject to repeal in accordance with the provisions of the Subordinate Legislation Act 1989 on 1 September 2001.

The Department of Education and Training proposes to make a new regulation by that date. In accordance with section 5 of the Subordinate Legislation Act 1989, notice is given of the proposed Regulation, to be known as the *Education Teaching Service Regulation 2001*.

The objects of the Regulation are to outline some of the duties and responsibilities of government school teachers and to provide for a comprehensive disciplinary regime for government school teachers. In many respects the existing provisions will be remade in the proposed regulation.

A Regulatory Impact Statement has been prepared which assesses the Regulation and some alternatives to it. Both the draft Regulation and the Regulatory Impact Statement are available for public comment. To facilitate public consultation copies of the draft Regulation and the Regulatory Impact Statement may be obtained from the Legal Services Unit of the Department of Education and Training by telephoning 9561 1905.

Comments or submissions on the proposed Regulation are invited and will be accepted up to 29 June 2001. Comments or submissions should be addressed to:

Chief Legal Officer
Department of Education and Training
GPO Box 33
SYDNEY NSW 2001

Or sent by facsimile to (02) 9561 8543

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.

12 June 2001

- 015/278** MAJOR APPLIANCES. DOCUMENTS: \$275.00 PER SET.
0104/366 MOTOR SPIRIT AND PETROLEUM PRODUCTS. DOCUMENTS: \$110.00 PER SET.

19 June 2001

- ITS2323** RECORDS AND INFORMATION MANAGEMENT SYSTEMS – GSAS. DOCUMENTS: \$220.00 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.

3 July 2001

- S01/00028 (48)** CLEANING FOR LAND AND PROPERTY INFORMATION NSW – DITM. CATEGORY A. INSPECTION
DATE AND TIME: 19 JUNE 2001 AT 10:00 AM SHARP. AREA: 19,089.75 SQUARE METRES.
DOCUMENTS: \$55.00 PER SET.

4 July 2001

- 0104/352** LUBRICATING OILS AND GREASES. 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

CLOSING 10.00 AM, TUESDAY 19 JUNE 2001

- (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

Tender Fee: \$55.00 (GST included) per tender, **cheque only** to be made out to Department of Housing.

Phone: (02) 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

CLOSING 10.00 AM, TUESDAY 19 JUNE 2001

- (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

Tender Fee: \$55.00 (GST included) per tender payable by cheque or money order.

Phone: (02) 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

CLOSING 10.00 AM, TUESDAY 19 JUNE 2001

- (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.

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

BALLINA SHIRE COUNCIL

Roads Act 1993, Division 1, Part 10

Naming of Public Roads – Cliff Murray Lane
and Lems Lane

NOTICE is hereby given that Ballina Shire Council, pursuant to section 162 of the abovementioned Act, and in the absence of any objections, has formally adopted the following road naming proposals:

<i>Description</i>	<i>New Name</i>
The land from Byron Street to Ross Street between Pacific Parade and Stewart Street, Lennox Head.	Cliff Murray Lane.
The land from King Street toward Ross Street between Stewart Street and Gibbon Street, Lennox Head.	Lems Lane.

Authorised by resolution of the Council on 25th February, 1999. S. McPHERSON, General Manager, Ballina Shire Council, PO Box 450, Ballina, NSW 2478. [0513]

BALLINA SHIRE COUNCIL

Roads Act 1993, Division 1, Part 10

Naming of Public Road – Hutley Drive

NOTICE is hereby given that Ballina Shire Council, pursuant to section 162 of the abovementioned Act, and in the absence of any objections, has formally adopted the following road naming proposal:

<i>Description</i>	<i>New Name</i>
Dedicated by DP 828137, DP 884287 and DP 1017581.	Hutley Drive.

Authorised by resolution of the Council on 25th March, 1999. S. McPHERSON, General Manager, Ballina Shire Council, PO Box 450, Ballina, NSW 2478. [0512]

BATHURST CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that Bathurst City Council, in pursuance of section 10 of the Roads Act 1993, dedicates the land described in the Schedule below as public road. P. PERRAM, General Manager, Bathurst City Council, PMB 17, Bathurst, NSW 2795.

SCHEDULE

Lot 89, DP 869695, Parish of Jedburgh, County of Roxburgh, City of Bathurst. [0514]

CESSNOCK CITY COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads – James Street, Acacia Street,
Fitzgibbon Place, Parker Place, Brown Crescent and
Hunters Road

NOTICE is hereby given that Cessnock City Council, in pursuance of section 162 of the Roads Act 1993, hereby names the roads described below as shown:

<i>Description</i>	<i>Name</i>
The extension of James Street, Kurri Kurri south-west of Lots 1001, 1002, 1003, 1004 and part 1005, DP 1013248 to the prolongation of the north-western boundary of Lot 1031, DP 1013248 in the Parish of Heddon, County of Northumberland and Local Government Area of Cessnock.	James Street.
The road at Kurri Kurri from the end of James Street at the prolongation of the north-western boundary of Lot 1031, DP 1013248 north-west of Lots 1031, 1030, 1029, 1028, 1027, 1026, part road, 1018, 1032, DP 1013248 and Lot 8044, DP 816416 in the Parish of Heddon, County of Northumberland and Local Government Area of Cessnock.	Acacia Street.
The road at Kurri Kurri off Acacia Street fronting Lots 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014 and 1015, DP 1013248 in the Parish of Heddon, County of Northumberland and Local Government Area of Cessnock.	Fitzgibbon Place.
The road at Kurri Kurri off Acacia Street fronting Lots 1018, 1019, 1020, 1021, DP 1013248; part Lot 8043, DP 816416; Lots 1022, 1023, 1024, 1025 and 1026, DP 1013248 in the Parish of Heddon, County of Northumberland and Local Government Area of Cessnock.	Parker Place.
The road at Kurri Kurri off Acacia Street fronting Lot 1033, DP 1013248 in the Parish of Heddon, County of Northumberland and Local Government Area of Cessnock.	Brown Crescent.

<i>Description</i>	<i>Name</i>
The road at Millfield off Mount View Road north-west of Lot 20, DP 17301 in the Parish of Milfield, County of Northumberland and Local Government Area of Cessnock.	Hunters Road.

C. COWAN, General Manager, Cessnock City Council, Administration Centre, 62-78 Vincent Street, Cessnock, NSW 2325. (Reference: 134/904). [0500]

COOTAMUNDRA SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Cootamundra Shire Council declares, with the approval of His Excellency the Governor, that the land described in the Schedule below excluding mines and deposits of minerals within the land, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of a waste depot. Dated at Cootamundra, 21st February, 2001. J. TODD, for the General Manager, Cootamundra Shire Council, PO Box 420, Cootamundra, NSW 2590.

SCHEDULE

Lots 264 and 333 as shown in DP 753630. [0503]

GRAFTON CITY COUNCIL

Roads Act 1993, Section 29

Notice of Fixing of Levels

NOTICE is hereby given that the following road levels have been altered: Bent Street between Tyson Street and Roberts Drive, Bruce Street between Oliver and Bacon Streets and North Street between Turf and Mary Streets. Plans 4086.B.1140, 4107.B.1146 and 4110.B.1147 respectively showing such levels has been exhibited at Council's office, advertised in the Daily Examiner newspaper on 2nd December, 2000, 13th January, 2001 and 21st February, 2001 respectively and 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. R. SMITH, General Manager, Grafton City Council, PO Box 24, Grafton NSW 2460. [0515]

HASTINGS COUNCIL

Roads Act 1993, Section 39

Notification of Closing of Temporary Public Road

THE Hastings Council hereby gives notice that pursuant to the provisions of the Roads Act 1993, the road described in the Schedule below is closed and the land comprised therein ceases to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished. Dated 6th June, 2001. B. SMITH, General Manager, Hastings Council, corner Lord and Burrawan Streets, Port Macquarie, NSW 2444. (File: D.100.10.89.148)

SCHEDULE

Lot 202 in Deposited Plan 831171, Parish and County of Macquarie; being the splay corner on the north-eastern corner of the intersection of Settlement Point Road and River Park Road, Port Macquarie. [0516]

SHOALHAVEN CITY COUNCIL

Road Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that the Shoalhaven City Council, at its meeting of 16th March, 1999 Minute No. 501, resolved that the land described in the Schedule below be acquired for road. The land has been acquired and is hereby dedicated as Council Public Road pursuant to section 10 of the Roads Act 1993. G. A. NAPPER, General Manager, Shoalhaven City Council, Bridge Road (PO Box 42), Nowra, NSW 2541.

SCHEDULE

Lot 1, DP 1004823, Parish of Conjola, County of St Vincent. [0504]

TWEED SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Tweed Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993. Dated at Murwillumbah, 30th May, 2001. J. F. GRIFFIN, General Manager, Tweed Shire Council, PO Box 816, Murwillumbah, NSW 2484.

SCHEDULE

Lots 1-6 in DP 1024099. [0502]

WINGECARRIBEE SHIRE COUNCIL

Roads Act 1993, Section 162

Naming of Public Road – Cobb Lane

NOTICE is hereby given that Wingecarribee Shire Council, in pursuance of section 162 of the Roads Act 1993, has named the following road, under delegated authority:

<i>Previous Name</i>	<i>New Name</i>
Unnamed public lane running south-west off Mandemar Street, Welby, Parish of Jellore.	Cobb Lane.

D. J. McGOWAN, General Manager, Wingecarribee Shire Council, PO Box 141, Moss Vale, NSW 2577. (File No. 7810/12). [0505]

WINGECARRIBEE SHIRE COUNCIL

Notice of Bush Fire Danger Period

I, DAVID McGOWAN, General Manager, Wingecarribee Shire Council, under delegated authority, declare that notice is hereby given that the Bush Fire Danger Period be extended from Friday, 1st September, 2000 to Saturday, 31st March, 2001 for the whole of the Wingecarribee Shire Council. Permits to burn are required in the bush fire danger period. Permits are obtained from your local Rural Fire Brigade. For further advice call your local Rural Fire Brigade or the Wingecarribee Shire Council on tel.: (02) 4868 0888. WINGECARRIBEE SHIRE COUNCIL, PO Box 141, Moss Vale, NSW 2577. (Reference: 6430/10 Pt 1).

[0501]

ORANGE CITY COUNCIL

Local Government Act 1993

Sale of Land for Overdue Rates

NOTICE is hereby given to the persons named hereunder that the Council of the City of Orange has resolved in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder of which the persons named appear to be the owners or in which they appear to have an interest and on which the amount of rates stated in each case, as at 17th May, 2001, are due:

<i>Owners or persons having interest in the land. Assessment No.</i>	<i>Description of land (Lot, Section and Dep. Plan No., Street, etc.)</i>	<i>Amount of rates (including extra charges) overdue for more than five (5) years</i>	<i>Among of all other rates (including extra charges) due and in arrears</i>	<i>Total</i>
(a)	(b)	(c)	(d)	(e)
Edward Charles BARKER. Assessment No. 0.6833.	Lot 1, DP 963093, Mitchell Highway, Lucknow, NSW 2800. (Land and dwelling.)	\$1,141.69	\$6,508.05	\$7,469.74

In default of payment to the Council of the amount stated in Column (e) above and any other rates (including extra charges) becoming due and payable after publication of this notice, or an arrangement satisfactory to the Council for payment of all such rates being entered into by the rateable person, before the time fixed for the sale, the said land will be offered for sale by public auction at the Civic Centre, corner Byng Street and Lords Place, Orange on Saturday, 22nd September, 2001 at 10.00 a.m., by Williams Machin Real Estate. Dated 21st May, 2001. A. J. DWYER, General Manager, Orange City Council, Civic Centre, Byng Street, Orange, NSW 2800. [0511]

ESTATE NOTICES

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of LAURENCE KEVIN HANSELL, late of 25 Black Swan Street, Berkeley Vale and Wyong Aged Care Facility, Wyong, in the State of New South Wales, retired compositor, who died on 28th March, 2001, must send particulars of his claim to the executor, Robert Allen Cochrane, c.o. F. R. Pope, Solicitor, 22 Stratford Park Drive, Terrigal, 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 22nd May, 2001. F. R. POPE, Solicitor, 22 Stratford Park Drive, Terrigal, NSW 2260, tel.: (02) 4365 2641. [0506]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of ERNEST LEONARD MARSHALL, late of Cheltenham, in the State of New South Wales, retired solicitor, who died on 8th June, 1998, must send particulars of his claim to the executor, Kerry John Marshall, c.o. Mervyn Finlay, Thorburn & Marshall, Solicitors, Level 2, 225 Macquarie Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 30th May, 2001. MERVYN FINLAY, THORBURN & MARSHALL, Solicitors, Level 2, 225 Macquarie Street, Sydney, NSW 2000 (DX 796, Sydney), tel.: (02) 9223 6544. [0507]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of EDMUND WILLIAM ERNEST FITZGERALD, late of Piambong via Mudgee, in the State of New South Wales, retired farmer, who died on 30th April, 2001, must send particulars of his claim to the executors, Bernard Francis Fitzgerald and Colleen Therese Dwyer, 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 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 29th May, 2001. MAKINSON & d'APICE, Solicitors, Level 18, 68 Pitt Street, Sydney, NSW 2000 (DX 296, Sydney), tel.: (02) 9233 7788. [0508]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of ELSIE MAY BAYLDON, late of Autumn Lodge Retirement Village, Short Street, Macksville, in the State of New South Wales, who died on 7th February, 2001, must send particulars of his claim to the executrix, 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 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 28th May, 2001. JOHN S. FORDHAM, Solicitor, 12 Station Street, West Ryde, NSW 2114 (DX 27551, West Ryde), tel.: (02) 9858 1533. [0509]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of KATHLEEN CALLAGHAN, late of Sefton, in the State of New South Wales, widow, who died on 9th October, 2000, must send particulars of his claim to the executors, Gavan Patrick Callaghan and Vincent Stephen Callaghan, c.o. Mervyn Finlay, Thorburn & Marshall, Solicitors, Level 2, 225 Macquarie Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 8th May, 2001. MERVYN FINLAY, THORBURN & MARSHALL, Solicitors, Level 2, 225 Macquarie Street, Sydney, NSW 2000 (DX 796, Sydney), tel.: (02) 9223 6544. [0517]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of NEIL McLEAN, late of Umina, in the State of New South Wales, retired, who died on 5th March, 2001, must send particulars of his claim to the executor, Robert Alfred Smith, c.o. Peninsula Law, Solicitors, 103-105 Blackwall Road, Woy Woy or their agents Turner Whelan, Solicitors, Level 2, 162 Goulburn Street, Sydney, NSW 2000, 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 29th May, 2001. PENINSULA LAW, Solicitors, 103-105 Blackwall Road, Woy Woy, NSW 2256 (DX 8806 & 8807, Woy Woy), tel.: (02) 4342 1111. [0518]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of MARY RACHEL HULBERT, late of 466 Bells Line of Road, Kurmond, in the State of New South Wales, nursing sister, who died on 29th December, 2000, must send particulars of his claim to the executors, David Ryan and Kate Ryan, 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 26th April, 2001. LOW, DOHERTY & STRATFORD, Solicitors, 9 Campbell Street, Blacktown, NSW 2148 (DX 8109, Blacktown), tel.: (02) 9622 4644. [0519]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of ELLEN DOROTHY PHILLIPS, late of 139 Whitby Road, Kings Langley, in the State of New South Wales, widow, who died on 2nd February, 2001, must send particulars of his claim to the executrix, Helen Anne Hughes, c.o. Low, Doherty & Stratford, Solicitors, 9 Campbell Street, Blacktown, 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 25th May, 2001. LOW, DOHERTY & STRATFORD, Solicitors, 9 Campbell Street, Blacktown, NSW 2148 (DX 8109, Blacktown), tel.: (02) 9622 4644. [0520]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of MINNIE LEAH SEGAL, late of Unit 2, 191 Birrell Street, Waverley, in the State of New South Wales, home duties, who died on 4th February, 2001, must send particulars of his claim to the executors, c.o. Heaney, Richardson & Nemes, Solicitors, Level 10, 45-47 York Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 31st May, 2001. HEANEY, RICHARDSON & NEMES, Solicitors, Level 10, 45-47 York Street, Sydney, NSW 2000 (DX 367, Sydney), tel.: (02) 9262 3299. [0521]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of ORA ALICE BEATRICE MILLER, late of Unit 8, 31 Meeks Street, Kingsford, in the State of New South Wales, who died on 18th April, 2001, must send particulars of his claim to the executrix, Dianne Patricia Whitehead, c.o. Simpson & Co., Solicitors, 103A Anzac Parade, Kensington, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 28th May, 2001. SIMPSON & CO., Solicitors, 103A Anzac Parade (PO Box 340, Kensington, NSW 1465), Kensington, NSW 2033, tel.: (02) 9662 4381. [0522]

COMPANY NOTICES

NOTICE of meeting of members.-NORCASTLE PTY LIMITED (In liquidation), ACN 008 426 980.-Notice is hereby given that pursuant to section 509 of the Corporations Law, the final meeting of members of the abovenamed company will be held at the office of Tester Porter Services of 24 Cloete Street, Young on 29th June, 2001 at 10.30 a.m., for the purpose of laying before the meeting the liquidator's final account and report and giving any explanation thereof. Dated 29th May, 2001. J. C. BOWRING, Liquidator, c.o. Tester Porter Services, Certified Practising Accountants, 24 Cloete Street, Young, NSW 2594, tel.: (02) 6382 1700. [0510]

NOTICE of resolutions passed (appointment of joint liquidators).-INFOBOOTH PTY LIMITED, ACN 091 353 972.-Notice is hereby given that at a meeting of members and of creditors of the abovenamed company held on 1st June, 2001 the following special and ordinary resolutions respectively were passed: "That the company be wound up voluntarily" and "That J. E. Star and N. C. Malanos be appointed joint liquidators of the company". Dated 5th June, 2001. J. E. STAR and N. C. MALANOS, Joint Liquidators, c.o. Star, Dean-Willcocks, Chartered Accountants, Level 1, 32 Martin Place, Sydney, NSW 2000, tel.: (02) 9223 2944. [0523]

NOTICE of voluntary liquidation.-SCIENTIFIC & INDUSTRIAL MEDICAL SERVICES HOLDINGS PTY LIMITED, ACN 000 244 173.-Notice is hereby given that at a general meeting of the above company, duly convened and held at 160 Waratah Court, Hopetoun Village, Castle Hill on 1st June, 2001 that 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 1st June, 2001. G. T. HUNTER, Liquidator, c.o. G. T. Hunter & Co., 25 Wongala Crescent, Beecroft, NSW 2119, tel.: (02) 9875 2844, [0524]

NOTICE convening final meeting of members.-ENTERPRISE HOLDINGS PTY LIMITED (In liquidation), ACN 001 209 749.-Notice is hereby given in pursuance of sub-section 509 (3) and (4) of the Corporations Law that a general meeting of members of the abovenamed company will be held on Monday, 16th July, 2001 at 6.30 p.m., at North Sydney Anzac Memorial Club, Ernest Street (corner Miller Street), Cammeray, NSW 2062 for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of and hearing any explanation that may be given by the liquidator. Dated 5th June, 2001. J. H. F. CRUICKSHANK, Liquidator, 2656 Wybong Road, Wybong, NSW 2333.

[0525]

NOTICE convening final meeting of members.-CRUICKSHANK MANAGEMENT RESOURCES PTY LIMITED (In liquidation), ACN 000 683 796.-Notice is hereby given in pursuance of sub-section 509 (3) and (4) of the Corporations Law that a general meeting of members of the abovenamed company will be held on Monday, 16th July, 2001 at 6.30 p.m., at North Sydney Anzac Memorial Club, Ernest Street (corner Miller Street), Cammeray, NSW 2062 for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of and hearing any explanation that may be given by the liquidator. Dated 5th June, 2001. J. H. F. CRUICKSHANK, Liquidator, 2656 Wybong Road, Wybong, NSW 2333. [0526]

NOTICE convening final meeting of members.-CRUICKSHANK TECHNOLOGY PTY LIMITED (In liquidation), ACN 008 024 655.-Notice is hereby given in pursuance of sub-section 509 (3) and (4) of the Corporations Law that a general meeting of members of the abovenamed company will be held on Monday, 16th July, 2001 at 6.30 p.m., at North Sydney Anzac Memorial Club, Ernest Street (corner Miller Street), Cammeray, NSW 2062 for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of and hearing any explanation that may be given by the liquidator. Dated 5th June, 2001. J. H. F. CRUICKSHANK, Liquidator, 2656 Wybong Road, Wybong, NSW 2333. [0527]