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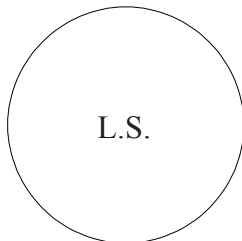
Proclamations

Legal Profession Amendment (Mortgage Practices) Act 2000 No 23—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Legal Profession Amendment (Mortgage Practices) Act 2000*, do, by this my Proclamation, appoint 7 September 2001 as the day on which that Act commences.

Signed and sealed at Sydney, this 5th day of September 2001.



By Her Excellency's Command,

BOB DEBUS, M.P.,
Attorney General

GOD SAVE THE QUEEN!

Regulations

Legal Profession Amendment (Mortgage Practices) Regulation 2001

under the

Legal Profession Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Legal Profession Act 1987*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to set out requirements relating to mortgage transactions that are negotiated by solicitors, as a consequence of the commencement of the *Legal Profession Amendment (Mortgage Practices) Act 2000*. The requirements relate to the following matters:

- (a) disclosure and authorisation,
- (b) record keeping,
- (c) inquiries,
- (d) obtaining independent advice,
- (e) documentation and record keeping,
- (f) investment restrictions,
- (g) valuation of properties,
- (h) information to be given to the Law Society Council,
- (i) mortgages held by nominees,
- (j) how money is to be dealt with,

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- (k) default procedures,
- (l) managed investment schemes.

This Regulation is made under the *Legal Profession Act 1987*, including sections 38J, 115, 117 (2), 118 (5), 119 (1), 122E and 216 (the general regulation-making power).

Legal Profession Amendment (Mortgage Practices) Regulation 2001

Clause 1

Legal Profession Amendment (Mortgage Practices) Regulation 2001

1 Name of Regulation

This Regulation is the *Legal Profession Amendment (Mortgage Practices) Regulation 2001*.

2 Commencement

This Regulation commences on 7 September 2001.

3 Amendment of Legal Profession Regulation 1994

The *Legal Profession Regulation 1994* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Legal Profession Amendment (Mortgage Practices) Regulation 2001

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 3)

[1] Clause 27 Definitions

Omit “clause 55 (1)” from the definition of *trust records* in clause 27 (1).
Insert instead “clause 55 (2)”.

[2] Part 7A, Division 5

Omit the Division. Insert instead:

Division 5 Mortgage transactions

54 Definitions

(1) In this Division:

borrower has the same meaning as it has in Part 9 of the Act.

contributor has the same meaning as it has in Part 9 of the Act.

contributory mortgage has the same meaning as it has in Part 9 of the Act.

lender has the same meaning as it has in Part 9 of the Act.

mortgage has the same meaning as it has in Part 9 of the Act.

mortgagee includes anyone who takes a mortgage or proposes to take a mortgage to secure money lent to a borrower.

nominee means a person who holds a mortgage, as mortgagee, as a trustee for or on behalf of one or more persons.

registered valuer means a practising real estate valuer registered under the *Valuer's Registration Act 1975*.

regulated mortgage has the same meaning as it has in Part 9 of the Act.

responsible entity has the same meaning as it has in Part 9 of the Act.

solicitor's nominee company means a corporation of which each member and each director is a solicitor, a partner of a solicitor or a person approved by the Law Society Council.

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State regulated mortgage has the same meaning as it has in Part 9 of the Act.

Summary of Mortgage means the Summary of Mortgage required to be prepared and issued under clause 56.

valuation means a valuation of a kind required to be obtained under clause 56C.

- (2) For the purposes of this Division, 2 or more persons who are lenders on a joint account are to be regarded as one person.

54A Application of Division

This Division applies to a solicitor who, in the solicitor's capacity as solicitor for a lender or contributor, negotiates the making of or acts in respect of a regulated mortgage.

55 Authority to secure by regulated mortgage

- (1) A solicitor must provide a contributor or lender lending, or proposing to lend, money secured by a regulated mortgage with a form of disclosure notice approved by the Law Society Council for the purposes of this clause and a lending authority in the form of Form 6.
- (2) A solicitor must not, whether alone or by an associate or otherwise, cause or permit the application to a loan secured by a regulated mortgage of:
- (a) any money to which section 61 (1) of the Act applies, or
 - (b) any money that is advanced, or to be advanced, where the borrower is introduced to the lender or contributor by:
 - (i) the solicitor or an associate of the solicitor, or
 - (ii) an agent of the solicitor, or
 - (iii) a person engaged by the solicitor for the purpose of introducing the borrower to the lender or contributors,

unless the solicitor has previously obtained from the lender or contributor for whom or on whose behalf the money is to be applied a lending authority in the form of Form 6 in respect of that money.

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- (3) Subclause (2) does not apply if:
- (a) the money is applied pursuant to the written instructions of a lender or contributor who has nominated the borrower and specified the security, its priority and the terms of the loan independently of any advice given by the solicitor to the lender, and
 - (b) the lender or contributor has not been introduced to the borrower by:
 - (i) the solicitor or an associate of the solicitor, or
 - (ii) an agent of the solicitor, or
 - (iii) a person engaged by the solicitor for the purpose of introducing the borrower to the lender or contributors.
- (4) A solicitor who is the attorney under power of a lender or contributor must not:
- (a) apply the funds of the lender or contributor to a loan not authorised in accordance with subclause (2), or
 - (b) execute, on the lender's or contributor's behalf, an authority referred to in subclause (2) unless subclause (5) is complied with.
- (5) This subclause is complied with only if:
- (a) the instrument granting the power was executed before 1 January 1987, or
 - (b) the instrument granting the power contains a specific power enabling the solicitor to make the loan to which the authority relates, or
 - (c) at the time the instrument granting the power was executed, the signature of the donor was witnessed by a solicitor instructed independently of the donee and that solicitor certified in writing on the instrument that he or she had explained to the donor the donee's power of investment and that the donee had a discretion to choose the security and the terms for any investment.

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- (6) A solicitor who obtains the execution, by or on behalf of a lender or contributor, of a lending authority in the form of Form 6 must not delete any of the contents of the Form (except if an alternative is provided in the Form) and must ensure that any clauses in the Form are not varied or contravened, whether directly or indirectly, by the mortgage documents or any associated documents.
 - (7) An authority in the form of Form 6 is taken to be an authority for the purposes of section 122 (2) (b) of the Act.

55A Loan applications

- (1) A solicitor must advise a lender or contributor whose loan is proposed to be secured by a regulated mortgage as to the effect of any applicable provisions of the *Consumer Credit (New South Wales) Code* and the *Farm Debt Mediation Act 1994*.
- (2) A solicitor must, before advancing the money for, or extending, a loan secured by a regulated mortgage do the following:
 - (a) verify the identity of the borrower, so as to ensure that the person executing the mortgage as the mortgagor is identical with, and the same person as, the registered proprietor of the property secured by the mortgage,
 - (b) satisfy himself or herself as to the borrower's ability to meet his or her obligations under the mortgage,
 - (c) check the credit record of the borrower through the Credit Reference Association of Australia (CRAA) and disclose any default record of the borrower to the lender or contributor in the disclosure statement given under clause 55,
 - (d) carry out appropriate enquiries in relation to any property to be secured by the mortgage, including a title search, land tax search, a certificate under section 149 of the *Environmental Planning and Assessment Act 1979* and an identification survey report if the security comprises improved land (other than strata title).

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- (3) A solicitor must, before advancing the money for, or extending, a loan secured by a regulated mortgage obtain written approval to the advance or extension from:
 - (a) in the case of a firm of solicitors, each principal of the firm (if there are 3 or fewer principals) or 3 principals of the firm (if there are more than 3 principals), or
 - (b) in the case of an incorporated legal practice, each solicitor director of the practice (if there are 3 or fewer solicitor directors) or 3 solicitor directors of the practice (if there are more than 3 solicitor directors).
- (4) A solicitor's letter of offer relating to a loan to be secured by a regulated mortgage must contain the form of words approved by the Law Society Council for the purposes of this subclause.
- (5) A solicitor's loan approval letter relating to a loan to be secured by a regulated mortgage must contain the form of words approved by the Law Society Council for the purposes of this subclause.

55B Identity of borrower

A solicitor must ensure that, in relation to loans secured by a regulated mortgage:

- (a) there is a standard process for verifying the identity of borrowers, and
- (b) records are kept of the method of verification of identity for the duration of the mortgage.

55C Independent advice

- (1) A solicitor must if:
 - (a) a borrower does not have a solicitor acting for the borrower in relation to a loan secured by a regulated mortgage, or
 - (b) the solicitor is also acting for the borrower,obtain from the borrower a certificate by another solicitor to the effect that the other solicitor has explained the effect of the mortgage to the borrower.

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- (2) A solicitor must obtain from any guarantor of a loan secured by a regulated mortgage a certificate by another solicitor to the effect that the other solicitor has explained the effect of the guarantee to the guarantor.
 - (3) A certificate obtained under this clause must be retained by the solicitor.
 - (4) A solicitor must not act for both the borrower and the lender or contributor in respect of a regulated mortgage unless the solicitor has complied with subclause (1).

55D Insurance of secured property

- (1) A solicitor must ensure that, in the case of mortgaged property under a regulated mortgage that is improved land (other than strata title property), an insurance policy is in force, in the name of the mortgagee and the mortgagor, for the full replacement value of the improvements.
- (2) The solicitor must sight a Certificate of Currency for the insurance policy at or before the time of settlement and must retain a copy of it.
- (3) A solicitor must, in the case of property that is a strata title property, sight a Certificate of Currency relating to building insurance for the property at or before the time of settlement and must retain a copy of it.

55E Registration of mortgages

- (1) A solicitor must ensure that the regulated mortgage, and any variation of the mortgage, is registered.
- (2) Subclause (1) applies to a variation of the term of the mortgage, an increase in the principal secured by the mortgage or a variation of the interest rate.

56 Summary of Mortgage

- (1) A solicitor must comply with this clause within 21 days after the date on which any of the following occurs:
 - (a) when money is first advanced under a regulated mortgage on behalf of a lender or contributor (including a contributor who becomes a contributor in addition to, or in substitution for, any other contributor to the loan),

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- (b) on the transfer of a regulated mortgage,
 - (c) on being authorised to collect the principal and interest due under a regulated mortgage except on any discharge or partial discharge of a mortgage,
 - (d) on any variation of a regulated mortgage.
- (2) A solicitor must:
- (a) prepare and issue to each lender and contributor whose money has been lent or will be lent under a regulated mortgage a Summary of Mortgage in respect of the money and its application that is in the form of Form 8, and
 - (b) include a copy of the Summary of Mortgage, in alphabetical order according to the name of the mortgagor, in the Investments Register kept by the solicitor.

56A Investments Register

- (1) A solicitor must keep and maintain an Investments Register in accordance with this section.
- (2) The Investments Register must include the following:
 - (a) copies of all Summaries of Mortgage required to be prepared by the solicitor for regulated mortgages, in alphabetical order according to the mortgagor's names, with separate sections for undischarged and discharged mortgages,
 - (b) a mortgage history register for each regulated mortgage,
 - (c) a record for each lender or contributor,
 - (d) a list of undischarged regulated mortgages, capable of being produced on demand from the Register, disclosing for each mortgage the mortgage reference number, the name of the mortgagor and the total amount of the mortgage,

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- (e) a list of the following:
 - (i) all regulated mortgages arranged, varied and discharged, including details of the mortgagor, mortgagee, principal contributed by each lender or contributor and the date of each mortgage, variation or discharge,
 - (ii) the names of all lenders or contributors who have invested in regulated mortgages, the mortgages in which they have invested, the date of investment and repayment and the amount of principal secured by each mortgage.
 - (3) The mortgage history register for a regulated mortgage is to contain the following:
 - (a) the mortgage reference number,
 - (b) the name and address of the mortgagor,
 - (c) the address of the property subject to the mortgage,
 - (d) the date the mortgage is repayable,
 - (e) the date of, and details of, any variations of the mortgage,
 - (f) the name and address of each lender or contributor and the principal amount contributed by each lender or contributor.
 - (4) The record for each lender or contributor is to contain the following:
 - (a) the mortgage reference number,
 - (b) the name and address of the lender or contributor,
 - (c) the amounts invested and the date of the mortgage or substitution,
 - (d) the amounts repaid and the date of discharge of the mortgage or substitution,
 - (e) a resulting balance after each entry.
 - (5) On the discharge of a regulated mortgage, the solicitor must ensure that the date of discharge is recorded on the Summary of Mortgage in the Investments Register and that the Summary is relocated with the Summaries applying to discharged mortgages.

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56B Investment restrictions

- (1) Money received by a solicitor for investment in a regulated mortgage must not be invested in the following regulated mortgages:
 - (a) any mortgage where the total amount of money secured by all current regulated mortgages arranged by the solicitor and any associate of the solicitor exceeds \$7.5 million,
 - (b) any mortgage where the total amount of money secured by the mortgage exceeds \$1 million,
 - (c) any mortgage where the loan to valuation ratio exceeds 75% of a valuation based on the unencumbered present day value of the property,
 - (d) a mortgage that is subject to a prior mortgage,
 - (e) any mortgage securing a loan or advance under which the borrower is in default.
- (2) A solicitor must not:
 - (a) publicly advertise seeking money for investment in mortgages, or
 - (b) offer a loan to any person whose usual address is outside New South Wales, except for a local offer in a border area.

56C Valuation

- (1) A solicitor must, before any money is advanced under a loan secured by a regulated mortgage, obtain:
 - (a) for the lender or contributor, a current valuation of the mortgaged property by a registered valuer, and
 - (b) evidence that the valuer holds current professional indemnity insurance to a value that is not less than \$500,000 and that covers valuations made for the purposes of regulated mortgages.
- (2) The valuation must be expressed to be for the purpose of establishing the unencumbered present day value of the property, not taking into account any future proposed development, and must address the matters contained in the solicitor's request for the valuation.

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- (3) The solicitor's request for a valuation must contain the form of words approved by the Law Society Council for the purposes of this clause.
 - (4) A valuation prepared for the borrower may be assigned to a lender or contributor for the purposes of this clause, but only if the valuer and the valuation meet the requirements of this clause in respect of a valuation obtained on behalf of a lender or contributor.
 - (5) If a mortgage is varied and the lender or contributor previously relied on a valuation prepared for the borrower, the lender or contributor may continue to rely on that valuation if it meets the requirements of this clause in respect of a valuation obtained on behalf of a lender or contributor.
 - (6) A valuation obtained under this clause must be not more than 6 months old when money is first advanced under the loan and, in the case of a loan that is rolled-over, must be not more than 3 years old when the loan is rolled-over.

56D Appointment of accountant

A solicitor must:

- (a) appoint an accountant to audit the solicitor's mortgage practice, and
- (b) appoint the accountant on terms that require the accountant to carry out annual compliance examinations in accordance with a work program approved by the Law Society Council, and
- (c) ensure that the accountant lodges with the Law Society, within 21 days of completing the examination, a report on the examination in the form approved by the Law Society Council.

56E Notification of State regulated mortgages to Law Society Council

- (1) For the purposes of section 119 (1) of the Act, a solicitor must notify the Law Society Council in writing of the following matters on a quarterly basis:

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- (a) a list of current State regulated mortgages in respect of which the solicitor has acted for the lender or contributor and the total amount secured by all those mortgages,
 - (b) the name of each mortgagor and mortgagee,
 - (c) the amount secured by each mortgage.
- (2) The notice is to be given within 28 days of the end of each quarter.

57 Mortgage held by nominee

- (1) A solicitor must not, whether alone or by an associate or otherwise, cause or permit an application to a loan secured by a regulated mortgage of any money referred to in clause 55 (2) if the loan is to be secured by a regulated mortgage to be held by a nominee, unless the nominee is one of the following:
- (a) the solicitor,
 - (b) one or more of the solicitor's partners, with or without the solicitor,
 - (c) a solicitor's nominee company maintained by the solicitor and the solicitor's partners (if any) in the manner prescribed by clause 58.
- (2) Except in the case of a mortgage to be held by a solicitor's nominee company or an incorporated legal practice, a solicitor must not arrange or agree to arrange a regulated mortgage that is intended to be held in the name of a corporation (other than a public trustee company) of which that solicitor is a member or director if the mortgage is to be held by that corporation as a trustee for the beneficial owner.

58 Solicitor's nominee company

- (1) If a solicitor's nominee company is a nominee, a solicitor who is a member or director of the company must not, while the company holds a regulated mortgage for another person:

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- (a) cause or permit any person to become a member or director of the company unless the person is a partner of the solicitor or, in the case of a sole practitioner, a person who is approved by the Law Society Council, holds only 1 share in the company and holds the share in trust for the solicitor as beneficial owner, or
 - (b) cause or permit the company to act otherwise than as a nominee company holding regulated mortgages, or an interest in regulated mortgages, on trust for the beneficial owners, or
 - (c) receive, or cause or permit the company to receive, any financial benefit from its activities other than any professional costs or management fees properly chargeable by the solicitor in respect of a regulated mortgage held by the company, or
 - (d) cause or permit the constitution of the company, while any of its members or directors are persons other than the solicitor or his or her partner or partners, to contain a provision that:
 - (i) denies the solicitor a casting vote at a meeting of its directors, or
 - (ii) entitles a director to appoint an alternate director or attorney to act in the place of the director, or
 - (iii) entitles a shareholder to appoint a proxy other than the solicitor.
- (2) A solicitor who has obtained from a lender or contributor an authority under clause 55 must not prepare a transfer of any regulated mortgage to a company of which the solicitor is a member or director unless:
- (a) the company is the solicitor's nominee company, an incorporated legal practice, a public trustee company or a responsible entity, and
 - (b) the mortgage is to be held by the company as trustee for the beneficial owner of the mortgage.

59 Dealing with money through trust account

- (1) A solicitor must apply money for a loan secured by a regulated mortgage, or paid as principal or interest in respect of any such loan, only in accordance with this clause.

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- (2) The money to be advanced must first be credited to an account in the name of the lender or contributor established in the solicitor's trust account ledger.
 - (3) Before any money is advanced under the regulated mortgage, the solicitor must:
 - (a) establish in his or her trust account ledger an account in respect of the mortgage in the mortgagor's name or, if the mortgage is held in the name of a nominee, in the name of the nominee and the mortgagor, and
 - (b) transfer to that account from the accounts of the lender, or of the contributors in the case of a contributory mortgage, the money to be lent.
 - (4) If the regulated mortgage is held by a nominee, then a separate account in the solicitor's trust account ledger must be established in the name of the nominee in respect of each mortgage loan held or intended to be held in the name of the nominee.
 - (5) All payments under the regulated mortgage in respect of interest and the repayment of principal:
 - (a) are to be received by the solicitor, and
 - (b) must be paid to the credit of the account in the trust account ledger relating to the regulated mortgage.
 - (6) An amount credited to the account in the trust account ledger relating to a regulated mortgage must be transferred, as soon as is practicable:
 - (a) to the lender's account in the solicitor's trust account ledger, or
 - (b) in the case of a contributory mortgage, to the account of the contributors in the solicitor's trust account ledger in the proportions to which the contributors are entitled.

60 Notice of variation of mortgage

A solicitor must, within 21 days after the day on which a variation of a regulated mortgage is executed by a borrower:

- (a) give written notice of the particulars of the variation to each lender or contributor, and

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- (b) record the particulars of the variation in the solicitor's Investments Register.

61 Additional or substituted contributions

The requirements of this Division apply to a new contributor to a contributory mortgage and to money advanced by a new contributor in the same way as they apply to the original contributors to the contributory mortgage and to money advanced by the original contributors.

62 Declaration of trust

A solicitor who is required to prepare and issue a Summary of Mortgage must, within 21 days after the obligation to do so arises in relation to a mortgage held by a nominee, prepare and have executed by the nominee an instrument in writing sufficient to manifest and declare the trust on which the mortgage is held by the nominee in accordance with section 23C (1) (b) of the *Conveyancing Act 1919*.

63 Retention of documents

- (1) A solicitor must retain at his or her principal place of practice any regulated mortgage together with all other mortgage documents and instruments declaring trusts related to the mortgage until:
 - (a) the mortgage is discharged, or
 - (b) the solicitor is directed otherwise in writing by the lender or, in the case of a contributory mortgage, by all the contributors.
- (2) The requirements of clause 28 as to the retention by a solicitor of trust records and controlled money records apply to an Investments Register maintained under this Division. The particulars of a mortgage recorded in the Investments Register must be retained in the Register during the currency of the mortgage and for 6 years following its discharge.
- (3) For the purposes of subclause (1), mortgage documents include title documents, lending authorities, valuations, insurance policies and any other deeds or documents relating to any security in respect of which any mortgage has been given.

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- (4) The mortgage and documents referred to in subclause (1) must be kept together in a deed packet filed in the name of the mortgagor and, if the mortgagor has more than one loan, the particular mortgage is to be identified on the deed packet by indicating the address of the security property.
- (5) A solicitor must maintain a current register of mortgage deed packets.
- (6) The mortgage deed packet may be retained in a normal safe custody register and must be cross-referenced to the matter file to which it relates. The matter file must also be cross-referenced to the mortgage deed packet.

64 Practicability of completion of Summary of Mortgage and Investments Register

A solicitor who for any good reason is unable to record within the prescribed time all of the prescribed particulars in a Summary of Mortgage required by this Division to be given to a lender or contributor or in an entry to be made in the Investments Register must:

- (a) record the portion of the prescribed particulars that is then available in the required Summary of Mortgage and in an entry in the Investments Register, and
- (b) as soon as practicable after the omitted particulars are available, issue a duly completed Summary of Mortgage to any person who is entitled to receive it and complete the required entry in the Investments Register.

65 Default procedures

- (1) A solicitor must maintain systems to enable the early detection of defaults in the payment of principal or interest secured by a regulated mortgage or under the terms of a regulated mortgage.
- (2) The solicitor is to ensure that the following steps are taken if a default in the repayment of a loan secured by a regulated mortgage occurs:
 - (a) the borrower must be contacted within 7 days of the solicitor becoming aware of the default and the reason for the default ascertained,

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- (b) the borrower must be requested to pay the penalty rate of interest and any such interest is to be paid to the lender or contributor,
 - (c) the lender or contributor must be advised of the default and the action being taken with respect to the default,
 - (d) unless the lender or contributor instructs otherwise, action is to be commenced to recover outstanding principal, interest and costs if there is a default in payment of more than 2 months (in the case of interest) or 2 weeks (in the case of principal),
 - (e) if a default continues for more than 2 months, the solicitor must notify the Law Society Council in writing of the default and the action taken to rectify the default.

65A Run-out mortgages

- (1) The provisions of Division 5 of Part 7A, as in force immediately before the commencement of the *Legal Profession Amendment (Mortgage Practices) Regulation 2001*, continue to apply in respect of run-out mortgages.

Note. Division 4 of Part 9 of the Act limits the actions that a solicitor may take in respect of run-out mortgages.

- (2) The provisions of this Division (other than this clause) do not apply to run-out mortgages.
- (3) In this clause:
run-out mortgage has the same meaning as it has in Part 9 of the Act.

65B Managed investment schemes

A solicitor must ensure that the office of a responsible entity for a managed investment scheme is not located on the same part of any premises on which the legal practice of the solicitor is conducted.

65C Certain mortgages not regulated mortgages

The following mortgages are exempt from the definition of *regulated mortgage* in section 115 of the Act:

- (a) a mortgage of which a solicitor, or an associate of a solicitor, is the sole beneficial owner,

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- (b) a mortgage held by a solicitor or an associate of a solicitor as the trustee of a will or settlement or a mortgage that, when executed or transferred, will be so held,
- (c) a mortgage to a mortgagee who is the subject of a notice given by the Law Society Council to a solicitor, that exempts a mortgage to that mortgagee from the definition,
- (d) except as provided by clause 65B, a mortgage that is part of a managed investment scheme that is operated by a responsible entity.

[3] Schedule 1 Forms

Omit Forms 6 and 7. Insert instead:

Form 6 Lending authority

(Clause 55)

(Legal Profession Act 1987)

TO: (insert name of legal firm)

I/WE: (insert name(s) of investors) of
(insert address(es))

authorise and instruct you to invest on my/our behalf the sum of \$ on the terms and conditions contained in the Disclosure Notice (given under clause 55 of the *Legal Profession Regulation 1994*) dated and subject to the terms and conditions in this application form.

Full details of lender(s)

1 My/Our full name(s) and address(es) for the description on the mortgage document is/are:

Applicant

Mr/Mrs/Miss/Ms

Surname

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Other names

Company name ACN

Address

Suburb/Postcode

Contact name (if company)

Email address

Date of birth

Occupation

(OR)

The mortgage is to be registered in the following name as Mortgagee:

Applicant

Mr/Mrs/Miss/Ms

Surname

Other names

Company name ACN

Address

Suburb/Postcode

Contact name (if company)

Email address

Date of birth

Occupation

Details of Borrower

2 Full name and address of the Borrower is

Value of security

3 The estimated value of the security at the date of the loan will be at least \$

The value will be evidenced by

4 Total principal sum to be lent under the mortgage \$

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Security information

- 5 The total principal sum must be secured by way of a first registered mortgage over the security described in this Authority.
- 6 Details of the security:
 - (a) Term of Mortgage months
 - (b) Address of the property
 - (c) Nature of improvements
- 7 Name and address of Guarantor
- 8 There are to be no prior mortgages or charges affecting security.

Contribution of lender

- 9 My/Our contribution to the loan \$

Authority

- 10 (a) Unless otherwise specified in paragraph 19 of this Authority, I am/we are not entitled to the repayment of my/our contribution until the mortgage is discharged.
- (b) Unless I/we notify the firm in writing at least 14 days before the maturity date that I/we wish to withdraw from the investment, the firm may permit the investment to continue until the mortgage is renewed or paid in full.
- (c) Unless I/we notify the firm in writing within 14 days of receipt of a request of a renewal confirmation that I/we wish this investment to end on the review date, the firm may renew the investment for a further term set out in the renewal confirmation.

Payment of principal and interest

- 11 Payments of interest and principal are to be:
 - * (a) paid by cheque to:
 - (OR)
 - * (b) by direct payment to the following account:
 - Account name

Legal Profession Amendment (Mortgage Practices) Regulation 2001

Amendments

Schedule 1

Bank details

Account number

Branch (BSB) number

(* Strike out whichever is not applicable)

Interest

12 *(a) The interest rate must not be varied during the term of the loan,
(OR)

*(b) The interest rate may be varied during the term of the loan on the
following basis:

(* Strike out whichever is not applicable)

13 The interest rate applicable to the loan is to be per cent per
annum payable in advance/arrears subject to a reduction
to per cent per annum for any payment that is made
within days after the due date for that payment.

Fees and charges

14 I/we authorise (insert name of legal firm) to deduct the following fees:

(a) a management fee of % from the interest paid by the
borrower,

(b) an exit fee of % of the value of the contribution.

The firm pays commission to brokers and licensed dealers as follows:

.

Tax file number

15 I/we have/have not supplied tax file numbers to (insert name of legal firm).

Early repayment by Borrower

16 The Borrower may in some circumstances repay the loan before the
expiration of the period specified in paragraph 6 (a) of this Authority on
the following conditions

Legal Profession Amendment (Mortgage Practices) Regulation 2001

Schedule 1 Amendments

Limitations to Authority

- 17 This Authority is given on the understanding that at the date of the making of the loan:
- (a) the Borrower will not be you or an associate, by which term is meant a person or company associated with a solicitor (as defined in section 60 (2) of the *Legal Profession Act 1987*), and
 - (b) you or any such associate will have no financial interest in the Borrower unless you disclose the relationship or interest to me/us and I/we have received written advices from an independent solicitor in the prescribed form,
 - (c) I am/We are aware that, in respect of any mortgage loan to which my/our money may be applied, you may also/will not act as solicitor for the Borrower.

Fidelity coverage

- 18 (a) I/We are aware that the fidelity insurance policy of (insert name of legal firm) is limited to \$4 million.
- (b) I/We are also aware that under a State regulated mortgage we are not entitled to make a claim against the Fidelity Fund for the purposes of obtaining compensation for pecuniary loss if a claim relates to a regulated mortgage for which the solicitor is required to have fidelity insurance.

Special conditions

19 Special conditions or instructions not relating to the security

I/We acknowledge having received, read and understood the information contained in the Disclosure Notice (given under clause 55 of the *Legal Profession Regulation 1994*), this Authority and the valuation(s) relating to the security property(s) and declare that the decision to invest in this mortgage is a decision based on my/our enquiries and is not based on any advice of the (insert name of legal firm).

Before I/we signed this Authority all of the required particulars had been inserted and all blank spaces had been filled up or ruled out.

Legal Profession Amendment (Mortgage Practices) Regulation 2001

Amendments

Schedule 1

Signature of investors

This form must be signed by the investor. All joint investors must sign. If the investor is a corporation, partnership, firm or unincorporated association, the person(s) authorised by its constitution must sign and state the capacity in which they are signing (eg director, secretary). If signed under power of attorney, the attorney must state that no notice of cancellation of the power has been received. The power of attorney must be produced if it has not already been noted by the firm.

Date

Signed:

.....
(Full name)	(Signature)
.....	
(And capacity if applicable)	

.....
(Full name)	(Signature)
.....	
(And capacity if applicable)	

.....
(Full name)	(Signature)
.....	
(And capacity if applicable)	

[4] Schedule 1, Form 8

Omit the heading. Insert instead:

Form 8 Summary of Mortgage

Legal Profession Amendment (Mortgage Practices) Regulation 2001

Schedule 1 Amendments

[5] Schedule 1, Form 8

Omit “epitome” and “Epitome” wherever occurring.
Insert instead “summary” and “Summary” respectively.

Public Authorities (Financial Arrangements) Amendment (Rice Marketing Board) Regulation 2001

under the

Public Authorities (Financial Arrangements) Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Authorities (Financial Arrangements) Act 1987*.

MICHAEL EGAN, M.L.C.,
Treasurer

Explanatory note

The object of this Regulation is to exclude the Rice Marketing Board from the definition of **authority** for the purposes of Part 2C of the *Public Authorities (Financial Arrangements) Act 1987*, which regulates guarantees. As a result, the repayment of certain financial accommodation obtained by the Rice Marketing Board will not be subject to a Government guarantee under Part 2C.

This Regulation is made under the *Public Authorities (Financial Arrangements) Act 1987*, including the definition of **authority** in section 3 (1), section 3 (4) and section 43 (the general regulation-making power).

Clause 1 Public Authorities (Financial Arrangements) Amendment (Rice Marketing Board) Regulation 2001

Public Authorities (Financial Arrangements) Amendment (Rice Marketing Board) Regulation 2001

1 Name of Regulation

This Regulation is the *Public Authorities (Financial Arrangements) Amendment (Rice Marketing Board) Regulation 2001*.

2 Amendment of Public Authorities (Financial Arrangements) Regulation 2000

The *Public Authorities (Financial Arrangements) Regulation 2000* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Public Authorities (Financial Arrangements) Amendment (Rice Marketing Board) Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 57A Entities excluded from definition of “authority”

Insert after clause 57A (2A):

- (2B) The Rice Marketing Board is prescribed as not being within the definition of *authority* in section 3 (1) of the Act for the purposes of Part 2C of the Act.

[2] Clause 57A (3)

Omit “(2) or (2A)” wherever occurring. Insert instead “(2), (2A) or (2B)”.

Public Authorities (Financial Arrangements) Amendment (University of Wollongong) Regulation 2001

under the

Public Authorities (Financial Arrangements) Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Authorities (Financial Arrangements) Act 1987*.

MICHAEL EGAN, M.L.C.,
Treasurer

Explanatory note

The object of this Regulation is to amend the *Public Authorities (Financial Arrangements) Regulation 2000* to confer Part 4 investment powers (investment powers set out in clause 5 of Schedule 4 to the *Public Authorities (Financial Arrangements) Act 1987*) on the Council of the University of Wollongong. Currently the Council has Part 2 investment powers (investment powers set out in clause 3 of Schedule 4 to that Act).

This Regulation is made under the *Public Authorities (Financial Arrangements) Act 1987*, including section 24 (Investment powers of authorities) and section 43 (the general regulation-making power).

Clause 1 Public Authorities (Financial Arrangements) Amendment (University of Wollongong) Regulation 2001

Public Authorities (Financial Arrangements) Amendment (University of Wollongong) Regulation 2001

1 Name of Regulation

This Regulation is the *Public Authorities (Financial Arrangements) Amendment (University of Wollongong) Regulation 2001*.

2 Amendment of Public Authorities (Financial Arrangements) Regulation 2000

The *Public Authorities (Financial Arrangements) Regulation 2000* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Schedule 1 Authorities having Part 2 investment powers

Omit "Council of the University of Wollongong".

[2] Schedule 3 Authorities having Part 4 investment powers

Insert in appropriate order:

Council of the University of Wollongong

Orders

Coal Acquisition (Re-acquisition Arrangements) Order 2001

under the

Coal Acquisition Act 1981

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 6 of the *Coal Acquisition Act 1981*, make the following Order.

Dated this 30th day of August 2001.

By Her Excellency's Command,

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

Explanatory note

The object of this Order is to amend the *Coal Acquisition (Re-acquisition Arrangements) Order 1997* so as:

- (a) to enable the New South Wales Coal Compensation Board to refuse, in certain circumstances, an application by a person for compensation for consequential loss on the re-vesting of coal in the Crown under section 5A of the *Coal Acquisition Act 1981*, and
- (b) to provide that appeals against a determination of compensation or the refusal of an application for compensation are to be lodged with the New South Wales Coal Compensation Review Tribunal (which deals with the appeals) instead of the Board, and

Coal Acquisition (Re-acquisition Arrangements) Order 2001

Explanatory note

- (c) to provide that the Tribunal, rather than the Board, is empowered to extend the time for lodging a notice of appeal, and
 - (d) to reduce the application fee for an appeal to the Tribunal by \$400 to \$100.
- This order also makes consequential amendments to the *Coal Acquisition (Compensation) Arrangements 1985*.

Coal Acquisition (Re-acquisition Arrangements) Order 2001

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Clause 1 Coal Acquisition (Re-acquisition Arrangements) Order 2001

Coal Acquisition (Re-acquisition Arrangements) Order 2001

1 Name of Order

This Order is the *Coal Acquisition (Re-acquisition Arrangements) Order 2001*.

2 Amendment of Coal Acquisition (Re-acquisition Arrangements) Order 1997

The *Coal Acquisition (Re-acquisition Arrangements) Order 1997* is amended as set out in Schedule 1.

3 Amendment of Coal Acquisition (Compensation) Arrangements 1985

The *Coal Acquisition (Compensation) Arrangements 1985* is amended as set out in Schedule 2.

4 Notes

The explanatory note and table of contents do not form part of this Order.

Coal Acquisition (Re-acquisition Arrangements) Order 2001

Amendment of Coal Acquisition (Re-acquisition Arrangements) Order 1997 Schedule 1

Schedule 1 Amendment of Coal Acquisition (Re-acquisition Arrangements) Order 1997

(Clause 3)

[1] Clause 7 Compensation for consequential loss when coal revested

Insert after clause 7 (3):

(3A) If, on considering a claim to which this clause applies:

- (a) the Board is not satisfied that the applicant has sustained a loss, or
- (b) the Board is satisfied that the applicant has sustained a loss but, having regard to all the circumstances of the case, considers it would not be just and equitable for compensation to be paid in respect of the claim,

the Board is to refuse the claim.

[2] Clause 23 Appeals

Omit "Board" from clause 23 (2) where firstly occurring.

Insert instead "Tribunal".

[3] Clause 23 (2)

Omit "\$500". Insert instead "\$100".

[4] Clause 23 (3)

Omit "Board" where firstly, secondly and lastly occurring.

Insert instead "Tribunal".

Coal Acquisition (Re-acquisition Arrangements) Order 2001

Schedule 2 Amendment of Coal Acquisition (Compensation) Arrangements 1985

Schedule 2 Amendment of Coal Acquisition (Compensation) Arrangements 1985

(Clause 4)

[1] Clause 3 Definitions

Insert in alphabetical order:

applicant means an applicant for compensation under the 1997 Compensation Arrangements.

application means an application for compensation under the 1997 Compensation Arrangements.

[2] Clause 28 Hearing of appeal by Tribunal

Insert at the end of the clause:

- (2) Schedule 3 applies in respect of an appeal under clause 23 of the 1997 Compensation Arrangements as if a reference in that Schedule to “claim” and “claimant” were a reference to “application” and “applicant”.

[3] Clause 29 Decisions of Compensation Review Tribunal

Insert “or application” after “claim” wherever occurring in clause 29 (2) and (3).

[4] Clause 29 (3)

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

[5] Schedule 3 Provisions relating to hearing of appeals by Compensation Review Tribunal

Omit “under clause 27” from clauses 2, 3 and 6 wherever occurring.
Insert instead “with the Tribunal”.

[6] Schedule 3, clause 7

Omit “under clause 27”. Insert instead “before the Tribunal”.

Coal Acquisition (Re-acquisition Arrangements) Order 2001

Amendment of Coal Acquisition (Compensation) Arrangements 1985

Schedule 2

[7] Schedule 3, clause 10

Omit “under clause 27, the Compensation Review Tribunal”.

Insert instead “with the Tribunal, the Tribunal”.

[8] Schedule 3, clause 11

Omit “lodged under clause 27”.

Motor Accidents Compensation (Determination of Loss) Order No 2

under the

Motor Accidents Compensation Act 1999

I, John Della Bosca, Special Minister of State, in pursuance of section 146 of the *Motor Accidents Compensation Act 1999*, make the following Order.

Dated this 3rd day of September 2001.

JOHN DELLA BOSCA, M.L.C.,
Special Minister of State

Explanatory note

The object of this Order is to adjust the amounts that may be awarded for damages:

- (a) for past or future economic loss in relation to persons who have been injured or killed as a consequence of motor accidents, and
- (b) for non-economic loss to persons who have been injured as a consequence of motor accidents.

Section 146 of the *Motor Accidents Compensation Act 1999* requires the Minister to declare the amounts on or before 1 October in each year. The amounts are indexed by reference to movements in average weekly earnings.

An amount specified in the Order applies to the exclusion of the corresponding amount specified in section 125 or 134 of the *Motor Accidents Compensation Act 1999*.

Clause 1 Motor Accidents Compensation (Determination of Loss) Order No 2

Motor Accidents Compensation (Determination of Loss) Order No 2

1 Name of Order

This Order is the *Motor Accidents Compensation (Determination of Loss) Order No 2*.

2 Commencement

This Order commences on 1 October 2001.

3 Notes

The explanatory note does not form part of this Order.

4 Section 125: Damages for past or future economic loss—maximum for loss of earnings etc

It is declared that, in the case of an award under section 125 (1) of the *Motor Accidents Compensation Act 1999*, the court is to disregard the amount (if any) by which an injured or deceased person's net weekly earnings would (but for the injury or death) have exceeded \$2,712.

5 Section 134: Maximum of amount of damages for non-economic loss

It is declared that the maximum amount that may be awarded for non-economic loss of an injured person as a consequence of a motor accident is \$296,000.

Motor Accidents (Determination of Non-Economic Loss) Order No 12

under the

Motor Accidents Act 1988

I, John Della Bosca, Special Minister of State, in pursuance of section 80 of the *Motor Accidents Act 1988*, make the following Order.

Dated this 3rd day of September 2001.

JOHN DELLA BOSCA, M.L.C.,
Special Minister of State

Explanatory note

The object of this Order is to adjust the amounts that may be awarded for damages for non-economic loss to persons who have been injured as a consequence of motor accidents.

Section 80 of the *Motor Accidents Act 1988* requires the Minister to declare the amounts on or before 1 October in each year. The amounts are indexed by reference to movements in average weekly earnings.

An amount specified in the Order applies to the exclusion of the corresponding amount specified in section 79 or 79A of the *Motor Accidents Act 1988*.

Clause 1 Motor Accidents (Determination of Non-Economic Loss) Order No 12

Motor Accidents (Determination of Non-Economic Loss) Order No 12

1 Name of Order

This Order is the *Motor Accidents (Determination of Non-Economic Loss) Order No 12*.

2 Commencement

This Order commences on 1 October 2001.

3 Notes

The explanatory note does not form part of this Order.

4 Section 79—Determination of non-economic loss (accidents occurring before midnight on 26.9.95)

(1) Section 79 (3)

It is declared that the maximum amount that may be awarded for non-economic loss of an injured person as a consequence of a motor accident that occurred before midnight on 26 September 1995 is \$296,000.

(2) Section 79 (4)

It is declared that if the amount of non-economic loss of any such injured person is assessed to be \$24,000 or less, no damages for non-economic loss shall be awarded.

(3) Section 79 (5)

It is declared that if the amount of damages to be awarded for non-economic loss in accordance with section 79 of the *Motor Accidents Act 1988* is more than \$24,000 but less than \$90,500, the following deductions shall be made from that amount:

- (a) if the amount of damages is less than \$65,000—the amount to be deducted is \$24,000,
- (b) if the amount of damages is not less than \$65,000—the amount to be deducted is \$24,000, or \$24,000 reduced by \$1,000 for every \$1,000 by which the amount of damages exceeds \$65,000.

Motor Accidents (Determination of Non-Economic Loss) Order No 12

Clause 5

5 Section 79A (5)—Determination of non-economic loss (accidents occurring after midnight on 26.9.95)

It is declared that the maximum amount that may be awarded for non-economic loss of an injured person as a consequence of a motor accident that occurred after midnight on 26 September 1995 is \$296,000.

Other Legislations

Mid Lachlan Regional Vegetation Management Plan 2001

under the

Native Vegetation Conservation Act 1997

I, the Minister for Land and Water Conservation, make the following regional vegetation management plan under the *Native Vegetation Conservation Act 1997*.

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

Mid Lachlan Regional Vegetation Management Plan 2001

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Clause 1 Mid Lachlan Regional Vegetation Management Plan 2001

Part 1 Preliminary

Mid Lachlan Regional Vegetation Management Plan 2001

Part 1 Preliminary

1 Name of plan

This plan is the *Mid Lachlan Regional Vegetation Management Plan 2001*.

2 Commencement

This plan commences on 3 December 2001.

3 Definitions

(1) In this plan:

Aboriginal place means an Aboriginal place within the meaning of the *National Parks and Wildlife Act 1974*.

Aboriginal relic means a relic within the meaning of the *National Parks and Wildlife Act 1974*.

Aboriginal Sites Register means the Aboriginal Sites Register maintained by the National Parks and Wildlife Service.

best practice clearing standards means the standards set out in Division 2 of Part 3 (Clearing on nominated self-assessment area).

Crown land means Crown land within the meaning of the *Crown Lands Act 1989* other than Crown land the subject of a tenure listed in Part 1 of Schedule 1 to the *Crown Lands (Continued Tenures) Act 1989*.

Department means the Department of Land and Water Conservation.

diameter at breast height over bark means the measurement of the diameter of a tree made:

- (a) at a height of 1.3 metres above the ground level (measured from ground level on the up-slope side of the tree if the tree is on a slope), and
- (b) at right angles to the axis of the tree.

Mid Lachlan Regional Vegetation Management Plan 2001

Clause 3

Preliminary

Part 1

If the tree is branched or deformed at 1.3 metres above ground level, the measurement is taken at the nearest point above or below that point, where the trunk becomes more cylindrical.

district map means the current map (in full or extracted form), relating to the district concerned in the Mid Lachlan Region, that is prepared and published by the Department and adopted by the Minister for the purposes of this plan.

landholder means a person who owns a landholding or who, whether by reason of ownership or otherwise, is in lawful occupation or possession, or has lawful management or control, of a landholding.

landholding means:

- (a) a parcel of land, or
- (b) several parcels of land that are contiguous to each other or separated only by a road, river, creek or watercourse, and that constitute or are worked as one property,

situated within the Mid Lachlan region.

landscape management areas means any areas of land coloured dark brown or light brown on the district map.

large development means clearing of any type referred to in clause 9 (1) (a)–(e).

management zones means the following areas:

- (a) landscape management areas,
- (b) riparian, wetland and floodplain protection areas,
- (c) priority plant communities and habitats areas,
- (d) self-assessment areas.

Mid Lachlan region is defined in clause 5.

native tree includes a sapling or a shrub, or scrub, that is indigenous.

nominated self-assessment area means the area of land currently nominated as a self-assessment area in accordance with clause 27.

potential self-assessment areas means any self-assessment areas other than the nominated self-assessment area.

priority plant communities and habitats areas means:

- (a) any areas of land coloured orange on the district map, and

Clause 3 Mid Lachlan Regional Vegetation Management Plan 2001

Part 1 Preliminary

- (b) any areas of land that are not so depicted on the district map but on which occur any priority plant community that is listed on the district map (or, if reference to a more current list is required by clause 28 (4) or 32, that is listed in that list) as a significant community.

riparian, wetland and floodplain protection areas means:

- (a) any areas of land coloured dark green or light green on the district map, and
- (b) any areas of land that are not so depicted on the district map but on which occur any riparian or wetland community that is listed on the district map (or, if reference to a more current list is required by clause 28 (4) or 32, that is listed in that list) as a significant community.

self-assessment areas means any areas of land coloured pink, grey or white on the district map.

significant community means any community listed as a significant community on the district map (or, if reference to a more current list is required by clause 28 (4) or 32, that is listed in that list).

significant species means any species listed as a significant species on the district map (or, if reference to a more current list is required by clause 28 (4) or 32, that is listed in that list).

strategy document means the *Mid Lachlan Regional Vegetation Management Strategy*, ISBN 0 7347 5204 0, published by the Department, August 2001.

the Act means the *Native Vegetation Conservation Act 1997*.

- (2) Expressions used in this plan that are defined in the Act have the same meanings in this plan as the meanings given to them in the Act unless they are otherwise defined in this plan.
- (3) If any provision in this plan is genuinely capable of different interpretations, the interpretation that best meets the aims of this plan prevails.

4 Aims of plan

The aims of this plan are as follows:

- (a) to promote and encourage partnerships between the community and governments through consultation and participation,

Mid Lachlan Regional Vegetation Management Plan 2001

Clause 4

Preliminary

Part 1

- (b) to encourage and promote the retention, restoration and re-establishment of native vegetation,
- (c) to identify native vegetation and habitat of high conservation value, or social or cultural significance, requiring protection,
- (d) to encourage the revegetation of land with appropriate vegetation,
- (e) to identify areas where clearing native vegetation needs development consent,
- (f) to identify where clearing can be undertaken without the need for development consent,
- (g) to recognise the social and economic impacts of this plan.

5 Land to which plan applies

This plan applies to all land within the *Mid Lachlan region* (being the region comprising the local government areas of Parkes, Forbes, Weddin, Bland, and Lachlan south of the Lachlan River).

Note. Land excluded from the operation of the Act (and, therefore, this plan) by section 9 of the Act is shown cross-hatched on the district map.

Clause 5 Mid Lachlan Regional Vegetation Management Plan 2001

Part 2 Areas where clearing of native vegetation requires development consent

Part 2 Areas where clearing of native vegetation requires development consent

Notes.

- 1 Section 12 of the Act sets out the clearing (as defined in section 5 of the Act) that is excluded from the operation of the Act and, therefore, this plan.
- 2 Under Part 2 of the Act, a person who contravenes any provision of this plan is guilty of an offence under the Act. Section 126 (1) of the *Environmental Planning and Assessment Act 1979* (concerning penalties) applies to any such offence in the same way as it applies to an offence against that Act.

6 Clearing on landscape management areas

Development consent is required to clear native vegetation on any landscape management area except to the extent that any exemption in Division 1 of Part 3 applies to that area.

Note. The following exemptions are relevant:

- (a) clearing for strainer posts (clause 14),
- (b) clearing for firewood (clause 15),
- (c) lopping of foliage for stock fodder (clause 16),
- (d) clearing to maintain existing structures (clause 17),
- (e) clearing to maintain existing public utilities or in emergencies (clause 18),
- (f) clearing planted native vegetation (clause 19),
- (g) clearing in a private native forest (clause 20),
- (h) clearing to control pest animals (clause 21),
- (i) clearing Cypress Pine regrowth (clause 24),
- (j) clearing by registered surveyors (clause 25).

7 Clearing on riparian, wetland and floodplain protection areas

Development consent is required to clear native vegetation on any riparian, wetland and floodplain protection area except to the extent that any exemption in Division 1 of Part 3 applies to that area.

Note. The following exemptions are relevant:

- (a) clearing for strainer posts (clause 14),
- (b) clearing for firewood (clause 15),
- (c) lopping of foliage for stock fodder (clause 16),
- (d) clearing to maintain existing structures (clause 17),
- (e) clearing to maintain existing public utilities or in emergencies (clause 18),
- (f) clearing to control pest animals (clause 21),
- (g) clearing River Red Gum regrowth (clause 23),
- (h) clearing Cypress Pine regrowth (clause 24),
- (i) clearing by registered surveyors (clause 25).

Mid Lachlan Regional Vegetation Management Plan 2001

Clause 8

Areas where clearing of native vegetation requires development consent

Part 2

8 Clearing on priority plant communities and habitats areas

Development consent is required to clear native vegetation on any priority plant communities and habitats area except to the extent that any exemption in Division 1 of Part 3 applies to that area.

Note. The following exemptions are relevant:

- (a) clearing to maintain existing structures (clause 17),
- (b) clearing to maintain existing public utilities or in emergencies (clause 18),
- (c) clearing to control pest animals (clause 21),
- (d) clearing Cypress Pine regrowth (clause 24),
- (e) clearing by registered surveyors (clause 25).

9 Clearing that is a “large development” on self-assessment areas

- (1) Development consent is required for any of the following types of clearing, known as *large developments*, carried out on any self-assessment area (whether the development is on the nominated or a potential self-assessment area or partly on each) except to the extent that any exemption in Division 1 of Part 3 applies to that area:

- (a) clearing of more than 400 hectares of land in a 10-year period that involves the removal of some or all of the native vegetation on that land,

Note. For example, if 400 hectares of potential self-assessment area is cleared of native vegetation for the purposes of crop planting in the first 5 years of the 10-year period, and another 100 hectares of nominated self-assessment area is to be cleared in the 7th year (being clearing that involves the removal of some or all of the native vegetation from that land), the clearing of the 100 hectares will require development consent before it can be carried out.

- (b) thinning of more than 400 hectares of land in a 10-year period for grazing purposes that involves the thinning of some or all of the native vegetation on that land,

Note. For example, if native vegetation on 200 hectares of nominated self-assessment area is thinned in the first 3 years of the 10-year period to allow the grass to grow between trees, and another 400 hectares of potential self-assessment area is proposed to be thinned (involving the thinning of some or all of the native vegetation on that land) in the 5th year, the thinning of 200 of the 400 hectares will require development consent before it can be carried out.

Clause 9 Mid Lachlan Regional Vegetation Management Plan 2001

Part 2 Areas where clearing of native vegetation requires development consent

- (c) high or extreme intensity logging (that is, with retention of less than 49% of the existing canopy of native trees) of more than 200 hectares of land in a 10-year period,

Note. For example, if 200 hectares of potential self-assessment area is subject to high or extreme intensity logging of native trees in the first 3 years of the 10-year period, and intensive logging of native trees is proposed on another 20 hectares of nominated self-assessment area in the 7th year, the logging of the 20 hectares will require development consent before it can be carried out.

- (d) any clearing of native vegetation for multi-purpose developments (for example, tourism, industrial or recreational developments) being developments that require development consent under the local environmental plan for the area concerned,

- (e) clearing of native vegetation for development (other than development for the purpose of a single dwelling-house) within a zone designated "rural-residential" under the local environmental plan for the area concerned.

Note. The following exemptions are relevant:

- (a) clearing for strainer posts (clause 14),
- (b) clearing for firewood (clause 15),
- (c) lopping of foliage for stock fodder (clause 16),
- (d) clearing to maintain existing structures (clause 17),
- (e) clearing to maintain existing public utilities or in emergencies (clause 18),
- (f) clearing to control pest animals (clause 21),
- (g) clearing by registered surveyors (clause 25).

- (2) Despite subclause (1), clause 10 applies to any clearing that is large development that is carried out on Crown land in a self-assessment area (whether nominated or potential).

- (3) For the purposes of subclause (1) (a)–(c), **10-year period** means the period of 10 years commencing on the day this plan commences and each subsequent period of 10 years.

Mid Lachlan Regional Vegetation Management Plan 2001

Clause 10

Areas where clearing of native vegetation requires development consent

Part 2

10 Clearing on Crown land in self-assessment areas

- (1) Development consent is required to clear native vegetation on Crown land in any self-assessment area (whether nominated or potential) except to the extent that any exemption in Division 1 of Part 3 applies to that area.

Note. The following exemptions are relevant:

- (a) lopping of foliage for stock fodder (clause 16),
- (b) clearing to maintain existing structures (clause 17),
- (c) clearing to maintain existing public utilities or in emergencies (clause 18),
- (d) clearing to control pest animals (clause 21),
- (e) clearing native vegetation that is regrowth (clause 22),
- (f) clearing by registered surveyors (clause 25).

- (2) Despite subclause (1), clause 12 applies to the clearing of native vegetation on Crown land in the nominated self-assessment area that is otherwise required to be retained, re-established or recruited under the best practice clearing standards.

11 Clearing in potential self-assessment areas not falling within clause 9 or 10

- (1) Development consent is required to clear native vegetation on any potential self-assessment area except to the extent that any exemption in Division 1 of Part 3 applies to that area.

Note. The following exemptions are relevant:

- (a) clearing for strainer posts (clause 14),
- (b) clearing for firewood (clause 15),
- (c) lopping of foliage for stock fodder (clause 16),
- (d) clearing to maintain existing structures (clause 17),
- (e) clearing to maintain existing public utilities or in emergencies (clause 18),
- (f) clearing planted native vegetation (clause 19),
- (g) clearing in a private native forest (clause 20),
- (h) clearing to control pest animals (clause 21),
- (i) clearing native vegetation that is regrowth (clause 22),
- (j) clearing by registered surveyors (clause 25).

- (2) Subclause (1) does not apply to land within a potential self-assessment area to which clause 9 or 10 applies.

Clause 12 Mid Lachlan Regional Vegetation Management Plan 2001

Part 2 Areas where clearing of native vegetation requires development consent

12 Clearing native vegetation not in accordance with, or to be retained under, clearing standards

Development consent is required:

- (a) to clear native vegetation in the nominated self-assessment area (including on Crown land) that is otherwise required to be retained, re-established or recruited under the best practice clearing standards, and
- (b) for any clearing of native vegetation in the nominated self-assessment area that may be carried out without consent in accordance with the best practice clearing standards but which will not be carried out in accordance with those standards,

except to the extent that any exemption in Division 1 of Part 3 applies to that area.

Note. The following exemptions are relevant:

- (a) clearing to maintain existing structures (clause 17),
- (b) clearing to maintain existing public utilities or in emergencies (clause 18),
- (c) clearing to control pest animals (clause 21),
- (d) clearing by registered surveyors (clause 25).

Mid Lachlan Regional Vegetation Management Plan 2001	Clause 13
Areas where clearing of native vegetation does not require development consent	Part 3
Clearing in accordance with clearing exemptions	Division 1

Part 3 Areas where clearing of native vegetation does not require development consent

Note. Under Part 2 of the Act, a person who contravenes any provision of this plan is guilty of an offence under that Act. Section 126 (1) of the *Environmental Planning and Assessment Act 1979* (concerning penalties) applies to any such offence in the same way as it applies to an offence against that Act.

Division 1 Clearing in accordance with clearing exemptions

13 Operational limits and proof of exemptions

- (1) Subject to subclause (2), the operation of the exemptions provided for in this Division is limited as follows:
 - (a) in relation to any area of land the subject of a development consent that authorises the clearing of native vegetation on that area—no exemption operates while the development consent is in force (regardless of whether or not any such clearing has commenced under that development consent),
 - (b) in relation to the entire nominated self-assessment area (other than any part to which paragraph (a) applies)—no clearing exemption operates from the date that any clearing under Division 2 of this Part commences until 10 years after the date that self-assessment for the area was completed (as stated in the certificate required by clause 28 (6)).
- (2) The limits on the operation of exemptions referred to in subclause (1) do not apply to the following exemptions:
 - (a) clearing for strainer posts (clause 14),
 - (b) clearing for firewood (clause 15),
 - (c) clearing to maintain existing structures (clause 17),
 - (d) clearing to maintain existing public utilities or in emergencies (clause 18),
 - (e) clearing to control pest animals (clause 21),
 - (f) clearing by registered surveyors (clause 25).
- (3) In any proceedings, a landholder relying on any exemption in this Division bears the onus of proving the exemption.

Clause 14	Mid Lachlan Regional Vegetation Management Plan 2001
Part 3	Areas where clearing of native vegetation does not require development consent
Division 1	Clearing in accordance with clearing exemptions

14 Clearing for strainer posts

(1) **Application**

This exemption applies only in relation to the following areas of land:

- (a) landscape management areas,
- (b) riparian, wetland and floodplain protection areas,
- (c) self-assessment areas (potential or nominated) other than the following:
 - (i) any area that is Crown land,
 - (ii) any area within the nominated self-assessment area that is required by the best practice clearing standards to be retained or re-established, or on which is located native vegetation required by those standards to be recruited.

(2) **Exemption**

Native trees may be cleared without development consent on areas of land to which this exemption applies for the purpose of providing strainer posts but only if:

- (a) the strainer posts are for the landholding from which the trees are cleared, and
- (b) the clearing is to the minimum extent necessary to meet an immediate need for strainer posts on that landholding, and
- (c) the clearing is carried out only by sawing or hewing down the trees (and not, for example, by poisoning or bulldozing), and
- (d) the trees cleared do not comprise:
 - (i) a component of a significant community, or
 - (ii) a significant species, or
 - (iii) hollow bearing trees with a diameter at breast height over bark of more than 35 centimetres that are important habitat components for a significant species.

Note. Important habitat components are discussed in section 3.5.1 (f) of the strategy document.

15 Clearing for firewood

(1) **Application**

This exemption applies only in relation to the following areas of land:

- (a) landscape management areas,
- (b) riparian, wetland and floodplain protection areas,

Mid Lachlan Regional Vegetation Management Plan 2001	Clause 15
Areas where clearing of native vegetation does not require development consent	Part 3
Clearing in accordance with clearing exemptions	Division 1

- (c) self-assessment areas (potential or nominated) other than the following:
 - (i) any area that is Crown land,
 - (ii) any area within the nominated self-assessment area that is required by the best practice clearing standards to be retained or re-established, or on which is located native vegetation required by those standards to be recruited.

(2) **Exemption**

Native trees may be cleared without development consent on areas of land to which this exemption applies for the purpose of providing firewood but only if:

- (a) the firewood is only for personal use, and
- (b) the clearing is to the minimum extent necessary for that personal use, and
- (c) the clearing is carried out only by sawing or hewing down the trees (and not, for example, by poisoning or bulldozing), and
- (d) the trees cleared do not comprise:
 - (i) a component of a significant community, or
 - (ii) a significant species, or
 - (iii) hollow bearing trees with a diameter at breast height over bark of more than 35 centimetres that are important habitat components for a significant species.

Note. Important habitat components are discussed in section 3.5.1 (f) of the strategy document.

(3) In this clause, *personal use* means:

- (a) for the use (anywhere) of the landholder, and
- (b) for the use (anywhere) of the landholder's parents and children, and
- (c) for the use of the landholder's employees who reside on the landholding, but only for use on that landholding.

16 Lopping of foliage for stock fodder

(1) **Application**

This exemption applies only in relation to the following areas of land:

- (a) landscape management areas,
- (b) riparian, wetland and floodplain protection areas,

Clause 16	Mid Lachlan Regional Vegetation Management Plan 2001
Part 3	Areas where clearing of native vegetation does not require development consent
Division 1	Clearing in accordance with clearing exemptions

- (c) self-assessment areas (potential or nominated) other than any area within the nominated self-assessment area that is required by the best practice clearing standards to be retained or re-established, or on which is located native vegetation required by those standards to be recruited.

(2) **Exemption**

The foliage of native trees may be lopped without development consent on areas of land to which this exemption applies for the purpose of providing stock fodder but only if:

- (a) the foliage removed is suitable for stock fodder, and
- (b) the foliage does not comprise:
 - (i) a component of a significant community, or
 - (ii) a significant species, or
 - (iii) the trunk or primary branches of the trees.

17 Clearing to maintain existing structures

(1) **Application**

This exemption applies only in relation to the following areas of land:

- (a) landscape management areas,
- (b) riparian, wetland and floodplain protection areas,
- (c) priority plant communities and habitats areas,
- (d) self-assessment areas (potential or nominated).

(2) **Exemption**

Native vegetation may be cleared without development consent on areas of land to which this exemption applies for the purpose of maintaining existing structures but only if:

- (a) the structure is necessary for the operation of the landholding (for example, farm dams, tracks, bores, windmills, fences, fence lines, stockyards, loading ramps, sheds, and earthworks for soil conservation such as gully control structures and diversion or contour banks) but is not naturally occurring (for example, is not a cowl or other natural water body), and
- (b) the clearing is to the minimum extent necessary to maintain the structure for the purpose for which a structure of that type normally functions or is normally used on a landholding.

Mid Lachlan Regional Vegetation Management Plan 2001	Clause 18
Areas where clearing of native vegetation does not require development consent	Part 3
Clearing in accordance with clearing exemptions	Division 1

18 Clearing to maintain existing public utilities or in emergencies

(1) Application

This exemption applies only in relation to the following areas of land:

- (a) landscape management areas,
- (b) riparian, wetland and floodplain protection areas,
- (c) priority plant communities and habitats areas,
- (d) self-assessment areas (potential or nominated).

(2) Exemption

Native vegetation may be cleared without development consent on areas of land to which this exemption applies for the purpose of maintaining existing public utilities, protecting persons from injury or death, or protecting property threatened by an actual or imminent emergency, but only if:

- (a) in the case of a public utility, the clearing is limited to the minimum extent necessary to ensure the continued operation of the utility, and
- (b) in the case of emergency work, the clearing is limited to the minimum extent necessary to address the situation of emergency or imminent emergency.

19 Clearing planted native vegetation

(1) Application

This exemption applies only in relation to the following areas of land:

- (a) landscape management areas,
- (b) self-assessment areas (potential or nominated) other than the following:
 - (i) any area that is Crown land,
 - (ii) any area the subject of large development,
 - (iii) any area within the nominated self-assessment area that is required by the best practice clearing standards to be retained or re-established, or on which is located native vegetation required by those standards to be recruited.

Clause 19	Mid Lachlan Regional Vegetation Management Plan 2001
Part 3	Areas where clearing of native vegetation does not require development consent
Division 1	Clearing in accordance with clearing exemptions

(2) **Exemption**

Planted native vegetation may be cleared without development consent on areas of land to which this exemption applies, but only if:

- (a) it was planted only for the purpose of forestry, agriculture, agroforestry, woodlots, gardens or horticulture (and not, for example, for the purpose of satisfying the best practice clearing standards), and
- (b) it does not comprise a component of a significant community, or a significant species.

(3) In subclause (2), *planted* means put or set in the ground for growth.

20 Clearing in a private native forest

(1) **Application**

This exemption applies only in relation to the following areas of land:

- (a) landscape management areas,
- (b) self-assessment areas (potential or nominated) other than the following:
 - (i) any area that is Crown land,
 - (ii) any area the subject of large development,
 - (iii) any area within the nominated self-assessment area that is required by the best practice clearing standards to be retained or re-established, or on which is located native vegetation required by those standards to be recruited.

(2) **Exemption**

Native vegetation in a private native forest may be cleared without development consent on areas of land to which this exemption applies but only if:

- (a) the forest was, on the day this plan commenced, and still is:
 - (i) being managed in accordance with management practices that are consistent with selective logging on a sustainable basis, or
 - (ii) being otherwise managed on a sustainable basis for forestry purposes (that is, for timber production),

and the owner of the forest has clear documentary evidence to support this (for example, forest management plans, silviculture plans or harvesting plans), and

Mid Lachlan Regional Vegetation Management Plan 2001	Clause 20
Areas where clearing of native vegetation does not require development consent	Part 3
Clearing in accordance with clearing exemptions	Division 1

- (b) any clearing done under this exemption is consistent with the sustainable management practices concerned, and
 - (c) the native vegetation to be cleared does not comprise a component of a significant community, or a significant species.
- (3) In this clause, *private native forest* means an area of native forest, under private ownership or control, with the following features:
- (a) its tallest vegetation is mainly woody, usually with a single stem, and has a mature height (or potentially mature height) of over 5 metres,
 - (b) the canopy of its overstorey trees is equal to or greater than 20% of its ground area.

21 Clearing to control pest animals

(1) Application

This exemption applies only in relation to the following areas of land:

- (a) landscape management areas,
- (b) riparian, wetland and floodplain protection areas,
- (c) priority plant communities and habitats areas,
- (d) self-assessment areas (potential or nominated).

(2) Exemption

Native vegetation may be cleared without development consent on areas of land to which this exemption applies for the purpose of controlling pest animals (within the meaning of the *Rural Lands Protection Act 1989*) but only if:

- (a) the clearing is necessary to comply with a control order issued under that Act, and
- (b) the clearing is to the minimum extent necessary to comply with the control order.

22 Clearing native vegetation that is regrowth

(1) Application

This exemption applies only in relation to self-assessment areas (potential or nominated) other than the following areas:

- (a) any area the subject of large development,

Clause 22	Mid Lachlan Regional Vegetation Management Plan 2001
Part 3	Areas where clearing of native vegetation does not require development consent
Division 1	Clearing in accordance with clearing exemptions

- (b) any area within the nominated self-assessment area that is required by the best practice clearing standards to be retained or re-established, or on which is located native vegetation required by those standards to be recruited.

(2) **Exemption**

Native vegetation may be cleared without development consent on areas of land to which this exemption applies but only if:

- (a) the area to be cleared of native vegetation has previously been cleared or thinned for agricultural purposes, and
- (b) the native vegetation is not more than 20 years old at the time it is cleared under this exemption, and
- (c) the native vegetation that is cleared under this exemption does not comprise potential koala habitat that is identified as core koala habitat (as defined in clause 30 (9)), and
- (d) a property sketch plan is prepared in accordance with the relevant sections of chapter 1.4, and section 3.2.1 (i), of the strategy document, and
- (e) the clearing is carried out as part of usual procedures for managing regrowth on the land concerned, and during the usual clearing rotation applied to the land, as specified in the property sketch plan.

(3) The property sketch plan must be kept:

- (a) for 10 years, or
- (b) for the duration of the full rotation period applied to the land concerned in managing regrowth on the land (as specified in the property sketch plan),

whichever is longest.

23 Clearing River Red Gum regrowth

(1) **Application**

This exemption applies only in relation to riparian, wetland and floodplain protection areas.

(2) **Exemption**

The exemption for River Red Gum (*Eucalyptus camaldulensis*) regrowth applies as follows:

Mid Lachlan Regional Vegetation Management Plan 2001	Clause 23
Areas where clearing of native vegetation does not require development consent	Part 3
Clearing in accordance with clearing exemptions	Division 1

- (a) River Red Gums that have occurred since the last flood event affecting the land and that are not more than 10 years old at the time they are cleared may be cleared without development consent on areas of land to which this exemption applies.
- (b) River Red Gums that are not more than 15 years old at the time they are cleared (whether or not they have occurred since the last flood event) and that occur in natural or derived native grassland (or both) or in an area that has previously been cleared, may be thinned without development consent on areas of land to which this exemption applies but only if:
 - (i) a full farm plan is prepared (in accordance with the procedure set out in the relevant sections of chapter 1.4 of the strategy document) for the purposes of applying this exemption to the proposed thinning event, and
 - (ii) the area of River Red Gum with respect to which the exemption for thinning is intended to operate (that is, in relation to the proposed thinning event) is clearly identified as the designated area on the full farm plan, and
 - (iii) at least 20% of the total canopy cover provided by the River Red Gums in the designated area is retained, and
 - (iv) an estimated mature canopy cover equivalent to at least 20% of the designated area is retained (that is, there must be retained sufficient River Red Gums as would, on their maturity, provide a canopy cover equivalent to at least 20% of the designated area), and
 - (v) there are no Aboriginal relics or places identified in the designated area as a result of a search of the Aboriginal Sites Register, and an on-ground survey carried out in accordance with the procedure set out in chapter 1.4 of the strategy document, and
 - (vi) the thinning is carried out with minimal disturbance to soil, groundcover, understory, and any other native tree species.
- (c) River Red Gums:
 - (i) that are not more than 15 years old at the time they are cleared (whether or not they have occurred since the last flood event), and

Clause 23	Mid Lachlan Regional Vegetation Management Plan 2001
Part 3	Areas where clearing of native vegetation does not require development consent
Division 1	Clearing in accordance with clearing exemptions

- (ii) that occur in an area of native vegetation in which the canopy provided by the crowns of native trees covers more than 10% of the area,

may be thinned without development consent on areas of land to which this exemption applies but only if the requirements in paragraph (b) (i)–(iii), (v) and (vi) are satisfied in relation to the area.

- (3) A full farm plan prepared for the purposes of this exemption must be retained for a minimum period of 10 years.

24 Clearing Cypress Pine regrowth

(1) **Application**

This exemption applies only in relation to the following areas of land:

- (a) landscape management areas,
- (b) riparian, wetland and floodplain protection areas,
- (c) priority plant communities and habitats areas.

(2) **Exemption**

White Cypress Pine (*Callitris glaucophylla*) and Black Cypress Pine (*Callitris endlicheri*) may be cleared without development consent on areas of land to which this exemption applies but only if:

- (a) the Cypress Pines to be cleared under this exemption have a diameter at breast height over bark of not more than 30 centimetres, and
- (b) they occur:
 - (i) in grasslands, or in an area that has previously been cleared for agricultural purposes, or in an area in which native vegetation is not the dominant vegetation and the canopy provided by the crowns of native trees covers less than 10% of the area, or
 - (ii) in an area that is dominated by native vegetation and in which the canopy provided by the crowns of native trees covers more than 10% of the area, and

Mid Lachlan Regional Vegetation Management Plan 2001	Clause 24
Areas where clearing of native vegetation does not require development consent	Part 3
Clearing in accordance with clearing exemptions	Division 1

- (c) in the case of clearing in an area referred to in paragraph (b) (i)—at least 5 Cypress Pines, at least 2 metres tall, are retained on any given hectare of that area (so there must be more than 5 Cypress Pines, at least 2 metres tall, on any given hectare of the area before this exemption can operate in the area), and
- (d) in the case of clearing in an area referred to in paragraph (b) (ii):
 - (i) the area of Cypress Pine with respect to which this exemption is intended to operate (that is, in relation to the proposed clearing event) is designated, and
 - (ii) at least 25% of the designated area, being representative of the structure and density of the Cypress Pines in the designated area, is retained, and
 - (iii) at least 50 Cypress Pines are retained on any given hectare of the remaining 75% of the designated area (so there must be more than 50 Cypress Pines on any given hectare of the remaining area before this exemption can operate in the area), and
 - (iv) there are no Aboriginal relics or places identified in the designated area as a result of a search of the Aboriginal Sites Register, and an on-ground survey carried out in accordance with the procedure set out in chapter 1.4 of the strategy document, and
 - (v) there is no subsequent clearing of Cypress Pines under this exemption in an area retained under subparagraph (ii) unless there exists elsewhere in the designated area an equivalent area of Cypress Pine of a comparable canopy density that can be (and is) retained in its place.
- (3) A square grid must be used to determine the number of Cypress Pines on any given hectare of the area concerned.

25 Clearing by registered surveyors

(1) Application

This exemption applies only in relation to the following areas of land:

- (a) landscape management areas,
- (b) riparian, wetland and floodplain protection areas,
- (c) priority plant communities and habitats areas,

Clause 25	Mid Lachlan Regional Vegetation Management Plan 2001
Part 3	Areas where clearing of native vegetation does not require development consent
Division 1	Clearing in accordance with clearing exemptions

(d) self-assessment areas (potential or nominated).

(2) **Exemption**

Native vegetation may be cleared without development consent on areas of land to which this exemption applies for the purpose of carrying out surveys (within the meaning of the *Surveyors Act 1929*) on property boundaries but only if:

- (a) the surveying is carried out by a registered surveyor, and
- (b) the clearing is to the minimum extent necessary for the surveying concerned.

Division 2 Clearing on nominated self-assessment area

26 When development consent is not required

- (1) Native vegetation may be cleared without development consent in the nominated self-assessment area but only if:
 - (a) the minimum planning requirements for self-assessment set out in clause 28, and all applicable best practice clearing standards, are complied with in relation to the nominated self-assessment area, or
 - (b) an exemption under Division 1 of this Part applies to the clearing concerned.

Note. The following exemptions are relevant:

- (a) clearing for strainer posts (clause 14),
- (b) clearing for firewood (clause 15),
- (c) lopping of foliage for stock fodder (clause 16),
- (d) clearing to maintain existing structures (clause 17),
- (e) clearing to maintain existing public utilities or in emergencies (clause 18),
- (f) clearing planted native vegetation (clause 19),
- (g) clearing in a private native forest (clause 20),
- (h) clearing to control pest animals (clause 21),
- (i) clearing native vegetation that is regrowth (clause 22),
- (j) clearing by registered surveyors (clause 25).

(2) Despite subclause (1) (a):

- (a) clause 9 applies to any clearing carried out in the nominated self-assessment area that is large development, and

Mid Lachlan Regional Vegetation Management Plan 2001	Clause 26
Areas where clearing of native vegetation does not require development consent	Part 3
Clearing on nominated self-assessment area	Division 2

- (b) clause 10 or 12, as the case may be, applies to any clearing of native vegetation on Crown land in the nominated self-assessment area.
- (3) Nothing in this Division prevents development consent from being granted in respect of clearing in the nominated self-assessment area that may be carried out without development consent under this Division.

27 Nomination of self-assessment area and duration of status

- (1) The nominated self-assessment area:
 - (a) must be a contiguous area of more than 50 hectares but not more than 400 hectares (including any Crown land or land the subject of large development, or any river, creek, watercourse or other flowline), being an area represented on the district map as a self-assessment area (that is, coloured pink, white or grey), and
 - (b) must be contained within the landholding identified on the full farm plan required to be prepared for the purposes of self-assessment under clause 28.
- (2) The landholder is to nominate the self-assessment area by identifying the area as the nominated self-assessment area on the full farm plan.
- (3) Only one self-assessment area may be nominated at any one time in relation to a landholding.
- (4) The nominated self-assessment area retains that status for a period of 10 years, starting from the date on which self-assessment is completed in relation to the area (as stated in the certificate required by clause 28 (6)), except in the following circumstances:
 - (a) before the 10-year period expires and before any clearing of native vegetation on the area commences under this Division, the landholder ceases to be landholder of all or any part of the area—in which case the entire nominated self-assessment area reverts to being a potential self-assessment area,

Clause 27	Mid Lachlan Regional Vegetation Management Plan 2001
Part 3	Areas where clearing of native vegetation does not require development consent
Division 2	Clearing on nominated self-assessment area

- (b) before the 10-year period expires and after any clearing of native vegetation on the area commences under this Division, the landholder ceases to be landholder of the entire area—in which case the entire nominated self-assessment area reverts to being a potential self-assessment area, except that it cannot be nominated again as a self-assessment area until the 10-year period expires,
- (c) before the 10-year period expires and after any clearing of native vegetation on the area commences under this Division, the landholder ceases to be landholder of part only of the area—in which case, until the 10-year period expires:
 - (i) the part of the nominated self-assessment area in relation to which the landholder ceases to be landholder reverts to being a potential self-assessment area, except that it cannot be nominated again as a self-assessment area, and
 - (ii) this Division continues to apply to the retained part of the nominated self-assessment area as it did immediately before the landholder so ceased to be landholder (that is, the retained area is still considered to be nominated self-assessment area and this Division is to apply to it as if it still formed part of what was the entire nominated self-assessment area),
- (d) before the 10-year period expires and before any clearing under this Division has commenced, the landholder cancels the nomination of the self-assessment area in accordance with subclause (5)—in which case the entire nominated self-assessment area reverts to being a potential self-assessment area on and from the cancellation day.
- (5) The landholder may, at any time before commencing clearing under this Division, cancel the nomination of the self-assessment area by:
 - (a) obtaining the written consent of the owner or (if there is more than one owner) owners to the cancellation, and
 - (b) recording the date of cancellation in the full farm plan.
 The cancellation takes effect on and from the date so recorded.

Mid Lachlan Regional Vegetation Management Plan 2001	Clause 27
Areas where clearing of native vegetation does not require development consent	Part 3
Clearing on nominated self-assessment area	Division 2

- (6) The Director-General may grant an exemption from the application of subclause (4) (a)–(c) to a nominated self-assessment area if the landholder who ceases to be a landholder in relation to that area or part of that area (as referred to in those paragraphs) is not an owner of the landholding to which that area relates.

Note. The effect of an exemption granted under subclause (6) is that subclause (4) will apply in relation to the nominated self-assessment area as if the landholder concerned had not ceased to be landholder in relation to that area or part of that area, as the case may be.

- (7) The owner or (if there is more than one owner) owners of the landholding on which a self-assessment area is nominated may apply in writing to the Director-General for an exemption under subclause (6).
- (8) If the landholder is to cease being a landholder in relation to the nominated self-assessment area or any part of that area before the 10-year period expires, the landholder must record that information in the full farm plan on or before the date the landholder so ceases to be the landholder.

28 Minimum planning requirements for self-assessment

- (1) **Information support package**
Before commencing self-assessment, the landholder must obtain an information support package for self-assessment from the Department. The initial package obtained from the Department in relation to the nominated self-assessment area is to contain the following:
- (a) a copy of the strategy document,
 - (b) an extract of the district map relevant to the landholding (including associated legends, and lists of significant communities and significant species relevant to the area),
 - (c) the results of a search of the Aboriginal Sites Register (if, and to the extent that, such results are made available to the Department by the National Parks and Wildlife Service),
 - (d) copies of relevant vegetation guides,
 - (e) a property planning kit,
 - (f) a checklist to ensure that all relevant matters are addressed,
 - (g) a certification form (to be completed for the purposes of satisfying subclause (6)).

Clause 28	Mid Lachlan Regional Vegetation Management Plan 2001
Part 3	Areas where clearing of native vegetation does not require development consent
Division 2	Clearing on nominated self-assessment area

(2) Any subsequent information support package obtained from the Department in relation to the nominated self-assessment area is to contain:

- (a) current lists of significant communities and significant species relevant to the area, and
- (b) the results of a search of the Aboriginal Sites Register (if, and to the extent that, such results are made available to the Department by the National Parks and Wildlife Service).

A subsequent information support package is to contain a district map extract only if the district map contained in the initial package has been revised.

(3) **Self-assessment**

The landholder must prepare a full farm plan in accordance with the procedures set out in the relevant sections of chapter 1.4, and sections 3.4.2 and 3.4.3, of the strategy document. As a minimum requirement, the full farm plan must contain:

- (a) an aerial photograph of the landholding that clearly identifies the following:
 - (i) the boundaries of the landholding,
 - (ii) the nominated self-assessment area,
 - (iii) the main permanent features on the landholding (both natural and constructed),
 - (iv) the features on the landholding that are periodically maintained (for example fence lines, paddocks, earthworks and laneways),
 - (v) the natural resources on the landholding,
 - (vi) all areas of native vegetation on the landholding (with native vegetation types described),
 - (vii) the areas of native vegetation to be cleared and those to be retained in the nominated self-assessment area in accordance with the best practice clearing standards, and
- (b) assessments of the condition of the native vegetation and of the natural resources on the landholding (carried out in accordance with the procedure set out in chapter 1.4 of the strategy document), and

Mid Lachlan Regional Vegetation Management Plan 2001	Clause 28
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- (c) the results of a search of the Aboriginal Sites Register (if, and to the extent that, such results are provided in the current information support package), and
- (d) the results of an on-ground survey for Aboriginal relics, and targeted flora and fauna surveys (carried out in accordance with the procedure set out in chapter 1.4 of the strategy document), and
- (e) the consent of the owner or (if there is more than one owner) owners of the landholding to the preparation of the full farm plan.

(4) **Time frame for self-assessment**

There is no limit on the time that may be taken to carry out self-assessment. However, the lists of significant communities and significant species relevant to the area and the results (if any) of a search of the Aboriginal Sites Register in an information support package are valid for only 12 weeks (starting from the date the package is obtained by the landholder).

Accordingly, the only such lists and search results that are relevant for the purposes of self-assessment are those that are no more than 12 weeks old as at the date self-assessment is completed.

Note. So although there is no time limit on carrying out self-assessment, the lists and search results (as referred to in subclause (4)) that are finally used in carrying out self-assessment must be less than 12 weeks old as at the date self-assessment is completed, and the lists (including those on the district map extract) and search results in any earlier or initially obtained information support packages become irrelevant.

(5) **Time frame for clearing native vegetation**

Any clearing of native vegetation that is identified through the self-assessment process and that is proposed to be carried out must be commenced no more than 12 weeks, and completed no more than 2 years, after the date on which self-assessment is completed.

(6) **Certificate**

On completing self-assessment, and before commencing any clearing of native vegetation in the nominated self-assessment area under this Division, the landholder must complete and sign a written statement certifying:

- (a) the date the self-assessment is completed, and
- (b) that the landholder has completed each component of self-assessment in accordance with this plan.

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The landholder must not make any statement in the certificate that the landholder knows to be false or misleading.

(7) **Record keeping**

The landholder must:

- (a) retain all records and documents relating to self-assessment (including the full farm plan and the certificate) for a minimum period of 10 years, and
- (b) if the landholder is to cease being a landholder in relation to the nominated self-assessment area or any part of that area before the 10-year period expires, provide the prospective landholder or landholders, as the case may be, with a certified copy of all such records and documents on or before the date the landholder so ceases to be the landholder.

29 Best practice clearing standards—clearing that may be carried out only with development consent

The following clearing may be carried out only with development consent (except to the extent that any exemption in Division 1 applies):

- (a) clearing that is large development in the nominated self-assessment area (clause 9 applies),
- (b) clearing of native vegetation on Crown land in the nominated self-assessment area that is not required to be retained, re-established or recruited under the best practice clearing standards in clause 30 or 31,
- (c) clearing of native vegetation in the nominated self-assessment area (including on Crown land) that is otherwise required to be retained, re-established or recruited under the best practice clearing standards in clause 30 or 31 (clause 12 applies),
- (d) clearing of native vegetation in the nominated self-assessment area that may be carried out without consent under those standards but which will not be carried out in accordance with those standards (clause 12 applies).

Mid Lachlan Regional Vegetation Management Plan 2001	Clause 30
Areas where clearing of native vegetation does not require development consent	Part 3
Clearing on nominated self-assessment area	Division 2

30 Best practice clearing standards—minimum standards for vegetation retention and re-establishment

(1) Application of standards

This clause specifies the minimum standards that apply in relation to retaining and re-establishing native vegetation on key features on the landscape of the nominated assessment area.

Note. These key features include the following:

- (a) minor watercourses, creeks, rivers, wetlands and associated riparian zones and floodplains,
- (b) hills, ridge lines and areas that are important for soil conservation, water quality and salinity management,
- (c) priority plant communities (as listed on the district map or in a more current list),
- (d) Aboriginal places and the sites of Aboriginal relics.

(2) Minimum remnant size

At least 2 patches of native vegetation of at least 25 hectares each, or at least 1 patch of native vegetation of at least 40 hectares, must be retained in the nominated self-assessment area. These retained areas must be at least 400 metres wide and fenced.

This standard does not apply if the only clearing to be carried out in the nominated self-assessment area is the clearing of scattered paddock trees.

Note. The clearing of scattered paddock trees is the subject of a specific minimum standard in clause 31 (1).

(3) Aboriginal sites and places

Any Aboriginal place, or site of an Aboriginal relic, within the nominated self-assessment area, that is identified in the results (if any) of the search of the Aboriginal Sites Register, or the results of the on-ground survey for Aboriginal relics (being the search and survey carried out for the purposes of self-assessment) must be retained.

Note. It is an offence under section 90 of the *National Parks and Wildlife Act 1974* to knowingly destroy, deface or damage an Aboriginal place or relic unless a consent to do so is first obtained under that Act.

It is an offence under section 91 of that Act for a person who is aware of the site of a relic to fail to notify the Director-General of National Parks and Wildlife within a reasonable time of that site unless the person believes on reasonable grounds that the Director-General is aware of that site.

(4) Riparian buffers and wetland communities

The following native vegetation must be retained within the nominated self-assessment area:

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- (a) any native vegetation within 20 metres of the canopy of any riparian or wetland community listed as a significant community on the district map (or, if reference to a more current list is required by clause 28 (4), in that list),

Note. Under clause 7, development consent is required to clear these communities.

- (b) any native vegetation within, or within strips of land at least 20 metres wide on either side of, the bed or bank of a river, creek, watercourse or other flowline that is identified on the district map as a third, or higher, order stream,
- (c) any native vegetation within strips of land on either side of any flowline (other than constructed riparian channels) identified on the district map as a first or second order stream.

The total width of both strips must be at least 40 metres including the banks of the stream, but this width need not be evenly distributed on each side of the stream.

Note. That the total buffer width need not be evenly distributed on each side of the stream allows the buffer strips to follow environmental contours and incorporate the natural features of the landscape. It also facilitates fencing of the buffer strips.

Any strips of native vegetation required to be retained under paragraphs (b) and (c) must be managed so as to prevent or control sediment and nutrient rich run-off entering the flowline and, wherever practicable, must be fenced.

Steps must be taken to re-establish local native trees or local native groundcover or both (as is appropriate to the area concerned) on any area required to be retained by paragraphs (b) and (c) that has previously been cleared.

(5) **Native vegetation on steep hill slopes, prominent ridges and rocky outcrops**

Any native vegetation on any of the following landscape features in the nominated self-assessment area must be retained:

- (a) steep hill slopes (typically, these slopes are more than 14° with soil and slope properties that make them particularly susceptible to erosion),
- (b) prominent ridges (typically, these ridges have narrow crests and adjoining slopes with shallow soils that are particularly susceptible to erosion),

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(c) rock outcrops (being areas with a high proportion of exposed rock or boulders when compared with the surrounding area).

(6) **Native vegetation on areas associated with gully erosion**

Any native vegetation on areas with active gully erosion (being erosion of soil by water flow, resulting in the formation of an incised channel that is more than 30 centimetres deep) within the nominated self-assessment area must be retained.

(7) **Native vegetation on salinity management areas**

Within the nominated self-assessment area, there must be retained a strip of native vegetation at least 50 metres wide (to act as an interception belt) between any recharge area and discharge area identified in the nominated self-assessment area.

In this subclause:

discharge area means an area in which salty groundwater flows and discharges onto or near the soil surface (for example, as seeps or springs) causing non-native vegetation, tolerant of normal saline levels in the soil, to die.

recharge area means an area in which water in excess of the water-holding capacity of the soil moves below the root-zone and is absorbed into a geological zone of saturation or aquifer.

(8) **Priority plant communities and animal habitats**

Within the nominated self-assessment area, the following native vegetation must be retained:

(a) any native vegetation on a 25 metre (fenced) or a 50 metre (unfenced) wide strip of land surrounding any priority plant community listed as a significant community on the district map (or, if reference to a more current list is required by clause 28 (4), in that list),

Note. Under clause 8, development consent is required to clear these communities.

(b) any patches of native vegetation that are being used or are likely to be used by threatened or regionally significant species of fauna (as identified in the targeted species surveys and recorded in the full farm plan).

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(9) **Areas of koala habitat**

The following native vegetation must be retained if it occurs within the nominated self-assessment area, in the local government area of Parkes, Forbes or Weddin:

- (a) any native vegetation identified in relation to the protection and management of koala habitat in a koala plan of management approved under *State Environmental Planning Policy No 44—Koala Habitat Protection*,
- (b) any potential koala habitat that is core koala habitat:
 - (i) that has an area of more than 1 hectare, or
 - (ii) that has, together with any adjoining land in the same ownership, an area of more than 1 hectare (whether or not the adjoining land forms part of the nominated self-assessment area or is potential koala habitat),

In this subclause:

core koala habitat means an area of land with a resident population of koalas, evidenced by attributes such as breeding females (that is, females with young) and recent sightings of and historical records of a population.

potential koala habitat means areas of native vegetation where trees of the types listed in Schedule 2 to *State Environmental Planning Policy No 44—Koala Habitat Protection*, as well as the Tumbledown Red Gum (*Eucalyptus dealbata*), constitute at least 15% of the total number of trees in the upper or lower strata of the tree component.

(10) **Corridors and connecting vegetation**

Within the nominated self-assessment area:

- (a) if any 2 connected areas of native vegetation, each of more than 2 hectares, are to be retained, then a strip of native vegetation linking them that is at least 25 metres wide (if fenced) or 50 metres wide (if unfenced) must be retained, and
- (b) any woody native vegetation within any regional corridor (coloured pink on the district map) that connects ridge tops with riparian vegetation or that acts as “stepping stone” connections between hills or ridges must be retained.

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In this subclause:

riparian vegetation means native vegetation in a riparian zone (being any land that adjoins, directly influences, or is influenced by, a body of water, including land immediately alongside small creeks and rivers, such as banks, gullies and dips that sometimes run with surface water, areas surrounding lakes including terminal lakes, and wetlands that interact with rivers in times of flood).

woody native vegetation means native vegetation other than native groundcover.

(11) **Windbreaks and shelter belts**

Strips of native vegetation must be retained in any paddock within the nominated self-assessment area that is to be cleared. The strips:

- (a) must each be 25 metres wide (if fenced) or 50 metres wide (if unfenced), and
- (b) must be parallel to each other and at intervals of no less than 500 metres, and
- (c) must be located so as to provide a break or shelter against prevailing winds (for example, if the prevailing winds blow from a northerly direction, the strips are to be retained on the northern side of the paddock), and
- (d) wherever practicable, must be located so that they connect with other areas of native vegetation.

(12) **Native grasslands**

At least one corner of any native pasture paddock within the nominated self-assessment area that is to be cropped or that is to be subject to any pasture improvements must be retained to provide a viable groundcover seedbank. The retained area must be upwind and away from stock watering points.

In this clause, **pasture improvements** means any type of manipulation of plant species in the ground to improve pasture growth (for example, through fertilising or sowing pasture seeds).

(13) **Significant communities or significant species**

Within the nominated self-assessment area, native vegetation that is a component of a significant community, or that is a significant species, must be retained.

Clause 31	Mid Lachlan Regional Vegetation Management Plan 2001
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31 Best practice clearing standards—minimum standards for specific activities

(1) Clearing scattered paddock trees

The minimum standards for clearing scattered paddock trees are as follows:

- (a) any scattered paddock trees that are a significant species must be retained,
- (b) at least 10 trees or shrubs (or both) listed as components of significant communities on the district map (or, if reference to a more current list is required by clause 28 (4), in that list) must be planted in the nominated self-assessment area for each scattered native tree to be cleared from the nominated self-assessment area,
- (c) the replacement trees or shrubs:
 - (i) must be planted in a fenced area at least 12 months before the scattered trees are cleared, and maintained until maturity, and
 - (ii) must be appropriate to the location and landscape in which they are planted, and
 - (iii) must be located so as to address land degradation, create patches of native vegetation, or meet or help meet the requirements of another best practice clearing standard (for which purpose they may constitute retained or re-established native vegetation) other than the standard in clause 30 (2),
- (d) any replacement tree or shrub that dies before it matures must be replaced with another tree or shrub (of a type referred to in paragraph (b)) with respect to which paragraph (c) must be complied with.

(2) Thinning for grazing purposes

The minimum standards for thinning native vegetation in the nominated self-assessment area for grazing purposes are as follows:

- (a) all native trees with a diameter at breast height over bark of more than 25 centimetres must be retained,
- (b) all native vegetation that is a component of a significant community, or that is a significant species, must be retained,

Mid Lachlan Regional Vegetation Management Plan 2001	Clause 31
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- (c) if the canopy provided by the crowns of native trees covers between 85% to 100% of the area of native vegetation proposed to be thinned, that area may be thinned only to the extent that at least 85% of canopy cover is retained,
- (d) if the canopy provided by the crowns of native trees covers between 35% to 70% of the area of native vegetation proposed to be thinned, that area may be thinned only to the extent that at least 35% of canopy cover is retained,
- (e) if the canopy provided by the crowns of native trees covers between 15% to 30% of the area of native vegetation proposed to be thinned, that area may be thinned only to the extent that at least 15% of canopy cover is retained,
- (f) if the canopy provided by the crowns of native trees covers between 5% to 10% of the area of native vegetation proposed to be thinned, that area may be thinned only to the extent that at least 5% of canopy cover is retained,
- (g) if the canopy coverage provided by the crowns of native trees in the area of native vegetation proposed to be thinned does not fall within a percentage range referred to in paragraphs (c)–(f), native vegetation in that area must not be thinned.

Clause 32 Mid Lachlan Regional Vegetation Management Plan 2001

Part 4 General

Part 4 General

32 Reference to current information required

- (1) For the purpose of applying this plan to a proposed clearing event:
 - (a) the current district map must be referred to, and
 - (b) if the lists of significant communities and significant species on the map have been superseded, current lists must be referred to (being lists prepared by the Department that are not more than 12 weeks old as at the date the clearing event is commenced).

Note. Extracts of district maps are available on request from the Department, and district maps are available for inspection at offices of the Department within the Mid-Lachlan Region. The Department can advise if the lists of significant communities and significant species on a district map have been superseded, and provide current lists on request.

- (2) Subclause (1) is subject to clause 28 (4).

Note. Clause 28 (4) provides that, for the purposes of self-assessment, the lists of significant communities and significant species (and the search results referred to in that provision) to be referred to must be no more than 12 weeks old at the date self-assessment is completed.

33 Owners must consent to preparation of full farm plans

The owner or (if there is more than one owner) owners of a landholding must consent in writing to the preparation of any full farm plan that is required to be prepared under this plan.

Note. Clauses 23 and 28 require the preparation of a full farm plan in relation to the matters dealt with by those provisions.

34 Consent to clearing native vegetation on land that is core koala habitat

- (1) Before the Minister may grant development consent to clear native vegetation on land that is core koala habitat within the meaning of *State Environmental Planning Policy No 44—Koala Habitat Protection*, the Minister must cause to be prepared a plan of management that applies to the land.
- (2) The plan of management must be prepared in accordance with the guidelines, as in force from time to time, made under that Policy.
- (3) The Minister must take the guidelines into consideration in determining the development application.

Mid Lachlan Regional Vegetation Management Plan 2001

Clause 34

General

Part 4

-
- (4) The Minister's determination of the development application must not be inconsistent with the plan of management.

35 Inconsistencies and other matters concerning borders of management zones

- (1) If there is any inconsistency between the borders of a management zone as shown on the district map and its borders according to the criteria used to identify the contents of a zone (as set out in the strategy document) the latter prevails.
- (2) If an area of land on which native vegetation is proposed to be cleared is adjacent to any area the clearing of native vegetation on which requires development consent (*the other area*), the landholder must, before starting the proposed clearing:
- (a) ensure that the boundary of the other area is clearly defined on the ground, and
 - (b) resolve any doubt about where the boundary of the other area should lie by applying the precautionary principle (that is, the land to which the doubt relates is to be considered to be part of the other area or, if the area proposed to be cleared and the other area both require development consent, part of the area that, in the Minister's opinion, attracts the most restrictive application of the exemptions in Division 1 of Part 3).

36 Development applications for consent to clear native vegetation

The Department must provide any person intending to make an application for development consent to clear native vegetation with copies of the appropriate form.

37 Development consent obtained under Native Vegetation Conservation Act 1997

Development consent to clear native vegetation:

- (a) granted by the Minister under Part 4 of the *Environmental Planning and Assessment Act 1979* pursuant to section 15 of the *Native Vegetation Conservation Act 1997*, and
- (b) in force immediately before this plan commences,

is, to the extent that the development consent is for clearing in respect of which development consent is required under this plan, taken to be development consent granted for the purposes of that requirement.

Clause 38 Mid Lachlan Regional Vegetation Management Plan 2001

Part 4 General

38 Notes

The table of contents and notes in the text of this plan do not form part of this plan.

OFFICIAL NOTICES

Appointments

WORKPLACE INJURY MANAGEMENT AND WORKERS COMPENSATION ACT 1998

APPOINTMENT OF DIRECTOR, WORKCOVER AUTHORITY BOARD OF DIRECTORS

HER Excellency the Governor, with the advice of the Executive Council, and in pursuance of the provisions of Part 2 Division 1 15 (2)(b) of the Workplace Injury Management and Workers Compensation Act 1998, has been pleased to appoint Mr John Robertson as a part-time Director of the WorkCover Authority for the period 22 August 2001 to 13 October 2001.

JOHN DELLA BOSCA MLC,
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

STOCK DISEASES ACT 1923

Notification No. 1656

Revocation of “Wenoma” Quarantine Area — Bolivia

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. 1503 on account of Johne’s disease published in *Government Gazette* No. 68 of 11 June 1999, at page 3912.

Dated this 22nd day of August 2001.

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

STOCK DISEASES ACT 1923

Notification No. 1659

Revocation of “Rockdale” Quarantine Area — Cowra

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. 1494 on account of Johne’s disease published in *Government Gazette* No. 27 of 5 March 1999, at page 1775.

Dated this 22nd day of August 2001.

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

NSW Fisheries

SUBORDINATE LEGISLATION ACT 1989

Proposed Fisheries Regulations

NOTICE regarding proposals to make statutory rules are required to be published in the *Government Gazette* under section 5 of the Subordinate Legislation Act 1989.

It is proposed to make the Fisheries Management (General) Regulation 2001, Fisheries Management (Aquaculture) Regulation 2001 and Fisheries Management (Aquatic Reserves) Regulation 2001. These regulations would replace the existing 1995 regulations of the same name.

Public submissions have previously been sought through newspaper advertisement. The Regulatory Impact Statement can be viewed by contacting NSW Fisheries on 8437 4957 and is also available online at <http://www.fisheries.nsw.gov.au>.

Written submissions should be sent to NSW Fisheries Policy Unit, PO Box 21, Cronulla, NSW 2230, or submitted online through the NSW Fisheries website. Submissions will be accepted until close of business, 28 September 2001.

FISHERIES MANAGEMENT ACT 1994

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

An area of 0.3292 hectares, formally referred to as part 1 of oyster lease OL98/004 located within the estuary of Port Stephens - Karuah, is hereby excluded for a public purpose, namely a bridge road on the Pacific Highway for a period of 5 years. This decision may be reviewed annually thereafter.

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

FISHERIES MANAGEMENT ACT 1994

Section 163 — Notice of Receipt of Application for Aquaculture Lease

THE following applications for a Class 1 Aquaculture Lease has been made by:

SOUTHERN MANAGEMENT CONSULTANTS PTY LTD of Australian Capital Territory for an area of 6.2004 hectares situated in Tuross Lake, Parish of Bodella, County of Dampier.

Specific details of the proposed lease can be obtained by contacting NSW Fisheries at Port Stephens.

Submissions supporting or objecting to the proposal may be lodged with NSW Fisheries, Private Bag 1, Nelson Bay, NSW 2315, within 30 days from the date of publication of this notice.

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

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATIONS 1995

Clause 35 (4) — Notice of Class 1 Aquaculture Lease Renewal

THE Minister has renewed the following aquaculture leases:

OL85/215 within the estuary of Shoalhaven River, having an area of 0.7094 hectares to Peter ZEALAND of Shoalhaven Heads, NSW, for a term of 15 years expiring on 28 February 2016.

OL70/582 within the estuary of Merimbula Lake, having an area of 0.3937 hectares to AQUACULTURE ENTERPRISES PTY LTD of Pambula, NSW, for a term of 15 years expiring on 31 August 2016.

OL71/260 within the estuary of Hawkesbury River, having an area of 0.7310 hectares to PD and H MOXHAM OYSTERS PTY LTD of Brooklyn, NSW, for a term of 15 years expiring on 8 August 2016.

OL71/040 within the estuary of the Shoalhaven River, having an area of 0.5400 hectares to Mr James WILD of Greenwell Point, NSW, for a term of 15 years expiring on 30 April 2016.

OL86/138 within the estuary of Port Stephens – Tea Gardens, having an area of 2.7220 hectares to Cary KLEIN and Jennifer KLEIN of Shoal Bay, NSW, for a term of 15 years expiring on 15 July 2017.

OL72/221 within the estuary of the Hastings River, having an area of 0.4068 hectares to Clement R MARKS, Lorna M MARKS and Kevin R MARKS of Port Macquarie, NSW, for a term of 15 years expiring on 28 July 2017.

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

Department of Land and Water Conservation

Land Conservation

GOULBURN OFFICE

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

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Young	Part being Lot 1 DP 48015 of
Shire: Young	1337 square metres
Parish: Young	
County: Monteagle	
Location: Young	
Reserve No: 78575	
Purpose: For Police Purposes	
Date of Notification: 11th May, 1956	
Torrens Title Identifiers: 1/48015	
File No: GB 96 H 502	

ERRATA

IN the notice appearing in the NSW *Government Gazette* No. 34, Folio 6504, dated 24 August 2001, under the heading Notification of Closing of a Road, delete "being Folio Identifiers 1/1032655 and 2/1032655" and insert "Not being land under Real Property Act".

File No.: GB00 H 11.

IN the notice appearing in the NSW *Government Gazette* No. 34, Folio 6504, dated 24 August 2001, under the heading Notification of Closing of a Road, delete "being Folio Identifiers 1/1032069 and 2/1032069" and insert "Not being land under Real Property Act".

File No.: GB00 H 268.

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

ROADS ACT 1993

ORDER

CORRECTION OF DEFECTIVE INSTRUMENT

SCHEDULE 1

PURSUANT to Section 257 of the Roads Act 1993, the NOTIFICATION OF CLOSING OF A ROAD for the Parish of Mittagong, County of Camden, which appeared in the *Government Gazette* dated 30 March 2001 (folio 1682), is amended by adding "(Being land contained in CT Vol 6078 Fol 179)".

SCHEDULE 2

PURSUANT to Section 257 of the Roads Act 1993, the NOTIFICATION OF CLOSING OF A ROAD for the Parish of Bong Bong, County of Camden, which appeared in the *Government Gazette* dated 30 March 2001 (folio 1682), is amended by adding "(Being land contained in CT Vol 4021 Fol 14)".

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

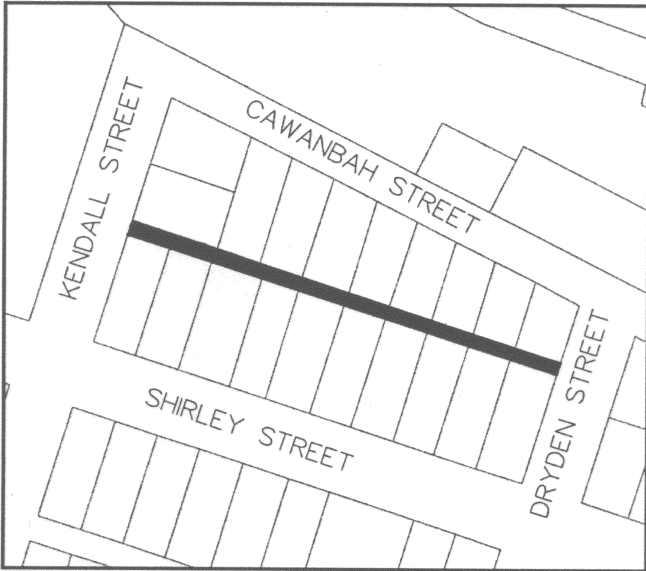
IN pursuance of the provisions of section 151, Roads Act 1993, the Crown roads specified in Schedule 1 are transferred to the Roads Authority specified in Schedule 2, hereunder, as from the date of publication of this notice and as from that date the roads specified in Schedule 1 cease to be Crown roads.

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

SCHEDULE 1

The Crown public roads shown by black colour on the diagrams hereunder at Byron Bay, Parish Byron, County Rous.





Not to scale
Diagrammatic representation only

SCHEDULE 2

Roads Authority: Byron Shire Council
Papers: GF01 H35.
Councils Ref: ENG655000 (#242954)

ROADS ACT 1993

Dedication of Crown Land as Public Road

IN pursuance of the provisions of section 12, Roads Act 1993, the Crown Land specified in Schedule 1 is dedicated as a public road under the control of the Roads Authority specified in Schedule 2, hereunder, as from the date of publication of this notice.

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

SCHEDULE 1

*Land District — Lismore;
Shire — Byron.*

Crown Land being Lot 1, DP 1028184 at Byron Bay,
Parish Byron, County Rous.

SCHEDULE 2

Roads Authority: Byron Shire Council.
Papers: GF01 H 101.

RESERVATION OF CROWN LAND

PURSUANT to section 87 of the Crown Land Act 1989, the Crown Land specified in Column 1 of the Schedule hereunder is reserved as specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

COLUMN 1

Land District: Grafton.
Local Government Area:
Maclean Shire Council.
Parish: Yamba.
County: Clarence,
Locality: Yamba.
Lot 7040, section *,
DP 1023318.
Area: 4400 square metres.
File No.: GF01 R 34.

COLUMN 2

Reserve No.: 1003009.
Public Purpose: Public recreation
and coastal environmental
protection.

**ESTABLISHMENT OF A RESERVE TRUST AND
APPOINTMENT OF CORPORATION TO MANAGE
RESERVE TRUST**

1. PURSUANT to section 92 (1) of the Crown Lands Act 1989, the reserve trust specified in Column 2 of the Schedule is established under the name stated in that column and is appointed as trustee of the reserve specified in Column 1 of the Schedule.
2. PURSUANT to section 95 of the Crown Lands Act 1989, the corporation specified in Column 3 of the Schedule is appointed to manage the affairs of the reserve trust specified in Column 2.

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

SCHEDULE

COLUMN 1

Reserve No.
R1003009 at
Yamba for the
public purpose of
public recreation and
coastal environmental
protection, notified
this day.
File No.: GF01 R 34.

COLUMN 2

Clarence River
Coastal Zone
Reserve Trust.

COLUMN 3

Maclean Shire Council.

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

**NOTIFICATION UNDER THE ROADS ACT 1993
OF ACQUISITION OF LAND FOR THE PURPOSES
OF ROAD AND THE CLOSING OF ROADS**

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described are acquired for road and dedicated as a public road, such road is hereby declared to be a Crown road; and the roads specified hereunder are hereby closed.

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

Description

*Parishes - Herschell and Liddell; County - Durham;
Land District - Singleton;
Local Government Area - Muswellbrook and Singleton*

Opening of a road at Upper Hebden, DP 1012182.

Land acquired and dedicated for a public road (Crown road): Lot 1.

Title and area affected: Folio Identifier 2/829977 (3.135 Hectares).

Road Closed: Lot 2.

File Reference: MD 98 H 261

Note: On closing the land within Lot 2, DP 1012182 will remain land vested in the Crown as Crown land and part will be given in compensation for the land acquired for road.

ESTABLISHMENT OF RESERVE TRUST

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

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

SCHEDULE 1

COLUMN 1 Nelson Bay Boat Harbour (R170169) Reserve Trust	COLUMN 2 Part Reserve No. 170169 being Lots 150 to 558 DP1033413 Public Purpose: Port Facilities and Services Notified: 28 June 1996 File Reference: MD98 R 7
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**APPOINTMENT OF CORPORATION TO MANAGE
RESERVE TRUST**

PURSUANT to section 95 of the Crown Lands Act 1989, the corporation specified in Column 1 of the Schedule hereunder is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of part of the reserve referred to in Column 3 of the Schedule.

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

SCHEDULE 1

COLUMN 1 Port Stephens Council	COLUMN 2 Nelson Bay Boat Harbour (R170169) Reserve Trust	COLUMN 3 Part Reserve No. 170169 being Lots 550 to 558 DP1033413 Public Purpose: Port Facilities and Services Notified: 28 June 1996 File Ref: MD98 R 7
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Commencing this day.

**NOTIFICATION UNDER THE ROADS ACT 1993
OF ACQUISITION OF LAND FOR THE PURPOSES
OF ROAD AND THE CLOSING OF ROADS**

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described are acquired for road and dedicated as a public road, such road is hereby declared to be a Crown road; and the roads specified hereunder are hereby closed.

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

Description

*Parish — Dora; County — Northumberland;
Land District — Newcastle;
Local Government Area — Lake Macquarie*

Opening of a road at Martinsville, DP 1012185.

Land acquired and dedicated for a public road (Crown road): Lots 1 and 2.

Title and area affected: Folio Identifier 971/877453 (6538.8 square metres).

Road Closed: Lot 3.

File Reference: MD 98 H 248

Note: On closing the land within Lot 3, DP 1012185 will remain land vested in the Crown as Crown land and will be given in compensation for the land acquired for road.

ra223

ra150

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 — Dora; County — Northumberland;
Land District — Newcastle;
Local Government Area — Lake Macquarie*

The crown public road 20.115 metres wide, being Lots 1, 2 and 4 DP 1012185 and known as Tierneys Lane at Martinsville. (Lots 1 and 2 DP 1012185, were acquired this day for road purposes.).

SCHEDULE 2

Roads Authority: Lake Macquarie Council
File No: MD 98 H 248
Council's Reference: 3/69/128/001

**NOTIFICATION UNDER THE ROADS ACT 1993
OF ACQUISITION OF LAND FOR THE PURPOSES
OF ROAD AND THE CLOSING OF ROADS**

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described are acquired for road and dedicated as a public road, such road is hereby declared to be a Crown road; and the roads specified hereunder are hereby closed.

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

Description

*Parish — Stowe; County — Northumberland;
Land District — Gosford;
Local Government Area — Wyong*

Opening of a road at Brush Creek, DP 1028249.

Land acquired and dedicated for a public road (Crown road): Lot 1.

Title and area affected: Folio Identifier 602/558084 (1642 square metres).

Road Closed: Lot 2.

File Reference: MD 99 H 168

Note: On closing the land within Lot 2, DP 1028249 will remain land vested in the Crown as Crown land and will be given in compensation for the land acquired for road.

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

*Parish — Cowan;
County — Northumberland;
Land District — Gosford;
Local Government Area — Gosford.*

Road Closed: Lot 1, DP1006218 at Calga (not being land under the Real Property Act).

Road Closed: Lot 2, DP1006218 at Calga (not being land under the Real Property Act).

File No.: MD98 H 118.

Note: On closing the land within Lot 1, DP1006218 will remain land vested in Gosford City Council as operational land. (Council's Reference: PP 1398).

Note: In accordance with section 44 of the Roads Act 1993, the Crown consents to the land in Lot 2, DP1006218 being vested in Gosford City Council as operational land, to be given by the Council as compensation for other land acquired by the Council for the purposes of the Roads Act. (Council's Reference: PP 1398).

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

A Draft Assessment has been prepared for Crown Land situated as described hereunder.

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

Department of Land and Water Conservation (Maitland),
Cnr Banks and Newcastle Road, East Maitland.

Port Stephens Shire Council, 116 Pacific Highway,
Raymond Terrace.

Submissions in writing will be accepted by the Manager, Resource Knowledge of the Newcastle Regional Office, 464 King Street, Newcastle, until 4.00 p.m. on 5 October 2001.

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

Description

Draft Assessment of mainly reclaimed Crown foreshore land, about 820 square metres, being Lot 387, DP 753204 and adjoining Crown Land below the mean high water mark of Cromartys Bay at Diemar Point, Parish Tomaree, County Gloucester.

Land Assessment No.: 52.

File No.: MD92 H 415.

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

A Draft Assessment has been prepared for Crown Land situated as described hereunder.

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

Department of Land and Water Conservation (Maitland),
Cnr Banks and Newcastle Road, East Maitland.

Gosford City Council, 49 Mann Street, Gosford.

Submissions in writing will be accepted by the Manager, Resource Knowledge of the Newcastle Regional Office, 464 King Street, Newcastle, until 4.00 p.m. on 5 October 2001.

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

—————
Description

Draft Assessment of Crown Land below mean high water mark, about 100 square metres, fronting Council owned reserve adjoining Lot 30, DP 31889 at Asca Drive, Green Point.

Land Assessment No.: 60.

File No.: MD00 H 13.

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

A Draft Assessment has been prepared for Crown Land situated as described hereunder.

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

Department of Land and Water Conservation (Maitland),
Cnr Banks and Newcastle Road, East Maitland.

Port Stephens Shire Council, 116 Pacific Highway,
Raymond Terrace.

Submissions in writing will be accepted by the Manager, Resource Knowledge of the Newcastle Regional Office, 464 King Street, Newcastle, until 4.00 p.m. on 5 October 2001.

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

—————
Description

Draft Assessment of Crown Land below the mean high water mark of Port Stephens, about 0.698 hectares, adjoining Lot 539, DP 823769 at Ridgeway Avenue, Soldiers Point.

Land Assessment No.: 58.

File No.: MD01 H 22.

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

**NOTIFICATION UNDER THE ROADS ACT 1993,
 OF THE ACQUISITION OF LANDS FOR ROADS,
 ACQUISITION OF SEVERED LANDS, OF SETTING
 ASIDE OF UNOCCUPIED CROWN LANDS AS
 ROAD, OF DECLARATION OF ROADS TO BE
 PUBLIC ROADS AND OF CLOSING OF ROADS.**

IN pursuance of the provisions of the Roads Act 1993, the lands hereunder are acquired for the purpose of road, such parts are opened as public road, the unoccupied Crown Lands specified are set aside as road and, together with the additional roads particularised hereunder, are dedicated as public roads and dedicated to the public accordingly (except where otherwise stated), and the roads specified are hereby closed (to be granted in compensation).

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

Description

Parish — Wallaya;
County — Camden;
Land District — Nowra;
Local Government Area — Shoalhaven City.

Opening of a road at Wattamola, DP 1031443.

File No.: NA00 H 148.

Land acquired for road: Lots 1 and 4, DP 1031443.

Title affected and area acquired: C/F 86/751292 being 4493.5 square metres and C/F 87/751292 being 507.5 square metres.

Road closed: Lot 2, DP 1031443.

Notes: 1. Lot 2, DP 1031443 is vested in the State of New South Wales as Crown Land.

2. Lots 1 and 4, DP 1031443 are declared to be a Crown road.

**DRAFT ASSESSMENT OF LAND UNDER PART 3 OF
 THE CROWN LANDS ACT 1989 AND THE CROWN
 LANDS REGULATIONS, 2001**

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 Nowra Office of the Department of Land and Water Conservation, 64 North Street, Nowra and at the Shoalhaven City Council Chambers, Bridge Road, Nowra, during normal business hours.

Representations are invited on the Draft Assessment and may be made in writing for a period commencing from 7 September until 15 October 2001 and should be sent to the Land Assessment Officer, Department of Land and Water Conservation, PO Box 309, Nowra 2541.

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

Description

Crown Land below the mean high water mark of Wandandian Creek to the tidal limit and the adjoining foreshore reserves including Reserve 158 for access, Reserve 84716 for public recreation and Reserve 9398 for wharf and access, Parish of Farnham and Wandrawandian, County of St Vincent within Shoalhaven City Council local government area.

Reason for Assessment: To assist in the consideration of appropriate future land use and management options.

Contact: Mr Rob Micheli (phone: (02) 4429 2909).

File No.: NA99 H 132.

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

**NOTIFICATION OF PROPOSED CLOSING
OF A ROAD**

IN pursuance of the provisions of the Roads Act 1993, I propose to consider the closing of the roads hereunder described.

All persons interested are hereby called upon to set forth in writing and forward to the officer specified in the notice for the purpose, within one month from the date of publication of this notice, any objections or submissions which may appear to them to exist to this proposal.

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

Description

Land District and LGA - Lithgow

Lawrence James and Beryl BENNETT. Proposed closing of the part of the Crown public road partly north of lot 271 in DP 751638, Parish of Falnash, County of Cook. Objections/submissions should be forwarded to the Manager, Resource Access and Compliance, Department of Land and Water Conservation, PO Box 2146, Orange 2800. File reference: OE01H284.

NOTIFICATION OF CLOSING OF A ROAD

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

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

Description

*Land District — Molong;
Council — Cabonne.*

Road Closed: Lot 1, DP 1029783 at Manildra, Parish Dulladerry, County Ashburnham, being land not under the Real Property Act. File No.: OE00 H 189.

Note: On closing the land remains vested in the Crown 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 thereunder, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Peter William BEDDIE (new member), Kerri anne DUNN (new member), Gerard John HOUWELING (new member).	Mandagery Public Hall Trust.	Reserve No.: 72676. Public Purpose: Public hall. Notified: 9 April 1948. Locality: Mandagery. File No.: OE81 R 88.

Term of Office

For a term commencing this day and expiring 26 July 2006.

ADDITION TO RESERVED CROWN LAND

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

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

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Lithgow. Local Government Area: Lithgow City Council. Parish: Hartley. County: Cook. Locality: Hartley Vale. Lot 52, section *, DP 1026523. Area: 3324 square metres. File No.: OE81 R 139.	Reserve No.: 190007. Public Purpose: Preservation of Graves. Notified: 29 August 1986.

SYDNEY METROPOLITAN OFFICE
Department of Land and Water Conservation
Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta, NSW 2150
(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 — Penrith;
L.G.A. — Blue Mountains.

The Crown public road on the southern boundary of lot 1 in DP 5890 at Leura, Parish Blackheath, County Cook (not being land under the Real Property Act).

File No.: MN99 H 191.

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

—————
Land District — Metropolitan;
L.G.A. — Pittwater.

Lot 150, DP 1031127 at Newport, Parish Narrabeen (Sheet 2), County Cumberland (being land in CT Vol. 1529, Folio 162).

File No.: MN00 H 264.

Note: On closing, title for the land in Lot 150 remains vested in Pittwater Council as operational land.

—————
Land District — Metropolitan;
L.G.A. — Pittwater.

Lot 110, DP 1031408 at Whale Beach, Parish Narrabeen (Sheet 2), County Cumberland (being land in CT Vol. 2834, Folios 78 and 79).

File No.: MN00 H 330.

Note: On closing, title for the land in Lot 110 remains vested in Pittwater Council as operational land.

—————
Land District — Metropolitan;
L.G.A. — Pittwater.

Lot 103, DP 1031407 at Palm Beach, Parish Narrabeen (Sheet 1), County Cumberland (being land in CT Vol. 2289, Folio 43).

File No.: MN00 H 342.

Note: On closing, title for the land in Lot 103 remains vested in Pittwater Council as operational land.

Land District — Metropolitan;
L.G.A. — Pittwater.

Lot 100, DP 1031414 at Newport, Parish Narrabeen (Sheet 2), County Cumberland (not being land under the Real Property Act).

File No.: MN00 H 333.

Note: On closing, title for the land in Lot 100 remains vested in Pittwater Council as operational land.

—————
Land District — Metropolitan;
L.G.A. — Pittwater.

Lot 1, DP 1031651 at Palm Beach, Parish Narrabeen (Sheet 1), County Cumberland (being land in CT Vol. 3758, Folio 71).

File No.: MN00 H 260.

Note: On closing, title for the land in Lot 1 remains vested in Pittwater Council as operational land.

—————
Land District — Metropolitan;
L.G.A. — Pittwater.

Lot 1, DP 1031652 at Palm Beach, Parish Narrabeen (Sheet 1), County Cumberland (being land in CT Vol. 3758, Folio 71).

File No.: MN97 H 277.

Note: On closing, title for the land in Lot 1 remains vested in Pittwater Council as operational land.

—————
Land District — Metropolitan;
L.G.A. — Pittwater.

Lot 102, DP 1031410 at Palm Beach, Parish Narrabeen (Sheet 1), County Cumberland (being land in CT Vol. 2289, Folio 43).

File No.: MN00 H 339.

Note: On closing, title for the land in Lot 102 remains vested in Pittwater Council as operational land.

—————
Land District — Metropolitan;
L.G.A. — Liverpool.

Lot 1, DP 1032440 at Voyager Point, Parish Holsworthy (Sheet 2), County Cumberland (being land in CT Vol. 7648, Folio 244).

File No.: MN99 H 99.

Note: On closing, title for the land in Lot 1 remains vested in Liverpool City Council as community land.

*Land District — Metropolitan;
L.G.A. — Pittwater.*

Lot 51, DP 1032491 at North Narrabeen, Parish Narrabeen (Sheet 4), County Cumberland (being land in CT Vol. 1862, Folio 35).

File No.: MN97 H 176.

Notes: [1] On closing, title for the land in Lot 51 remains vested in Pittwater Council as operational land.

[2] The road is closed subject to an easement for electricity purposes as shown in DP 1032491.

[3] The road is closed subject to a restriction on the use of the land as defined in the instrument lodged with DP 1032491.

APPOINTMENT OF ADMINISTRATOR

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

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Andrew James McANESPIE.	Six Foot Track Heritage Trust.	Reserve No.: 1001056. Public Purpose: Environmental protection, heritage purposes and public recreation. Notified: 27 February 1998. File No.: MNOE99R1.

For a term on 30 November 2001.

Water Conservation

WATER MANAGEMENT ACT 2000

Coxs River Water Management Committee

I, RICHARD SANDERSON AMERY, Minister for Agriculture and Minister for Land and Water Conservation, do by this my Order, pursuant to section 12 of the *Water Management Act 2000*, establish the Coxs River Water Management Committee to prepare a draft water management plan, pursuant to Chapter 2, Part 3 of the *Water Management Act 2000*, in accordance with the terms of reference in the Schedule hereunder.

Dated the 28th day of August 2001

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

SCHEDULE

1) Water sources to be considered by the Committee

1a) For the purposes of preparing its draft water management plan, the Committee will account for the following water sources:

- All surface water within the hydrologic catchment of the Coxs River (including the Kowmung River and Kedumba Creek) upstream of a projection from:
 - a) the northern boundary of Portion 38, Parish of Speedwell, County of Westmoreland where it intersects the water level on Lake Burragorang, to
 - b) the southern boundary of Portion 37, Parish of Kedumba, County of Cook where it intersects the water level on Lake Burragorang.
- Water transferred into the Coxs River catchment from the Fish River, a tributary of the Macquarie River, the hydrologic catchment of which drains to the west. Water from the Fish River is supplied in accordance with the provisions of the *Water Management Act 2000*.
- Known aquifers where all or part of the aquifer's land surface projection falls within the hydrologic catchment of the Coxs River. This also includes accounting for water currently extracted by mine dewatering from these aquifers whether or not the dewatering discharges into the Coxs River hydrologic catchment.

2) Primary Task

2a) The Committee must prepare a draft water management plan the extent of which makes provisions for:

- water sharing in accordance with Chapter 2, Part 3, Division 2 of the *Water Management Act 2000*, and
- aquifer interference in accordance with Chapter 2, Part 3, Division 6 of the *Water Management Act 2000*.

2b) The water sharing provisions of the management plan must deal with the following matters:

(i) the establishment of environmental water rules for the area in relation to the following three classes of environmental water:

- water that is committed for fundamental ecosystem health at all times, and may not be taken or used for other purposes (environmental health water)
- water that is committed for specified environmental purposes at specified times or in specified circumstances, but may, at other times and in other circumstances, be taken and used for other purposes (supplementary environmental water)
- water that, pursuant to an access licence, is committed for specified environmental purposes, either generally or at specified times or in specified circumstances (adaptive environmental water);
 - (ii) the identification of requirements for water within the area to satisfy basic landholder rights;
 - (iii) the identification of requirements for water for extraction under access licences;
 - (iv) the establishment of a bulk access regime for the extraction of water under access licences, having regard to the environmental water rules referred to in paragraph (i) and the requirements referred to in paragraphs (ii) and (iii). The bulk access regime:

- must recognise and be consistent with any limits to the availability of water that are set (whether by the relevant management plan or otherwise, in either case not in excess of the licence embargoes that currently apply) in relation to the water sources to which the regime relates, and
- must establish rules according to which access licences are to be granted and managed and available water determinations to be made, and
- must recognise the effect of climatic variability on the availability of water, and
- may establish rules with respect to the priorities according to which access licences are to be adjusted as a consequence of any reduction in the availability of water. These rules must give priority to local water utility access licences, major utility access licences and domestic and stock access licences over all other access licences;
- (v) the establishment of transfer rules for the area. These rules must comply with the Minister's transfer principles that, for the State, are currently being developed as a basis for the Committee's recommendations on local transfer rules.

The water sharing provisions of the management plan may also deal with the following matters:

- the rates, times and circumstances under which water may be taken from the water sources in the area, or the quantity of water that may be taken from the water sources in the area or delivered through the area
- the kinds of water supply works that may be constructed and used in the area
- the operation of water accounts for the area, such as the carrying over of credits from one accounting period to the next, and the maximum credit that may be allowed to accumulate in any account

- water sharing measures for the protection and enhancement of the quality of water in the water sources in the area or for the restoration or rehabilitation of water sources or their dependant ecosystems
- measures to give effect to the water management principles and the objects of the *Water Management Act 2000*.

2c) The aquifer interference activity provisions of the management plan must deal with the following matters:

(i) identification of the nature of any aquifer interference causing impacts, including cumulative impacts, on the water sources or their dependant ecosystems, and the extent of those impacts;

(ii) specification of aquifer interferences which are to require aquifer interference approvals in the area.

The aquifer interference activity provisions of the management plan may also deal with the following matters:

- the undertaking of work for the purpose of restoring or rehabilitating the water sources or their dependant ecosystems
- specific controls on activities causing unacceptable impacts
- the preservation and enhancement of the quality of water in the water sources in the area affected by aquifer interference
- measures to give effect to the water management principles and the objects of the *Water Management Act 2000*.

2d) The Committee must incorporate in their draft water management plan, the decisions of the Government recorded in the *Statement of Joint Intent for the Hawkesbury Nepean River System* (12 March 2001). Particular attention must be paid to the river flow management strategies outlined in the Statement.

2e) The Committee must:

- evaluate existing inter-valley transfer rules between the Fish and Cocks Rivers, in consultation with the relevant authorities responsible for water management in the Fish River, and develop, if necessary, new transfer rules, and
- for the aquifers in the area, establish the sustainable extraction limits, and
- evaluate the impacts of existing mine de-watering on;

i) groundwater dependant ecosystems, and

ii) increases to stream flows from de-watering discharges whether into the Cocks River or other catchments, and incorporate these findings in their draft water management plan.

2f) The Committee must, within the context of preparing its draft water management plan, review the conditions, including the drought triggers, of the Water Management Licence issued to Delta Electricity on 1 July 2000 under Part 9 of the *Water Act 1912* by the Water Administration Ministerial Corporation. Such review may recommend to the Minister any considerations appropriate for the five year review of the Licence.

2g) In preparing its draft management plan, the Committee must:

- have due regard to the socio-economic impacts of the proposals in its plan
- exercise its functions consistently with the principles of ecologically sustainable development
- take all reasonable steps to do so in accordance with, and so as to promote, the water management principles of the *Water Management Act 2000*.

In particular the Committee must take account of the three water sharing principles and give them priority in the following order:

(i) sharing of water from a water source must protect the water source and its dependant ecosystems, and

(ii) sharing of water from a water source must protect the basic landholders rights of owners of the land, and

(iii) sharing or extraction of water under any other right must not prejudice the principles set out in paragraph (i) and (ii).

Similarly the Committee must take account of the principles relating to aquifer interference activities:

(i) the carrying out of aquifer interference activities must avoid or minimise land degradation, including soil erosion, compaction, geomorphic instability, contamination, acidity, waterlogging, decline of native vegetation or, where appropriate, salinity and, where possible, land must be rehabilitated, and

(ii) the impacts of carrying out of aquifer interference activities on other water users must be avoided or minimised.

2h) The draft management plan must include the following components:

- a vision statement
- objectives consistent with the vision statement
- strategies for reaching those objectives
- performance indicators to measure the success of those strategies.

2i) The draft management plan must be consistent with:

- the State Water Management Outcomes Plan
- any relevant State environmental planning policy under the *Environmental Planning and Assessment Act 1979*
- any relevant protection of the environment policy under the *Protection of the Environment Operations Act 1997*
- any regulation under the *Sydney Water Catchment Management Act 1998*
- government policy, including government policy in relation to the environmental objectives for water quality and river flow.

2j) The draft management plan may contain provisions:

- with respect to the kinds of monitoring and reporting requirements that should be imposed as conditions of approvals having effect within the area

- with respect to the mandatory conditions to which access licences and approvals having effect within the area are to be subject
- indicating the circumstances in which, the matters in respect of which and the extent to which the management plan may be amended by the Minister during the period for which it is in force.

3) *Additional Tasks*

3a) By no later than its second report to the Minister, the Committee is to recommend to the Minister any additional aspects of water management that should be considered in respect of any of the water sources being considered by the Committee. Additional aspects may include but are not limited to water use, controlled activities and environmental protection. Recommendations may also be made with respect to the preservation and enhancement of the quality of water in the water sources. After considering the Committee's recommendations, the Minister may task the Committee, another water management committee, or an advisory or other committee, to deal with all or some of the additional aspects in a draft water management plan, Minister's plan or specific report.

3b) As soon as practicable after the management plan is made, the Committee is to reconvene to review and provide comment to the Minister on the initial implementation program that will be prepared under section 51 of the *Water Management Act 2000* by the Department of Land and Water Conservation.

4) *Committee Operation*

4a) The Committee is to operate in accordance with the constitution and procedure set out in Schedule 6 of the *Water Management Act 2000*. This Schedule specifies such matters as acting chairperson, remuneration, vacancies, decision making and keeping records. Of particular note is the requirement under Schedule 6, section 12(3)(a) that the Committee's decision to submit its draft management plan to the Minister must be a unanimous decision of the Committee at a meeting at which a quorum (a majority of members) is present.

5) *Term of Office and Reporting*

5a) The Committee is to submit its draft water management plan to the Minister within two years of the date of its first meeting unless this period is extended, in writing, as a result of additional tasks conferred on the Committee as noted in item 3a) above. The Committee may need to convene after it has submitted its draft plan to consider submissions received during the public exhibition phase and prior to the plan being made. The Committee's tasks are complete once the plan is made. However the Committee will need to reconvene to review the initial implementation plan noted in item 3b) above.

5b) The Committee is to report to the Minister every six months on progress in preparing its water management plan.

WATER ACT 1912

AN APPLICATION under Part 2 of the Water Act 1912 being within a Proclaimed (declared) Local Area under section 5 (4) of the Act.

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

Murray River Valley

Gordon Albert SPENCE trading as BOOKIT PASTORAL CO PTY LTD for two pumps on an Unnamed Watercourse on Lot 4, a cutting on Bookit Creek on Lots 4 and 10, and an overshot dam on Bookit Creek on Lots 4 and 10, all Parish of Mia Mia, County of Wakool, for water supply for irrigation of 69 hectares (replacement licence due to permanent transfer) (GA2: 504515) (Reference: 50SL75349).

Any enquiries regarding the above should be directed to the undersigned (Phone: [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 28 days of the date of this publication.

L. J. HOLDEN,
Acting Senior Natural Resource Officer
Murray Region

Department of Land and Water Conservation
PO Box 205, DENILIKIN 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

Barrie Noel CORNER for 2 pumps on the Cudgegong River, Lot 12, DP 755427, Parish of Derale, County of Phillip for water supply for stock and domestic purposes and irrigation of 3.47 hectares (stone fruits, grapes, olives) (replacement licence) (in lieu of advertisement 16 October 2000) (80SL95747) (GA2: 311295)

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 6884 2560).

FRED HUNDY,
Water Access Manager, Macquarie

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

WATER ACT 1912

APPLICATIONS under Part 2 within a Proclaimed (declared) Local Area under section 5(4) of the Water Act 1912.

Applications for licences under section 10 for works within a Proclaimed (declared) Local Area as generally described hereunder have been received as follows:

Murrumbidgee Valley

BURRABOGIE PASTORAL CO. PTY LTD for 9 pumps on the Murrumbidgee River on Lots 9 and 60, DP 756741, Parish of Burrabogie, Lot 6, DP 756781, Parish of Pembelgong, County of Waradgery and Lots 6, 8 and 14, DP 750894, Parish of Mulberrygong, County of Boyd for a water supply for stock and domestic purposes and irrigation of 2362.8 hectares, (pasture and cereal crops including rice). Replacement licence, amalgamation of existing entitlements and an additional work (pump), no increase in area or allocation. Reference: 40SL70670.

Philip Ronald JOHNSON for 2 pumps on the Murrumbidgee River, on part Lot 1, DP 756793, Parish of Tongul, County of Waradgery, for a water supply for stock and domestic purposes and irrigation of 162 hectares, (maize, rice, wheat, barley, canola). Alteration of pump site only, no increase in area or allocation. (Reference: 40SL70649).

Bernard James REARDON and Janette Valery REARDON for a existing bywash dam on an Unnamed Watercourse, Lot 1 in the subdivision of Lot 32, DP867333, Parish of Wamboin, County of Murray, for the conservation of water for stock and domestic purposes only. New Licence Reference: 40SL70605.

Bernard James REARDON and Janette Valery REARDON for a existing bywash dam on an Unnamed Watercourse, Lot 2 in the subdivision of Lot 32, DP867333, Parish of Wamboin, County of Murray, for the conservation of water for stock and domestic purposes only. New Licence Reference: 40SL70606.

Bernard James REARDON and Janette Valery REARDON for a existing bywash dam on an Unnamed Watercourse, Lot 3 in the subdivision of Lot 32, DP867333, Parish of Wamboin, County of Murray, for the conservation of water for stock and domestic purposes only. New Licence Reference: 40SL70607.

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

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

S. F. WEBB,
Resource Access Manager
Murrumbidgee Region

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

WATER ACT 1912

AN APPLICATION under Part 2 within a Proclaimed (declared) Local Area under section 5(4) of the Water Act 1912.

AN application for an authority under section 20 for works within a proclaimed (declared) local area as generally described hereunder have been received from:

Murrumbidgee Valley

DARCOOLA JOINT WATER AUTHORITY for four pumps on the Murrumbidgee River on Part TS & CR10140, Parish of Benduck South, County of Waradgery, for a water supply for stock and domestic purposes and irrigation of 324 hectares. Replacement Authority, increase in stock water allocation only. Reference: 40SA5584.

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

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

S. F. WEBB,
Resource Access Manager
Murrumbidgee Region

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

Department of Mineral Resources

COAL MINES REGULATION ACT 1982

NOTICE OF PRIMARY APPROVAL

Approval No.: MDA Ex ia 17001.
File No.: C01/0304.
Date: 31 May 2001.

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

This APPROVAL is issued to: MB & KJ DAVIDSON PTY LTD.
Address of Approval Holder: 1-3 Lakewood Boulevard, Breaaside, VIC. 3195.
Description of Item/s and Variations: I.S Pressure Transducers.
Manufacturer and model / type: DRUCK LIMITED,
Firtree lane, Groby,
Leicester LE6 0FH, United Kingdom.
Series PTX500/600.
C.M.R.A. Regulation: Electrical Underground Clause 140 (1).
Specific Approval Category: Explosion Protected — Intrinsically Safe Ex ia.

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

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

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

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

Any maintenance, repair or overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulation Act 1982.

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

Dept. File No.: C01/0304.	Doc. No.: d:\wes\appmaster\PTX500/600priapp.doc.	Page: 2 of 4.
App. Holder: MB & KJ Davidson Pty Ltd.		

COAL MINES REGULATION ACT 1982

REVOCATION OF APPROVAL

Revoked Approval No.: MDA Ex ib 14046.
 Revoked Approval No.: MDA Ex i 14046.
 File No.: C94/0180.

Revoked Approval No.: MDA Ex i 11069.
 Revoked Approval No.: MDA Ex i 774.
 Revoked Approval No.: MDA Ex dL 426.
 File No.: M78/4499.

Date: 25 July 2001.

IT is hereby notified that the Chief Inspector of Coal Mines, pursuant to the provisions of Clause 70 of the Coal Mines (General) Regulation 1999, has REVOKED the approval number quoted herein. This means that the apparatus to which that approval number applied can no longer be used in or be supplied to a coal mine in New South Wales, unless reapproved.

Description: Intrinsically Safe Lighting Systems.

Identification: Victor, types ISL 3 and ISL 5.

and

Description: Flameproof Face Luminaire

Identification: Victor, type 20L.

This approval was issued to:

Name: AUSTDAC PTY LTD.

Address: Unit 1/4 Packard Avenue, Castle Hill, NSW 2154.

The approvals were notified in the following *Government Gazettes*:

No. 26, dated 15 February 1980 - MDA Ex dL 0426 - Victor, type 20L.

No. 97, dated 22 July 1994 - MDA Ex i 14046 - Victor, type ISL 5.

S. MILLINGTON,
 Acting Senior Inspector of Electrical Engineering
 for Chief Inspector of Coal Mines.

COAL MINES REGULATION ACT 1982

REVOCATION OF APPROVAL

Revoked Approval No.: MDA Ex ia 14080.
 File No.: C95/0004.
 Date: 14 August 2001.

IT is hereby notified that the Chief Inspector of Coal Mines, pursuant to the provisions of Clause 70 of the Coal Mines (General) Regulation 1999, has REVOKED the approval number quoted herein. This means that the apparatus to which that approval number applied can no longer be used in or be supplied to a coal mine in New South Wales.

Description: Automatic Lubricator.

Identification: PL and Staminalube.

This approval was issued to:

Name: PULSARLUBE AUSTRALIA PTY LIMITED.

Address: 77 Rosedale Road, Gordon, NSW 2072.

The approval was notified in the *Government Gazette* No. 11, dated 3 February 1995. (Helen, primary approval issued 5 January 1995 and received at our office 9 January 1995).

J. F. WAUDBY,
 Senior Inspector of Electrical Engineering
 for Chief Inspector of Coal Mines.

COAL MINES REGULATION ACT 1982

REVOCATION OF APPROVAL

Revoked Approval No.: MDA Ex i 774.
Revoked Approval No.: MDA Ex i 428.
Revoked Approval No.: MDA Ex dL 426.
File No.: M78/4499.
Date: 25 July 2001.

IT is hereby notified that the Chief Inspector of Coal Mines, pursuant to the provisions of Clause 70 of the Coal Mines (General) Regulation 1999, has REVOKED the approval number quoted herein. This means that the apparatus to which that approval number applied can no longer be used in or be supplied to a coal mine in New South Wales, unless reapproved.

Description: Intrinsically Safe Lighting Systems.

Identification: Victor, types ISL 1 and ISL 3.

and

Description: Flameproof Face Luminaire.

Identification: Victor, type 20L.

This approval was issued to:

Name: SWIFT - M.I.P. PTY LTD.

Address: Ashfield, NSW 2131.

The approvals were notified in the following *Government Gazettes*:

No. 26, dated 15 February 1980 - MDA Ex dL 0426 - Victor, type 20L.

No. 26, dated 15 February 1980 - MDA Ex i 0428 - Victor, type ISL 1.

S. MILLINGTON,
Acting Senior Inspector of Electrical Engineering
for Chief Inspector of Coal Mines.

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(C01-0031)

No. 1803, SPECIALTY COAL PTY LTD (ACN 87095226181), area of 650 hectares, for Group 9, dated 6 August 2001. (Singleton Mining Division).

(T01-0189)

No. 1808, MOUNT CONQUEROR MINERALS NL (ACN 003 312 721) and CENTRAL WEST GOLD NL (ACN 003 178 591), area of 14 units, for Group 1, dated 24 August 2001. (Inverell Mining Division).

(T01-0190)

No. 1809, PYRMONT RAW MATERIALS PTY LTD (ACN 054 287 846), area of 62 units, for Group 10, dated 28 August 2001. (Sydney Mining Division).

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

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATION

(T00-0866)

No. 1730, now Exploration Licence No. 5886, GEODYNAMICS LIMITED (ACN 095 006 090), Counties of Hunter and Northumberland, Map Sheet (9032, 9132), area of 71 units, for Group 8, dated 21 August 2001, for a term until 20 August 2003.

MINERAL CLAIM APPLICATION

(T98-1209)

Wagga Wagga No. 9, now Mineral Claim No. 267 (Act 1992), GRAEME VICTOR DALTON, Parish of Turora, County of Wakool, area of about 2 hectares, to mine for gypsum, dated 23 August 2001, for a term until 22 August 2006.

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

NOTICE is given that the following applications have been withdrawn:

EXPLORATION LICENCE APPLICATIONS

(T00-0139)

No. 1678, KIMBERLEY MINING & EXPLORATION SERVICES PTY LTD (ACN 075 148 962), County of Darling and County of Inglis, Map Sheet (9036). Withdrawal took effect on 21 August 2001.

(T01-0172)

No. 1806, MOUNT CONQUEROR MINERALS NL (ACN 003 312 721) and CENTRAL WEST GOLD NL (ACN 003 178 591), County of Gough, Map Sheet (9239). Withdrawal took effect on 24 August 2001.

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

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

(C95-2224)

Exploration Licence No. 5138, POWERCOAL PTY LTD (ACN 052 533 070), area of 1793 hectares. Application for renewal received 28 August 2001.

(T96-1141)

Exploration Licence No. 5357, COSIER AIR SERVICES PTY LIMITED (ACN 006 750 554), area of 2 units. Application for renewal received 29 August 2001.

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

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(T97-1215)

Exploration Licence No. 5330, PLATSEARCH NL (ACN 003 254 395), Counties of Menindee and Windeyer, Map Sheet (7132), area of 140 units, for a further term until 7 August 2003. Renewal effective on and from 28 August 2001.

(T97-1328)

Exploration Licence No. 5440, CENTRAL WEST GOLD NL (ACN 003 178 591) and MOUNT CONQUEROR MINERALS NL (ACN 003 312 721), County of Blaxland, Map Sheet (8132, 8133), area of 16 units, for a further term until 16 February 2003. Renewal effective on and from 28 August 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:

(T95-0094)

Mining Lease No. 140 (Act 1973), CRA EXPLORATION PTY LIMITED (ACN 000 057 125), Parish of Hume, County of Mouramba, Map Sheet (8133-4-N, 8133-4-S), area of 16.19 hectares. The authority ceased to have effect on 23 August 2001.

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

PART CANCELLATIONS

NOTICE is given that the following authority has been cancelled in part.

(C01-0134)

Petroleum Exploration Licence No. 2 (Act 1991), SYDNEY
GAS OPERATIONS PTY LTD (ACN 079 838 136).

Description of area cancelled:

Sydney 1:1,000,000 Sheet.

Blocks 947, 948, 1018, 1019, 1089, 1090, 1160, 1161,
1232, 1375, 1447 and 1519.

Part cancellation takes effect from the date of this
Government Gazette.

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

Department of Urban Affairs and Planning

Culcairn Local Environmental Plan 1998 (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*.
(Q00/00072/PC)

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

Clause 1 Culcairn Local Environmental Plan 1998 (Amendment No 2)

Culcairn Local Environmental Plan 1998 (Amendment No 2)

1 Name of plan

This plan is *Culcairn Local Environmental Plan 1998 (Amendment No 2)*.

2 Aims of plan

This plan aims to reclassify the public land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*.

3 Land to which plan applies

This plan applies to Lot 281, DP 703491, Hickory Hill Road, District of Culcairn, County of Hume, Parish of Comer, as shown edged heavy black on the map marked "Culcairn Local Environmental Plan 1998 (Amendment No 2)" deposited in the office of the Council of the Shire of Culcairn.

4 Amendment of Culcairn Local Environmental Plan 1998

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

Culcairn Local Environmental Plan 1998 (Amendment No 2)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 39

Insert after clause 38:

39 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:
 - (a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as operational land.
- (3) Land described in Columns 1 and 2 of Part 2 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 those (if any) specified opposite the land in Column 3 of Part 2 of Schedule 6.
- (4) In this clause, *the relevant amending plan*, in relation to land described in Part 2 of Schedule 6, means the local environmental plan cited at the end of the description of the land.
- (5) Before the relevant amending plan inserted the description of land into Part 2 of Schedule 6, the Governor approved of subclause (3) applying to the land.

Culcairn Local Environmental Plan 1998 (Amendment No 2)

Schedule 1 Amendments

[2] Schedule 6

Insert after Schedule 5:

Schedule 6 Classification and reclassification of public land as operational land
(Clause 39)

Part 1 Public land classified or reclassified—interests not changed

Culcairn

Hickery Hill Road	Lot 281, DP 703491, as shown edged heavy black on the map marked "Culcairn Local Environmental Plan 1998 (Amendment No 2)"
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Part 2 Public land classified or reclassified—interests changed

Column 1	Column 2	Column 3
Locality	Description	Trusts etc not discharged

Gosford Local Environmental Plan No 415

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(N01/00026/S69)

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

Clause 1 Gosford Local Environmental Plan No 415

Gosford Local Environmental Plan No 415

1 Name of plan

This plan is *Gosford Local Environmental Plan No 415*.

2 Aims of plan

This plan aims:

- (a) to rezone the land to which this plan applies to the Scenic Protection—Rural Small Holdings zone under *Interim Development Order No 122—Gosford*, and
- (b) to prohibit more intensive uses otherwise permitted with Gosford City Council's consent within that zone which are considered inappropriate having regard to the environmental characteristics of the land and surrounding land, and
- (c) to allow, with the Council's consent, the subdivision of the land into lots for the purpose of permitting one rural residential dwelling-house on each lot so created.

3 Land to which plan applies

This plan applies to Lot 2, DP 1009974, Avoca Drive, Kincumber, as shown edged heavy black on the map marked "Gosford Local Environmental Plan No 415" deposited in the office of Gosford City Council.

4 Amendment of Interim Development Order No 122—Gosford

Interim Development Order No 122—Gosford is amended:

- (a) by inserting in appropriate order in the definition of *I.D.C. Map* in clause 3 (1) the following words:
Gosford Local Environmental Plan No 415

Gosford Local Environmental Plan No 415

Clause 4

(b) by inserting after clause 101A the following clause:

101B Development of certain land—Avoca Drive, Kincumber

- (1) This clause applies to Lot 2, DP 1009974, Avoca Drive, Kincumber, as shown edged heavy black on the map marked “Gosford Local Environmental Plan No 415” deposited in the office of the Council.
- (2) Despite any other provision of this Order, subdivision of the land and development for the purpose of dwelling-houses may only be carried out on the land to which this clause applies, with the consent of the Council.

Hume 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*.
(S97/00442/PC)

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

Hume Local Environmental Plan 2000

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Hume Local Environmental Plan 2001

Clause 1

Preliminary

Part 1

Hume Local Environmental Plan 2001

Part 1 Preliminary

1 Name of the local environmental plan

This plan is the *Hume Local Environmental Plan 2001*.

Note. The plan is just one component of the *Hume Shire Land Use Plan* and should be read in conjunction with other components and the *Environmental Planning and Assessment Act 1979* in order to fully comprehend its role and influence.

2 Purpose of the local environmental plan

The purpose of this plan is:

- (a) to implement the Council's strategic directions for Hume, and
- (b) to provide opportunities for economic and population growth, and
- (c) to recognise the role and influence of Albury-Wodonga and its region in planning for Hume's future, and
- (d) to continue to promote Hume as the "rural living alternative", and
- (e) to encourage the retention of rural land in productive agriculture, and
- (f) to protect, conserve and enhance Hume's natural assets, including areas of hills, Lake Hume and the Murray River riverine land, and
- (g) to identify and protect Hume's heritage and archaeological assets for future generations, and
- (h) to encourage and support growth in townships, and
- (i) to manage land use and development in a manner that reduces local and downstream cumulative environmental effects, and
- (j) to replace existing environmental planning instruments with one comprehensive document that provides clarity in its intentions yet allows flexibility in decision-making, and

Clause 2 Hume Local Environmental Plan 2001

Part 1 Preliminary

- (k) to provide a planning system for Hume that is fair and equitable to all persons, and
- (l) to introduce changes to environmental planning made by the *Environmental Planning and Assessment Amendment Act 1997*.

3 Land to which the local environmental plan applies

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

4 Impact of the local environmental plan on other environmental planning instruments

This plan repeals the following environmental planning instruments:

- (a) *Hume Local Environmental Plan No 8*,
- (b) *Albury and Hume Designated Area Local Environmental Plan No 1*,
- (c) any other local environmental plan that, immediately before the commencement of this plan, applied to the land to which this plan applies, but only to the extent to which it applied to that land.

Note. This plan replaces all previous local environmental plans that applied to Hume.

5 Definitions

In this plan:

animal boarding establishment means a building or place used for the purpose of boarding animals for fee or reward, and includes a veterinary clinic.

animal breeding or training establishment means a building or place used for the purpose of breeding or training animals for fee or reward, otherwise than in the course of agriculture, and includes a building or place used as a riding school, but does not include an animal boarding establishment.

Consideration of Applications Development Control Plan means the development control plan of that name adopted by the Council on 16 October 2000.

heritage item means a building, work, relic, tree or place identified as a heritage item in the *Consideration of Applications Development Control Plan*.

Hume Local Environmental Plan 2001

Clause 5

Preliminary

Part 1

intensive agriculture means the commercial keeping or breeding (or both) of livestock which are substantially dependent upon feed being imported to the property on which the livestock are kept or bred (or both).

lot means a parcel of land (except a road, a reserve, or common property) for which a certificate of title has been issued by the Registrar-General and that is capable of being disposed of independently of other lots.

multi-unit housing means more than one dwelling on a single lot.

subdivision does not include minor boundary adjustments.

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

the Council means the Hume Shire Council.

the map means the map marked "Hume Local Environmental Plan 2000" deposited in the office of the Council.

watercourse means any stream of water, either perennial or intermittent, flowing in a natural channel.

Note. Other definitions are provided in the Model Provisions.

6 Adoption of Model Provisions

The *Environmental Planning and Assessment Model Provisions 1980* are adopted for the purposes of this plan, except for:

- (a) the definition of ***map*** in clause 4 (1), and
- (b) clauses 15, 16, 17, 23, 24, 28, 29, 31, 33 and 34.

Note. The Model Provisions provide additional definitions of terms used in the LEP and other requirements relating to processes and various land uses.

7 Administration of the local environmental plan

The Hume Shire Council is the consent authority for the purposes of this plan.

8 Notes

The table of contents and notes included in this plan do not form part of it.

Clause 9 Hume Local Environmental Plan 2001

Part 2 Land use zones and provisions

Part 2 Land use zones and provisions

9 Zones

For the purposes of this plan, land to which this plan applies is within one of the following zones, as shown on the map:

Rural (Agriculture)

Rural (Environment)

Rural (Living)

Residential (Low Density)

Albury Fringe

Township

Tourist Centre

10 Operation of zones

- (1) Each clause of this plan by which development within a specified zone is controlled contains a statement as to the purpose of the zone. Development should be consistent with the purpose of the zone.
- (2) In a clause of this plan by which development within a specified zone is controlled, the development controls are divided into two sections, as follows:

Consent required

Development specified in this section requires the consent of the Council.

Because development is specified in this section, it does not require or imply that consent should or will be granted. The Council must decide whether the proposal will produce acceptable outcomes in terms of the requirements of the Act and this plan.

Prohibited

Development specified in this section is prohibited.

Hume Local Environmental Plan 2001

Clause 11

Land use zones and provisions

Part 2

11 Matters for consideration

The Council must not grant consent to development unless it has made an assessment of the matters included in the Matters for Consideration Section of the *Consideration of Applications Development Control Plan*.

12 Exempt and complying development

- (1) Development of minimal environmental impact listed in the Exempt Development section of the *Consideration of Applications Development Control Plan* is exempt development, despite any other provision of this plan.
- (2) Development listed in the Complying Development section of the *Consideration of Applications Development Control Plan* is complying development if:
 - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) it is not an existing use, as defined in section 106 of the Act.
- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applicable to the development in the Exempt and Complying sections of the *Consideration of Applications Development Control Plan*.
- (4) A complying development certificate issued for any complying development is subject to the conditions for the development specified in the Complying Development section of the *Consideration of Applications Development Control Plan* as that section is in force when the certificate is issued.

13 Heritage

- (1) A person must not, in respect of a heritage item, except with the consent of the Council:
 - (a) demolish or renovate the item, or
 - (b) damage or despoil the item or any part of the item, or
 - (c) carry out any development on land, or in relation to land, on which the item is situated.
- (2) Development consent is not required by this clause if the Council is of the opinion that the proposed development will not adversely affect the heritage significance of the heritage item.

Clause 13 Hume Local Environmental Plan 2001

Part 2 Land use zones and provisions

- (3) The Council must not grant consent to an application to demolish a building or work that is a heritage item unless:
- (a) the Council has notified the Heritage Council of its intention to grant consent, and
 - (b) the Council has taken into consideration any objection notified to it by the Heritage Council within 28 days after receiving notice of the Council's intention to grant consent.

14 Development of certain land

Nothing in this plan prevents a person, with the consent of the Council, from carrying out development on land referred to in Schedule 1 for a purpose specified in relation to that land in that Schedule, subject to such conditions, if any, as are so specified.

15 Rural (Agriculture) Zone

(1) **Purpose**

The purpose of the Rural (Agriculture) Zone is:

- (a) to identify land used for agricultural purposes, and
- (b) to implement the Council's strategic directions for rural land, and
- (c) to encourage the sustainable use of land for agriculture, and
- (d) to avoid fragmentation of agricultural land in areas where large scale independent farm businesses are the predominant land use, and
- (e) to allow for farm restructuring, and
- (f) to encourage the continued use of rural land for agricultural purposes, and
- (g) to encourage protection and enhancement of the bio-diversity of the area, and
- (h) to recognise the complexities of family farm ownership, financing and management, and
- (i) to promote economic development that is compatible with rural activities, and
- (j) to encourage development of new sustainable rural enterprises, and
- (k) to ensure that development does not place an unreasonable burden on Hume's infrastructure and services.

Hume Local Environmental Plan 2001

Clause 15

Land use zones and provisions

Part 2

(2) Development with consent and prohibited development

Development	Condition
Consent required	
Dwelling	<p>(1) A lot may be used for a dwelling if:</p> <ul style="list-style-type: none"> (a) it was created by development consent for subdivision under a previous or current environmental planning instrument and is at least 0.4 hectares, or (b) it is at least 100 hectares and is located in that part of the zone shown on the map as “inner”, or (c) it is at least 400 hectares and is located in that part of the zone shown on the map as “outer”, or (d) it is at least 0.4 hectares and exists as a single lot in the same configuration as it was as at 31 July 1987 and no adjoining lot was in the same ownership on that date, or (e) it is at least 0.4 hectares and exists as one of a number of adjoining lots in the same ownership as at 31 July 1987 and no dwelling exists on any other lot, or (f) it is at least 100 hectares, was created before 31 July 1987 and is located in that part of the zone shown on the map as “outer”. <p>(2) A dwelling with on-site effluent treatment and disposal must not be located within:</p> <ul style="list-style-type: none"> (a) 100 metres of the Murray River, or (b) 100 metres of the full supply level of Lake Hume, or (c) 40 metres of any other watercourse.
Subdivision	<p>(1) In areas shown on the map as the “outer” area, each lot created must be at least 400 hectares.</p>

Clause 15 Hume Local Environmental Plan 2001

Part 2 Land use zones and provisions

Development	Condition
<p>Any development that:</p> <p>(a) is designated development, or</p> <p>(b) is not included elsewhere in this section of this Table as development that requires consent,</p> <p>but is not development that:</p> <p>(c) is exempt development, or</p> <p>(d) is included in the "Prohibited" section of this Table as development that is prohibited.</p>	<p>(2) In areas shown on the map as the "inner" area, each lot created must be at least 100 hectares.</p> <p>(3) Despite subclauses (1) and (2), consent may be granted for the excision of a lot of less than 2 hectares for use by a retired farmer.</p> <p>(4) Despite subclauses (1) and (2), consent may be granted to create a lot of any size for:</p> <p>(a) public or community purposes, or</p> <p>(b) the purpose of consolidation with another lot, or</p> <p>(c) the purpose of rearranging lot boundaries and if the number of lots is not increased, or</p> <p>(d) any purpose permissible in the zone (except dwellings).</p> <p>Note. This plan provides that designated development (being development that is specified in Schedule 3 to the <i>Environmental Planning and Assessment Regulation 2000</i>) can only be carried out with development consent. Development does not cease to be designated development because it is ancillary to development that may be carried out without development consent.</p>
Prohibited	
Junk yard	
Residential flat building, other than to accommodate rural workers	
Shop, other than a general store	
Warehouse, other than in association with a rural industry	

Hume Local Environmental Plan 2001

Clause 15

Land use zones and provisions

Part 2

Development	Condition
Any development that is not included in the "Consent required" section of this Table because it is excluded by a condition.	

16 Rural (Environment) Zone**(1) Purpose**

The purpose of the Rural (Environment) Zone is:

- (a) to identify areas within Hume that are of environmental significance and are sensitive to development, and
- (b) to implement the Council's strategic directions for land in environmentally sensitive areas, and
- (c) to complement *Murray Regional Environmental Plan No 2—Riverine Land*, and
- (d) to ensure development maintains and contributes to the character of the locality and minimises disturbances to the landscape and scenic qualities, and
- (e) to avoid fragmentation of agricultural land in areas where large scale independent farm businesses are the predominant land use, and
- (f) to encourage development that is in accordance with sound management and land capability practices, and that takes into account the environmental sensitivity and bio-diversity of the locality, and
- (g) to ensure that development does not create unreasonable or uneconomic demands for the provision or extension of services.

(2) Development with consent and prohibited development

Development	Condition
Consent required	
Dwelling	(1) A lot may be used for a dwelling if: <ol style="list-style-type: none"> (a) it was created by development consent for subdivision under a previous or current environmental planning instrument and is at least 0.4 hectares, or

Clause 16 Hume Local Environmental Plan 2001

Part 2 Land use zones and provisions

Development

Condition

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- (b) it is at least 100 hectares and is located in that part of the zone shown on the map as “inner”, or
 - (c) it is at least 400 hectares and is located in that part of the zone shown on the map as “outer”, or
 - (d) it is at least 0.4 hectares and exists as a single lot in the same configuration as it was as at 31 July 1987 and no adjoining lot was in the same ownership on that date, or
 - (e) it is at least 0.4 hectares and exists as one of a number of adjoining lots in the same ownership as at 31 July 1987 and no dwelling exists on any other lot, or
 - (f) it is at least 100 hectares, was created before 31 July 1987 and is located in that part of the zone shown on the map as “outer”.
- (2) A dwelling must not be erected:
- (a) below the high water mark of Lake Hume or in a location that may be detrimental to the lake environs or water quality, or
 - (b) below the 1 in 100 year flood level of the Murray River or in a location that may be detrimental to the riverine environment or water quality, or
 - (c) in elevated or steep locations that are highly visible, detract from the rural landscape and may be detrimental to the environment.
- (4) A dwelling with on-site effluent treatment and disposal must not be located within:
- (a) 100 metres of the Murray River, or
 - (b) 100 metres of the full supply level of Lake Hume, or
 - (c) 40 metres of any other watercourse.

Hume Local Environmental Plan 2001

Clause 16

Land use zones and provisions

Part 2

Development	Condition
Subdivision	<ol style="list-style-type: none"> (1) In areas shown on the map as the “outer” area, each lot created must be at least 400 hectares. (2) In areas shown on the map as the “inner” area, each lot created must be at least 100 hectares. (3) Despite subclauses (1) and (2), consent may be granted for the excision of a lot of less than 2 hectares containing a dwelling for use by a retired farmer. (4) Despite subclauses (1) and (2), consent may be granted to create a lot of any size for: <ol style="list-style-type: none"> (a) public or community purposes, or (b) the purposes of consolidation with another lot, or (c) the purposes of rearranging lot boundaries and the number of lots is not increased, or (d) any purpose permissible in the zone (except dwellings).
<p>Any development that:</p> <ol style="list-style-type: none"> (a) is designated development, or (b) is not included elsewhere in this section of this Table as development that requires consent, <p>but is not development that:</p> <ol style="list-style-type: none"> (c) is exempt development, or (d) is included in the “Prohibited” section of this Table as development that is prohibited. 	<p>Note. This plan provides that designated development (being development that is specified in Schedule 3 to the <i>Environmental Planning and Assessment Regulation 2000</i>) can only be carried out with development consent. Development does not cease to be designated development because it is ancillary to development that may be carried out without development consent.</p>
Prohibited	
<p>Commercial premises, including, but not limited to, a bulk store, car repair station, junk yard, or motor showroom</p>	

Clause 16 Hume Local Environmental Plan 2001

Part 2 Land use zones and provisions

Development	Condition
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Industry, including, but not limited to, a rural industry, sawmill, abattoir, light industry, or offensive and hazardous industry

Intensive agriculture, including, but not limited to, an animal boarding establishment or an animal breeding or training establishment

Landfill

Liquid fuel depot

Manufactured homes estate

Residential flat building, including, but not limited to, a boarding house, but not including a building to accommodate rural workers.

Stock and saleyard

Transport terminal, including, but not limited to, an airline terminal and road transport terminal

Recreation vehicle area, as defined in the *Recreation Vehicles Act 1983*

Any development:

- (a) that is not included in the "Consent required" section of this Table because it is excluded by a condition, or
 - (b) that is prohibited by *Murray Regional Environmental Plan No 2*.
-

Hume Local Environmental Plan 2001

Clause 17

Land use zones and provisions

Part 2

17 Rural (Living) Zone

(1) Purpose

The purpose of the Rural (Living) Zone is:

- (a) to identify areas in Hume that are suitable for rural living and that avoid productive agricultural land, ecological resources and hazards, and
- (b) to identify areas in Hume where the lot sizes no longer permit the land to be used for farming on a commercial scale, and
- (c) to encourage the continued use of the land for agricultural purposes within a rural living environment, and
- (d) to provide for residential lifestyle in a rural environment, and
- (e) to implement the Council's strategic directions for rural living areas, and
- (f) to ensure development maintains and contributes to the rural character of the locality and minimises disturbances to the landscape and scenic qualities, and
- (g) to avoid land use and management conflicts with adjoining land zoned Rural (Agriculture) and Rural (Environment), and
- (h) to encourage the development of land that is in accordance with sound management and land capability practices, and that takes into account the environmental sensitivity and bio-diversity of the locality, and
- (i) to ensure that development does not create unreasonable or uneconomic demands for the provision, maintenance, augmentation or extension of infrastructure and services.

(2) Development with consent and prohibited development

Development	Condition
Consent required	
Dwelling	<p>A dwelling with on-site effluent treatment and disposal must not be located within:</p> <ul style="list-style-type: none"> (a) 100 metres of the Murray River, or (b) 100 metres of the full supply level of Lake Hume, or (c) 40 metres of any other watercourse.

Clause 17 Hume Local Environmental Plan 2001

Part 2 Land use zones and provisions

Development	Condition
Subdivision	<ol style="list-style-type: none"> (1) The lot to be subdivided must exist: <ol style="list-style-type: none"> (a) in the same configuration as it was prior to the date on which this plan took effect, or (b) as a result of part of the lot being acquired for a public purpose. (2) If only one additional lot is proposed, all lots created must be greater than 2 hectares. (3) If more than one additional lot is proposed: <ol style="list-style-type: none"> (a) all lots resulting must be greater than 2 hectares, and (b) the average size of all lots resulting must be greater than 8 hectares, and (c) at least half of the resulting lots must be larger than 8 hectares. (4) Despite subclause (1), (2) or (3), consent may be granted to create a lot of any size for: <ol style="list-style-type: none"> (a) public or community purposes, or (b) the purpose of consolidation with another lot, or (c) the purpose of rearranging lot boundaries if the number of lots is not increased, or (d) any purpose permissible in the zone (except dwellings). (5) The total number of lots created in this zone in any consecutive 12 month period must not exceed 30 and cannot be varied as a development standard under <i>State Environmental Planning Policy No 1—Development Standards</i>. (6) Where the Rural (Living Area) abuts Lake Hume, only that land that is above the high water mark may be taken into account in determining the subdivision potential of the land.

Hume Local Environmental Plan 2001

Clause 17

Land use zones and provisions

Part 2

Development**Condition**

Any development that:

- (a) is designated development, or
 - (b) is not included elsewhere in this section of this Table as development that requires consent,
- but is not development that:
- (c) is exempt development, or
 - (d) is included in the “Prohibited” section of this Table as development that is prohibited.

Note. This plan provides that designated development (being development that is specified in Schedule 3 to the *Environmental Planning and Assessment Regulation 2000*) can only be carried out with development consent. Development does not cease to be designated development because it is ancillary to development that may be carried out without development consent.

Prohibited

Commercial premises, including, but not limited to, a bulk store, car repair station, junk yard and motor showroom

Industry, including, but not limited to, a sawmill, abattoir, light industry, extractive industry and offensive and hazardous industry

Intensive agriculture, including, but not limited to, an animal boarding establishment and animal breeding or training establishment

Liquid fuel depot

Residential flat building, including, but not limited to, a boarding house

Stock and saleyard

Transport terminal

Any development that is not included in the “Consent required” section of this Table because it is excluded by a condition.

Clause 18 Hume Local Environmental Plan 2001

Part 2 Land use zones and provisions

18 Low Density Residential Zone

(1) Purpose

The purpose of the Low Density Residential Zone is:

- (a) to identify areas in Hume that have been, or are proposed to be, developed for low density residential purposes, and
- (b) to provide choice in living environments in Hume, and
- (c) to provide for low density residential development on lots that, in the absence of reticulated sewerage, can satisfactorily treat and retain all wastewater, and
- (d) to provide residential environments on large lots in proximity to urban areas and services, and
- (e) not to hinder the orderly growth of urban areas, and
- (f) to implement the Council's strategic directions for low density residential development, and
- (g) to avoid land use and management conflicts with adjoining land uses, and
- (h) to encourage development of land that is in accordance with sound management and land capability practices, and that takes into account the environmental sensitivity and bio-diversity of the locality, and
- (i) to ensure that development does not create unreasonable or uneconomic demands for the provision or extension of services.

(2) Consent requirements for development

Development	Condition
Consent required	
Dwelling	
Subdivision	<ol style="list-style-type: none"> (1) If off-site effluent treatment and disposal is proposed and reticulated water is available, the minimum lot size must be 4,000 m². (2) If on-site effluent treatment and disposal is proposed: <ol style="list-style-type: none"> (a) no lot must be less than 5,000 m² in area, and (b) the average size of all lots created must be greater than 2 hectares, and

Hume Local Environmental Plan 2001

Clause 18

Land use zones and provisions

Part 2

Development	Condition
<p>Any development that:</p> <p>(a) is designated development, or</p> <p>(b) is not included elsewhere in this section of this Table as development that requires consent, but is not development that:</p> <p>(c) is exempt development, or</p> <p>(d) is included in the "Prohibited" section of this Table as development that is prohibited.</p>	<p>(c) at least half of the lots in the subdivision must be larger than 2 hectares, and</p> <p>(d) the applicant must demonstrate to the Council that the proposed lots are suitable for this process.</p>
<p>Prohibited</p> <p>Commercial premises, including, but not limited to, a bulk store, car repair station, junk yard and motor showroom</p> <p>Generating works</p> <p>Industry, including, but not limited to, a sawmill, abattoir, light industry, extractive industry and offensive and hazardous industry</p> <p>Intensive agriculture, including, but not limited to, an animal boarding establishment and animal breeding or training establishment</p> <p>Liquid fuel depot</p> <p>Residential flat building, including, but not limited to, a boarding house</p> <p>Stock and saleyard</p> <p>Transport terminal</p>	<p>Note. This plan provides that designated development (being development that is specified in Schedule 3 to the <i>Environmental Planning and Assessment Regulation 2000</i>) can only be carried out with development consent. Development does not cease to be designated development because it is ancillary to development that may be carried out without development consent.</p>

Clause 18 Hume Local Environmental Plan 2001

Part 2 Land use zones and provisions

Development	Condition
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Any development that is not included in the "Consent required" section of this Table because it is excluded by a condition.

19 Albury Fringe Zone

(1) Purpose

The purpose of the Albury Fringe Zone is:

- (a) to identify land for current and future urban residential development, and
- (b) to implement the Council's and the Albury City Council's strategic directions for the future growth of the region, and
- (c) not to allow inappropriate development (including subdivision) that will prejudice the orderly expansion of the urban area, and
- (d) to provide for residential development at a range of densities with a variety of dwelling types to meet the housing needs of the community, and
- (e) to encourage urban design that provides for a highly functional, efficient and attractive residential environment, and
- (f) to allow in appropriate locations, educational, recreational, religious and community uses, and a limited range of non-residential uses, and
- (g) to protect the amenity of all residents.

(2) Development with consent and prohibited development

Development	Condition
-------------	-----------

Consent required

Subdivision

- (1) If connection to a reticulated sewerage and potable water supply is proposed, the minimum lot size must be:
 - (a) 450 square metres for single dwelling-houses, or
 - (b) 232 square metres for multi-unit housing involving five or more dwellings.

Hume Local Environmental Plan 2001

Clause 19

Land use zones and provisions

Part 2

Development**Condition**

Any development that:

- (a) is designated development, or
- (b) is not included elsewhere in this section of this Table as development that requires consent, but is not development that:
- (c) is exempt development, or
- (d) is included in the "Prohibited" section of this Table as development that is prohibited.

(2) If reticulated sewerage and potable water are not available, the subdivision provisions of the Rural (Living) Zone apply.

Note. This plan provides that designated development (being development that is specified in Schedule 3 to the *Environmental Planning and Assessment Regulation 2000*) can only be carried out with development consent. Development does not cease to be designated development because it is ancillary to development that may be carried out without development consent.

Prohibited

Generating works

Industry, including, but not limited to, a rural industry, sawmill, abattoir, light industry, extractive industry, and offensive and hazardous industry

Intensive agriculture, including, but not limited to, an animal boarding establishment and animal breeding or training establishment

Junk yard

Liquid fuel depot

Stock and saleyard

Transport terminal, including, but not limited to, a helipad, heliport, airline terminal and road transport terminal

Clause 19 Hume Local Environmental Plan 2001

Part 2 Land use zones and provisions

Development	Condition
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Any development that is not included in the "Consent required" section of this Table because it is excluded by a condition.

20 Township Zone

(1) Purpose

The purpose of the Township Zone is:

- (a) to define the town boundaries of Howlong, Jindera, Burrumbuttock, Gerogery and Brocklesby, and
- (b) to maintain flexibility in land use controls, and
- (c) to encourage and provide opportunities for population and local employment growth in the townships, and
- (d) to implement the Council's strategic directions for townships, and
- (e) to ensure development maintains and contributes to the character of townships, and
- (f) to protect the amenity of all residents, and
- (g) to ensure that development does not create unreasonable or uneconomic demands for the provision or extension of services.

(2) Development with consent requirements and prohibited development

Development	Condition
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Consent required

Dwelling, if reticulated sewerage and potable water are not available.

The applicant must demonstrate to the Council that the lot is suitable for on-site treatment and disposal of effluent.

Subdivision

- (1) If connection to a reticulated sewerage and potable water supply is proposed, the minimum lot size must be:
 - (a) 600 m², or
 - (b) 450 m² for multi-unit housing.

Hume Local Environmental Plan 2001

Clause 20

Land use zones and provisions

Part 2

Development	Condition
<p>Any development that:</p> <p>(a) is designated development, or</p> <p>(b) is not included elsewhere in this section of this Table as development that requires consent, but is not development that:</p> <p>(c) is exempt development, or</p> <p>(d) is included in the "Prohibited" section of this Table as development that is prohibited.</p>	<p>(2) If reticulated sewerage and potable water are not available:</p> <p>(a) the minimum lot size must be 1,200 m², and</p> <p>(b) the applicant must demonstrate to the Council that the proposed lots are suitable for on-site treatment and disposal of effluent.</p> <p>Note. This plan provides that designated development (being development that is specified in Schedule 3 to the <i>Environmental Planning and Assessment Regulation 2000</i>) can only be carried out with development consent. Development does not cease to be designated development because it is ancillary to development that may be carried out without development consent.</p>
Prohibited	
Abattoir	
Extractive industry	
Offensive and hazardous industry	
Intensive agriculture, including, but not limited to, an animal boarding establishment and animal breeding or training establishment	
Any development that is not included in the "Consent required" section of this Table because it is excluded by a condition.	

Clause 21 Hume Local Environmental Plan 2001

Part 2 Land use zones and provisions

21 Tourist Centre Zone

(1) Purpose

The purpose of the Tourist Centre Zone is:

- (a) to identify locations in Hume that have a tourism focus, and
- (b) to implement the Council's strategic directions for tourism, and
- (c) to maintain flexibility in land use controls for a wide variety of tourism activities, and
- (d) to encourage and provide opportunities for growth and employment in tourism, and
- (e) to ensure tourism development is environmentally sustainable, and
- (f) to ensure a high standard of tourist development is undertaken, and
- (g) to protect the natural and built assets upon which tourism is based, and
- (h) to ensure that development does not create unreasonable or uneconomic demands for the provision or extension of services.

(2) Development with consent and prohibited development

Development	Condition
Consent required	
Dwelling, if reticulated sewerage and potable water are not available	The applicant must demonstrate to the Council that the lot is suitable for on-site treatment and disposal of effluent.
Subdivision	<ul style="list-style-type: none"> (1) If connection to a reticulated sewerage and potable water supply is proposed, the minimum lot size must be: <ul style="list-style-type: none"> (a) 600 m², or (b) 450 m² for multi-unit housing. (2) If reticulated sewerage and potable water are not available: <ul style="list-style-type: none"> (a) the minimum lot size must be 1,200 m², and (b) the applicant must demonstrate to the Council that the proposed lots are suitable for on-site treatment and disposal of effluent.

Hume Local Environmental Plan 2001

Clause 21

Land use zones and provisions

Part 2

Development

Any development that:

- (a) is designated development, or
- (b) is not included elsewhere in this section of this Table as development that requires consent, but is not development that:
- (c) is exempt development, or
- (d) is included in the "Prohibited" section of this Table as development that is prohibited.

Prohibited

Generating works

Industry, including, but not limited to, a rural industry, sawmill, abattoir, light industry, extractive industry, and offensive and hazardous industry

Intensive livestock keeping establishment, including, but not limited to, an animal boarding establishment and animal breeding or training establishment

Junk yard

Liquid fuel depot

Stock and saleyard

Transport terminal, including, but not limited to, a helipad, heliport, airline terminal and road transport terminal unless for the principal use of visitors to a tourist facility

Warehouse, including, but not limited to a bulk store

Condition

Note. This plan provides that designated development (being development that is specified in Schedule 3 to the *Environmental Planning and Assessment Regulation 2000*) can only be carried out with development consent. Development does not cease to be designated development because it is ancillary to development that may be carried out without development consent.

Clause 21 Hume Local Environmental Plan 2001

Part 2 Land use zones and provisions

Development**Condition**

Any development that is not included in the "Consent required" section of this Table because it is excluded by a condition.

Hume Local Environmental Plan 2001

Development of certain land

Schedule 1

Schedule 1 Development of certain land

(Clause 14)

- (1) Lot 22, DP 776036, Parish of Jindera in Walla Road, Jindera, for subdivision in accordance with the provisions of the Residential (Low Density) Zone within 2 years after the commencement of this plan. If title to any lots approved in the subdivision have not been issued within the 2-year period, the provisions of the Residential (Low Density) Zone will cease to apply to the land and the provisions of the Rural (Living) Zone will apply in their place.
- (2) That part of Lot 8, DP 872808, Parish of Burrumbuttock in Beatrice Drive, Burrumbuttock, shown as Residential (Low Density) on the map, for subdivision in accordance with the provisions of the Residential (Low Density) Zone within 2 years after the commencement of this plan. If title to any lots approved in the subdivision have not been issued within the 2-year period, the provisions of the Residential (Low Density) Zone will cease to apply to the land and the provisions of the Rural (Agricultural) Zone will apply in their place.
- (3) Lot 13, DP 602423, in Dellven Drive, Table Top, for subdivision into no more than 2 lots within 2 years after the commencement of this plan. If title to any lots approved in the subdivision have not been issued within the 2-year period, the provisions of the Residential (Low Density) Zone will cease to apply to the land and the provisions of the inner Rural (Environment) Zone will apply in their place.

Lake Macquarie Local Environmental Plan 1984 (Amendment No 158)

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*.
(N99/00154/S69)

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

Clause 1 Lake Macquarie Local Environmental Plan 1984 (Amendment No 158)

Lake Macquarie Local Environmental Plan 1984 (Amendment No 158)

1 Name of plan

This plan is *Lake Macquarie Local Environmental Plan 1984 (Amendment No 158)*.

2 Aims of plan

This plan aims to enable development of the land to which it applies for residential or open space purposes.

3 Land to which plan applies

- (1) This plan applies to land in the City of Lake Macquarie, as shown edged heavy black on Sheets 1—4 of the map marked “Lake Macquarie Local Environmental Plan 1984 (Amendment No 158)” deposited in the office of the Council of the City of Lake Macquarie.
- (2) This plan does not apply to land shown edged heavy black, hatched and marked “Deferred Matter” on Sheet 5 of that map, being land that is deferred matter in pursuance of section 68 (5) of the *Environmental Planning and Assessment Act 1979*.

4 Amendment of Lake Macquarie Local Environmental Plan 1984

Lake Macquarie Local Environmental Plan 1984 is amended by inserting, in appropriate order, at the end of the definition of *the map* in clause 7 (1) the following words:

Lake Macquarie Local Environmental Plan 1984 (Amendment No 158)

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 10th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Wagga Wagga Council area, County of Wynard and Parish of Gumly known as Lot(s) 2, Deposited Plan DP 616067 shown on the map accompanying the application for accreditation No 01/122 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 191 90 629.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 10th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Walcha Council area, County of Hawes and Parish of Uriamukki known as Lot(s) 35, 89, 73, 78, 6, 2, 7, Por 74, DP 753716, DP 250145, Vol 4869 Fol 198 shown on the map accompanying the application for accreditation No 01/120 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 193 90 627.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 10th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Gundagai Council area, County of Clarendon and Parish of Mitta Mitta known as Por 52, Deposited Plan DP 134842 shown on the map accompanying the application for accreditation No 01/100 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 79 90 604.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 10th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Lockhart Council area, County of Mitchell and Parish of Burke known as Lot(s) 12, 28, Deposited Plan DP 661721, DP 754543 shown on the map accompanying the application for accreditation No 01/126 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 114 90 623.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 10th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Lockhart Council area, County of Mitchell and Parish of Burke known as Lot(s) 28, 64, Deposited Plan DP 661721, DP 754543 shown on the map accompanying the application for accreditation No 01/127 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 114 90 634.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 10th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Yass, Harden Council area, County of Harden and Parish of Binalong known as Lot 287, 282, 77, Deposited Plan DP 753591, DP 753618 shown on the map accompanying the application for accreditation No 01/101 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 213 90 605.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 10th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Kyogle Council area, County of Rous and Parish of Cougal known as Lot(s) 1, 13, Deposited Plan DP 128347, DP 755700 shown on the map accompanying the application for accreditation No 01/102 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 104 90 606.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 10th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Kyogle Council area, County of Gloucester and Parish of Coweambah known as Lot(s) 4, Deposited Plan DP 800179 shown on the map accompanying the application for accreditation No 01/103 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 104 90 607.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 10th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Coolamon Council area, County of Bourke and Parish of Kindra known as Lot(s) 4, Deposited Plan DP 800825 shown on the map accompanying the application for accreditation No 01/090 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 51 90 595.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 10th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Harden Council area, County of Harden and Parish of Moppity known as Lot(s) 1, Deposited Plan DP 575231 shown on the map accompanying the application for accreditation No 01/093 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 84 90 597.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 10th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Byron Council area, County of Rous and Parish of Byron known as Lot(s) 5, Deposited Plan DP 245493 shown on the map accompanying the application for accreditation No 01/121 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 35 90 628.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 10th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Tweed Council area, County of Rous and Parish of Condong known as Lot(s) 3, Deposited Plan DP 702063 shown on the map accompanying the application for accreditation No 01/128 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 186 90 635.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 10th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Evans Council area, County of Georgiana and Parish of Burruga known as Lot(s) 23, 79, 40, 104, 77, Deposited Plan DP 793448, DP 753020 shown on the map accompanying the application for accreditation No 01/125 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 185 90 632.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 28th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Coolamon Council area, County of Bourke and Parish of Kindra known as Lot(s) 115, 116, 117, 4, Deposited Plan DP 750846, DP 800825 shown on the map accompanying the application for accreditation No 01/091 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 51 90 594.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 29th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Wagga Wagga Council area, County of Wynyard and Parish of Gregadoo known as Lot(s) 12, Deposited Plan DP 881175 shown on the map accompanying the application for accreditation No 01/124 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 191 90 631.

Timber Plantations (Harvest Guarantee) Act 1995

Notice of Accreditation of a Timber Plantation

The Executive Director of the Resource and Conservation Division, Department of Urban Affairs and Planning, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 29th day of August 2001.

Ian Cranwell
A/Executive Director

SCHEDULE

All that land in the Tweed Council area, County of Rous and Parish of Kynnumboon known as Lot(s) 70, Deposited Plan DP 755715 shown on the map accompanying the application for accreditation No 01/116 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 186 90 620.

South Sydney Local Environmental Plan 1988 (Amendment No. 7) – Green Square

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*. (R96/00103/PC)



Minister for Urban Affairs and Planning

Sydney, 29 August 2001

1 Name of plan

This plan is called *South Sydney Local Environmental Plan 1998 (Amendment No.7)—Green Square*.

2 Land covered by this plan

This plan applies to part of the Green Square redevelopment area, being the block bounded by O'Dea Avenue, and South Dowling, Lachlan and Bourke Streets, Waterloo, as shown coloured on the map marked "South Sydney Local Environmental Plan 1998 (Amendment No.7)—Green Square - Zoning" deposited in the office of South Sydney City Council.

3 Aims of this plan

The aims of this plan are:

- (a) to provide opportunities for the gradual replacement of industrial uses with a range of residential and environmentally compatible business land uses on land to which this plan applies, and
- (b) to allow for the continued operation and potential expansion of existing employment-generating activities, whilst ensuring their environmental compatibility with other activities in the area, and
- (c) to conserve items of heritage significance on land to which this plan applies.

4 Relationship to other plans

This plan amends *South Sydney Local Environmental Plan 1998* as set out in Schedule 1.

Schedule 1 Amendment of South Sydney Local Environmental Plan 1998

(Clause 4)

(1) Clause 9 Zones indicated on the map

Insert at the end of clause 9:

Zone No 10 (e) Mixed Uses "E" Zone

(2) Clause 21E

Insert after clause 21D:

21E Zoning controls for Zone No 10 (e)-the Mixed Uses "E" Zone**(1) What are the objectives of the zone?**

The objectives of Zone No 10 (e) are:

- (a) to establish a predominantly employment-based zone while allowing residential use on appropriate development sites, and
- (b) to allow for appropriate business activities which contribute to economic growth and employment opportunities within the Green Square area, provided they are environmentally compatible in terms of design and operational requirements with residential development, and
- (c) to allow residential development within the zone, provided it is designed so as to be compatible with other non-residential uses and will not adversely affect the operations of existing lawfully operating industrial uses, and
- (d) to minimise any adverse impact, including social impact, on residential amenity by devising appropriate design assessment criteria and applying specific impact mitigation requirements by the use of development control plans, and
- (e) to ensure that development within the zone contributes to a highly sustainable, vibrant community, and reflects equal and integrated consideration of social, economic and environmental design issues.

(2) What does not require development consent?Development for the purpose of:
home businesses.**(3) What requires development consent?**

Development for the purpose of:

advertising structures; amusement centres; backpackers' hostels; bed and breakfasts; child care centres; clubs; commercial premises; commercial signs; community centres; dwelling houses; educational establishments; high technology industries; home industries; hospitals; hotels;

light industries; local businesses; medical centres; multiple dwellings; non-structural advertisements; places of assembly; places of public worship; private hotels; public buildings; recreation areas; recreation facilities; restaurants; roads; serviced apartments; shops; under awning signs.

Any other development not included in subclause (2).

(3) Clause 27D Preparation of masterplans

Insert "and the map marked 'South Sydney Local Environmental Plan 1998 (Amendment No.7)-Green Square – Zoning'" after the words "South Sydney Local Environmental Plan 1998 (Amendment No.2)-Green Square – Zoning" in clause 27D(2).

(4) Schedule 1 Definitions

Insert ", and on the map marked 'South Sydney Local Environmental Plan 1998 (Amendment No.7)-Green Square – Zoning'" after the words "except land identified as deferred matter on that map" in the definition of *Green Square*.

(5) Schedule 1

Delete the word "and" after the word "Heritage" in the definition of *heritage item*.

(6) Schedule 1

Insert "or 'South Sydney Local Environmental Plan 1998 (Amendment No.7)-Green Square – Heritage'" after the word "Conservation" in the definition of *heritage item*.

(7) Schedule 1

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

South Sydney Local Environmental Plan 1998 (Amendment No.7)-Green Square – Zoning

(8) Schedule 2 Heritage items

Insert the following items in alphabetical order of street name and in appropriate order of street number:

114A	Bourke Street	Waterloo	866-882	<i>Millers Self Storage, Federation Warehouse with art deco additions, at corner of O'Dea Avenue and Bourke Street</i>	5.4
1042A	South Dowling Street	Waterloo	853	<i>Moore Park View Hotel, two storey hotel, c. 1930 with later additions</i>	5.5

Roads and Traffic Authority

ROADS ACT 1993

Notice under Clause 17 of the road Transport (Mass, Loading and Access) Regulation 1996

Leeton 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 roads and road related areas on or in which B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

RC PLUIS
GENERAL MANAGER
LEETON SHIRE COUNCIL
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited, as the Leeton Shire Council B-Double Notice No. 2/ 2001.

2. Commencement

This Notice takes effect from date of gazettal.

3. Effect

This Notice remains in force until August 2006 unless it is amended or repealed earlier.

4. Application

This Notice applies to B-Doubles which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) Regulation 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

B-Double Routes within the Leeton Shire Council

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
25	000	Breed Road (Leeton Shire Council)	Leeton Narrandera Road (Main Road 80)	Supermarket rear Service Access entrance 150m west of MR80	

ROADS ACT 1993

Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation 1996

Singleton 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.

G. McTaggart
MANAGER – WORKS for S.C. McGrath GENERAL MANAGER

Singleton Shire Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited as the Singleton Shire Council B-Doubles Notice No.5,2001.

2. Commencement

This Notice takes effect on the date of Gazettal.

3. Effect

This Notice remains in force until unless it is amended or repealed earlier.

4. Application

This Notice applies to B-Doubles which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) Regulation 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes**B- Doubles routes within the Singleton Shire Council.**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	000	Bridgman Rd, Singleton	New England Highway	No 653 Bridgman Rd (Camberwell Coal)	Restricted to: - Operating between 9.15am and 2.30pm.

ROADS ACT 1993**LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land at Fairfield 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 Luke and County of Cumberland, shown as:

Lot 20 Deposited Plan 882938, being part of the land in Certificate of Title 4/16488 and said to be in the possession of George David Saliba (registered proprietor); and

Lot 24 Deposited Plan 882938, being part of the land in Certificate of Title 6/13370 and said to be in the possession of Marian Mozejko (registered proprietor).

(RTA Papers FPP 1M2261)

ROADS ACT 1993**LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of a Lease of Land at Medlow Bath in the Blue Mountains 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 interest in 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

A lease, as described in Memorandum 7796130 recorded at the Land and Property Information New South Wales, of all those pieces or parcels of Crown land situated in the Blue Mountains City Council area, Parish of Megalong and County of Cook shown as Lots 178 and 215 Deposited Plan 751657, being parts of Reserve 55 from Sale for Public Purposes notified in Government Gazette of 29 April 1878 on page 1724

(RTA Papers FPP 1M2473)

ROADS ACT 1993**LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land at Darling
Harbour in the Sydney 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 schedule 1 below and the interest in land described in schedule 2 below are 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 1

ALL those pieces or parcels of land situated in the Sydney City Council area, Parish of St Philip and County of Cumberland, shown as:

Lot 7 RTA Plan No. 0165 412 SS 0692, being part of the land in Certificate of Title 40/812647 and said to be in the possession of Multistar Pty Limited (registered proprietor), HSBC Bank Australia Limited (mortgagee), Taverns Pty Limited (lessee), St George Bank Limited (mortgagee of lease) and Leighton Property Development Pty Limited (reputed owner of an option);

Lot 8 RTA Plan No. 0165 412 SS 0692, being part of the land in Certificate of Title 46/812647 and said to be in the possession of Multistar Pty Limited (registered proprietor), HSBC Bank Australia Limited (mortgagee) and Leighton Property Development Pty Limited (reputed owner of an option);

Lot 9 RTA Plan No. 0165 412 SS 0692, being part of the land in Certificate of Title 143/864285 and said to be in the possession of Multistar Pty Limited (registered proprietor), HSBC Bank Australia Limited (mortgagee) and Leighton Property Development Pty Limited (reputed owner of an option); and

Lot 10 RTA Plan No. 0165 412 SS 0692, being part of the land in Certificate of Title 148/864285 and said to be in the possession of Multistar Pty Limited (registered proprietor), HSBC Bank Australia Limited (mortgagee) and Leighton Property Development Pty Limited (reputed owner of an option).

SCHEDULE 2

AN easement in gross for repairs as described in Schedule 4A of the Conveyancing Act 1919, amended by omitting the words in clause 1 (a) there-of and substituting in lieu "from time to time and at all times enter the lot burdened and use the lot burdened for the purpose of carrying out necessary work on any structure used by that body which cannot otherwise reasonably be carried out, and";

AND AN easement in gross for right of access as described in Schedule 4A of the Conveyancing Act 1919;

both easements affecting the site shown by the letter (S) on RTA Plan 0165 412 SS 0692, and described thereon as a "proposed easement for maintenance 1.3 wide" limited in height and depth as shown on RTA Plan 0165 412 SS 0692 and affecting parts of the land in Certificates of Title 40/812647, 46/812647 and 143/864285.

(Note: RTA Plan 0165 412 SS 0692 is now numbered DP 1033719 at LPI NSW)

(RTA Papers 1M2378; SCS 412.12092)

Sydney Water

SEWER MAINS

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF BLACKTOWN, at MT DRUITT: Contract No. 412091F4. Project No. 3000712. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving METHVEN STREET and CARLISLE AVENUE.

CITY OF BLACKTOWN, at MT DRUITT: Contract No. 969179S2. Project No. 3001628. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving LUXFORD ROAD and CARLISLE AVENUE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

ROBERT ROACH,
Developer Activity Officer,
Blacktown Commercial Centre.

Dated: 7 August 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.

SHIRE OF BAULKHAM HILLS, at KELLYVILLE: Contract No. 968548SB. Project No. 3001591. Lines 1 to 2 inclusive and their appurtenant junctions, sidelines and inlets serving PROPOSED ROADS, PARK RIDGE CIRCUIT and GREEN ROAD.

SHIRE OF BAULKHAM HILLS, at KELLYVILLE: Contract No. 968395S0. Project No. 3001770. Lines 1 to 7 and property connection sewer 1 inclusive and their appurtenant junctions, sidelines and inlets serving RADCLIFFE PLACE, YORK ROAD, MEREDITH AVENUE and ALLISON PLACE.

SHIRE OF BAULKHAM HILLS, at BAULKHAM HILLS: Contract No. 968724S5. Project No. 3001182. Sideline 1 inclusive and its appurtenant junctions, sidelines and inlets serving OLD NORTHERN ROAD.

SHIRE OF BAULKHAM HILLS, at CASTLE HILL: Contract No. 968361SA. Project No. 3001613. Lines 1 to 3 inclusive and their appurtenant junctions, sidelines and inlets serving GRAND WAY.

CITY OF HOLROYD, at GUILDFORD: Contract No. 968913S8. Project No. 3001413. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving McCREIDIE ROAD.

CITY OF HOLROYD, at MERRYLANDS: Contract No. 968424S8. Project No. 3002006. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving RICHARDSON STREET and HILLTOP ROAD.

CITY OF HOLROYD, at PENDLE HILL: Contract No. 968567S6. Project No. 3001864. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving WYENA 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,
Blacktown Commercial Centre.

Dated: 7 September 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 practicable for sewage to be discharged.

CITY/MUNICIPALITY OF HORNSBY, at CHELTENHAM: Contract No. 965783S0. Project No. 3000872. Line 1 to Line 2 and Sideline 1 inclusive and their appurtenant junctions, sidelines and inlets serving CHELTENHAM ROAD.

CITY/MUNICIPALITY OF KU-RING-GAI, at ST IVES: Contract No. 974204S7. Project No. 3002451. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving STANLEY STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being the identified properties on the plans will be liable for payment of sewerage charges on and from the date of this publication of this notice.

MARTHA AMADOR,
Developer Activity Officer,
Chatswood.

Dated: 7 September 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF WOLLONGONG, at WOONONA (Edgewood Estate Stage 1D): Contract No. 970447S4. Project No. 3002015. Lines 1-10 inclusive and their appurtenant junctions, sidelines and inlets serving CHERRY STREET, FERN CLOSE, FORESTVIEW WAY, WATTLE ROAD, HICKORY STREET and RED ASH DRIVE.

CITY OF WOLLONGONG, at WOLLONGONG: Contract No. 958588S2. Project No. 390430. Sideline 1 inclusive and its appurtenant junctions, sidelines and inlets serving OSBORNE STREET.

CITY OF WOLLONGONG, at BULLI: Contract No. 970592S4. Project No. 3002335. Sideline 1 inclusive and its appurtenant junctions, sidelines and inlets serving EDMONDSON STREET and PARK 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 connection to these mains.

MARGARET McTAINSH,
Developer Activity Officer,
Illawarra Region.

Dated: 7 September 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

THE COUNCIL OF CAMPBELLTOWN, at BLAIR ATHOL: Contract No. 970847S8. Project No. 3001470. Lines 1-12 inclusive and their appurtenant junctions, sidelines and inlets serving THE KRAAL DRIVE, GABRIEL COURT, PETER PLACE, ST CLARE PLACE and MARYFIELDS 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.

MITCHELL HOFFMANN,
Developer Activity Officer,
Urban Development,
Liverpool Regional Office.

Dated: 7 September 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF LIVERPOOL, at CECIL HILLS: Contract No. 971979S3. Project No. 3001977. Lines 1 and 2 inclusive and their appurtenant junctions, sidelines and inlets serving identified properties in PALACE CIRCUIT.

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 connection to this main.

PETER ALLEN,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 24 August 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF FAIRFIELD, at FAIRFIELD: Contract No. 967527SA. Project No. 3001354. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving MYDDELETON AVENUE.

CITY OF FAIRFIELD, at FAIRFIELD: Contract No. 967464S0. Project No. 3001408. Sideline 1 inclusive and its appurtenant junctions, sidelines and inlets serving PARKER 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.

MITKO BALALOVSKI,
Developer Activity Officer,
Urban Development,
Liverpool Regional Office.

Dated: 7 September 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation (trading as Sydney Water), have been laid and are available for connection.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

BANKSTOWN COUNCIL, at REVESBY: Project No. 3001806. Contract No. 971469SA. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving CRESSWELL STREET and PATEN STREET.

CANTERBURY COUNCIL, at CROYDON: Project No. 3002042. Contract No. 971550S2. Property connection sewer 1 inclusive and its appurtenant junctions, property connections and inlets serving HAMPTON STREET.

CONCORD COUNCIL, at CABARITA: Project No. 3001660. Contract No. 971499S4. Lines 1, 2, 3, 4 and Line 'A'-'B' inclusive and their appurtenant junctions, sidelines and inlets serving MEDORA ROAD, KENDALL STREET, BISHOP STREET and ELPHINSTONE STREET.

RANDWICK COUNCIL, at KENSINGTON: Project No. 3001978. Contract No. 971701S3. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving DONCASTER AVENUE.

RANDWICK COUNCIL, at RANDWICK: Project No. 3001875. Contract No. 971351S5. Property connection sewer 1 inclusive and its appurtenant junctions, property connections and inlets serving MARKET STREET.

ROCKDALE COUNCIL, at SANS SOUCI: Project No. 3002374. Contract No. 973033SA. Line 1 and property connection sewer 1 inclusive and their appurtenant junctions, property connections and inlets serving ALICE STREET.

WOLLAHRA COUNCIL, at ROSEBAY: Project No. 3002361. Contract No. 973278S1. Property connection sewer 1 inclusive and its appurtenant junctions, property connections and inlets serving WILBERFORCE AVENUE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

GERRY DACOCO,
Developer Activity Officer,
Rockdale.

Dated: 3 September 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 connection.

Notice is also given, that in the opinion of Sydney Water, for the identified properties on plans, it is reasonably practical for water to be supplied.

CITY OF BLACKTOWN, at ARNDELL PARK: Contract No. 967797WA. Project No. 1000712. Water mains are now laid and capable of serving identified properties in WALTERS ROAD and HOLBECHE ROAD.

CITY OF BLACKTOWN, at ROOTY HILL: Contract No. 969161W8. Project No. 1000745. Water mains are now laid and capable of serving identified properties in BRUSSELS CRESCENT and BEAMES AVENUE.

Subject to the provisions of the Water Board Act 1994, the owners of all lands being identified properties on plans will become liable for payment of water charges on and from the date of publication of this notice.

ROBERT ROACH,
Developer Activity Officer,
Blacktown Commercial Centre.

Dated: 7 August 2001.

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

CITY OF PARRAMATTA, at TOONGABBIE: Contract No. 966844W0. Project No. 160635. Water mains are now laid and capable of serving identified properties at GREYGUM TERRACE, CENTENARY AVENUE, BLUEGUM CIRCUIT, PEPPERCRESS PLACE and BLACK WATTLE CIRCUIT.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VICKI MAWBY,
Developer Activity Officer,
Blacktown Commercial Centre..

Dated: 7 September 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 connection.

Notice is also given, that in the opinion of Sydney Water, for the identified properties on plans, it is reasonably practical for water to be supplied.

CITY OF WOLLONGONG, at WOONONA (Edgewood Estate Stage 1D): Contract No. 970447W8. Project No. 1000892. Water mains are now laid and capable of serving identified properties in FERN CLOSE, CHERRY STREET, WATTLE ROAD, HICKORY STREET, FORESTVIEW WAY and RED ASH DRIVE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on plans will become liable for payment of water charges on and from the date of connection to these mains.

MARGARET McTAINSH,
Developer Activity Officer,
Illawarra Region.

Dated: 7 September 2001.

SYDNEY WATER

Water Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connection.

Notice is also given, that in the opinion of Sydney Water, for the identified properties on plans, it is reasonably practical for water to be supplied.

THE COUNCIL OF CAMPBELLTOWN, at BLAIR ATHOL: Contract No. 970847W0. Project No. 1000624. Water mains are now laid and capable of serving identified properties in THE KRAAL DRIVE, GABRIEL COURT, PETER PLACE, ST CLARE PLACE and MARYFIELDS DRIVE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on plans will become liable for payment of water charges on and from the date of publication of this notice.

MITCHELL HOFFMANN,
Developer Activity Officer,
Urban Development,
Liverpool Regional Office.

Dated: 7 September 2001.

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation (trading as Sydney Water), have been laid and are available for connection.

Notice is also given, that in the opinion of Sydney Water, for the identified properties on plans, it is reasonably practical for water to be supplied.

CONCORD COUNCIL, at CABARITA: Project No. 1000724. Contract No. 971499S4. Water mains are now laid and shown on said plan and capable of serving the properties in MEDORA STREET, KENDALL STREET, BISHOP STREET and ELPHINSTONE STREET.

CONCORD COUNCIL, at CABARITA: Project No. 1000529. Contract No. 96310WB. Water mains are now laid and shown on said plan and capable of serving the properties in EMILY STREET, BRAYS ROAD, BISHOP STREET, MEDORA STREET and KENDALL STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on plans will become liable for payment of water charges on and from the date of publication of this notice.

GERRY DACOCO,
Developer Activity Officer,
Rockdale.

Dated: 7 September 2001.

Other Notices

ANTI-DISCRIMINATION ACT 1977

Exemption Order

UNDER the provisions of section 126 of the *Anti-Discrimination Act 1977* and on the recommendation of the Anti-Discrimination Board, an exemption is given from the provisions of sections 33, 49ZYN and 51 of the *Anti-Discrimination Act 1977* for Dr Maysa EDDIE to provide dental services to females and to males under ten years of age only, on two days per week.

This exemption will remain in force for a period of 12 months from the date given.

Dated this 28th day of August 2000.

BOB DEBUS,
Attorney General

ANTI-DISCRIMINATION ACT 1977

Exemption Order

UNDER the provisions of section 126 of the *Anti-Discrimination Act 1977* and on the recommendation of the Anti-Discrimination Board, an exemption is given from the provisions of sections 25 and 51 of the *Anti-Discrimination Act 1977* to the MOTOR TRADERS' ASSOCIATION OF NEW SOUTH WALES and the franchisees of GENERAL MOTORS HOLDEN to specifically recruit women to positions as vehicle salespersons in the motor vehicle industry and to implement a program of training, support and mentoring for female vehicle salespersons.

The exemption will remain in force for a period of 5 years from the date given.

Dated this 28th day of August 2001.

BOB DEBUS,
Attorney General

ANTI-DISCRIMINATION ACT 1977

Exemption Order

UNDER the provisions of section 126 of the *Anti-Discrimination Act 1977* and on the recommendation of the Anti-Discrimination Board, an exemption is given from the provisions of sections 25 and 51 of the *Anti-Discrimination Act 1977* to the SOUTH WEST SYDNEY LEGAL CENTRE to designate and recruit for a position for a female solicitor.

This exemption will remain in force for a period of ten years from the date given.

Dated this 28th day of August 2001.

BOB DEBUS,
Attorney General

GEOGRAPHICAL NAMES ACT 1966

Notice Of Proposal To Amend A Suburb Boundary Within Gosford City

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to amend the boundary between Spencer and Lower Mangrove, increasing the extent of SPENCER as shown on map GNB3532/E. The map may be viewed at Gosford City Council offices, Gosford Library, the general stores at Spencer, Mangrove Mountain and Somersby and the office of the Geographical Names Board, Land and Property Information, Panorama Avenue, Bathurst.

Any person objecting to this proposal may within one (1) month of the date of this notice, give to the Secretary of the Board notice in writing of the objection, setting out the grounds of the objection.

WARWICK WATKINS,
Chairperson

Geographical Names Board
PO Box 143, BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to assign the name listed hereunder as a geographical name.

Any person objecting to this proposal may within one (1) month of the date of this notice give to the Secretary of the Board, notice in writing of that objection, setting out the grounds of the objection.

Proposed Name:	Harrys Amphitheatre
Designation:	Amphitheatre
L.G.A.:	Blue Mountains City Council
Parish:	Megalong
County:	Cook
Latitude:	33° 43' 46"
Longitude:	150° 18' 08'
L.P.I. Map:	Katoomba
1:100,000 Map:	Katoomba 8930
Reference:	GNB 4826

WARWICK WATKINS,
Chairperson

Geographical Names Board
PO Box 143, BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical name listed hereunder.

Assigned Name: Werakata National Park
 Designation: Reserve
 L.G.A.: Cessnock City Council
 Parish: Allandale
 County: Northumberland
 Latitude: 32° 51' 00"
 Longitude: 151° 25' 00"
 L.P.I.Map: Cessnock
 100,000Map: Cessnock 9132
 Reference: GNB4805

WARWICK WATKINS,
 Chairperson

Geographical Names Board
 PO Box 143, BATHURST NSW 2795

LOCAL GOVERNMENT ACT 1993

Hastings District Water Supply Augmentation
 Vesting of Easements in Hastings Council

THE Minister for Land and Water Conservation of the State of New South Wales, declares that the easements described in the Schedule hereto, which were acquired for the purpose of the Hastings District Water Supply Augmentation Scheme are vested in Hastings Council.

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

SCHEDULE*Interest In Land*

Easement rights as described under the heading Water Pipeline in Memorandum E931212 filed in the Land Titles Office over the sites shown in:

Deposited Plan 1021725 (SB55109) as:

- ‘(A) PROPOSED EASEMENT FOR WATER PIPELINE
 10 WIDE’
 ‘(B) PROPOSED EASEMENT FOR WATER PIPELINE
 8 WIDE’

DPWS Reference 116

NATIONAL PARKS AND WILDLIFE ACT 1974**PROCLAMATION**

I, Professor MARIE BASHIR AC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under section 49 (2) of the National Parks and Wildlife Act 1974, do, on the recommendation of the Director-General of National Parks and Wildlife, by this my Proclamation dedicate the lands described hereunder as part of Tuckean Nature Reserve for the purposes of section 49 (3) of that Act.

Signed and sealed at Sydney this 15th day of August 2001.

MARIE BASHIR
 Governor,

By Her Excellency's Command

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

GOD SAVE THE QUEEN**Description**

L.G.A. – Lismore; Land District – Lismore

County Rous, Parish Broadwater, about 2.5 hectares, being the Crown public roads separating Lots 130, 131 and 135, DP 755691 from Lots 67 and 114, DP 755691. NPWS A/6341.

PESTICIDES ACT 1999

Notice under Section 48 (4)

NOTICE is hereby given, pursuant to section 48(4) of the Pesticides Act 1999, that I have granted an Aircraft (Pesticide Applicator) Licence, particulars of which are stated in the Schedule.

ALAN RITCHIE,
 Manager Dangerous Goods
 Environment Protection Authority
 by delegation

SCHEDULE

Pilot (Pesticide Rating) Licence

<i>Name and address of Licensee</i>	<i>Date of Granting of Licence</i>
Mr Christopher John BANSGROVE 1/32 Kenny Lane St George QLD 4487	31 August 2001

**POISONS AND THERAPEUTIC GOODS
ACT 1966**

Order Under Clause 151(1)

**POISONS AND THERAPEUTIC GOODS
REGULATION 1994**

Withdrawal Of Drug Authority

IN accordance with the provisions of clause 151(1) of the Poisons and Therapeutic Goods Regulation 1994 an order has been made on Dr Colin John MacDONALD of 55 River Road, Ballina 2478 prohibiting him until further notice, as a medical practitioner from supplying or having possession of drugs of addiction as authorised by clause 103 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 79 of the Regulation.

This order is to take effect on and from Monday 27 August 2001.

MICHAEL REID,
Director-General

Department of Health, New South Wales,
Sydney, Wednesday 22 August 2001

**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 Eric Robert WOLF of 1/46 Kellett Street, Kings Cross prohibiting him 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 7 September, 2001.

MICHAEL REID,
Director-General

Department of Health, New South Wales,
Sydney, Wednesday, 5 September, 2001.

**POISONS AND THERAPEUTIC GOODS
ACT 1966**

Restoration Of Drug Authority

IN accordance with the provisions of clause 151 (1) of the Poisons and Therapeutic Goods Regulation 1994, a direction has been issued that the order prohibiting Dr David John ALLEN of 97 Kennedy Drive, Tweed Heads, 2485 from supplying or having possession of drugs of addiction as authorised by clause 103 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 79 of the Regulation, for the purpose of his profession as a medical practitioner, shall cease to operate from Friday 31 August 2001

MICHAEL REID,
Director-General

Department of Health, New South Wales
Sydney, 27 August 2001

**WORKERS COMPENSATION (PUBLIC
HOSPITAL RATES) ORDER 2001**

under the

WORKERS COMPENSATION ACT 1987

I, KATE McKENZIE, General Manager of the WorkCover Authority of New South Wales, pursuant to section 62 of the Workers Compensation Act 1987, make the following Order.

Dated this 5th day of September 2001.

KATE McKENZIE,
General Manger
WorkCover Authority

1. Name of Order

This Order is the *Workers Compensation (Public Hospital Rates) Order 2001*.

2. Commencement

This Order commences on the date of its publication in the Gazette.

3. Application of Order

(1) This Order applies to hospital treatment of a worker at a public hospital, being treatment of a type referred to in clauses 4 to 7 and provided on or after the commencement of this Order, whether the treatment relates to an injury that is received before, on or after that date.

(2) Any previous order of WorkCover in force under section 62 of the Act continues to apply except to the extent that it is inconsistent with this Order.

(3) Any previous order of the Director-General of the Department of Health in force under clause 18 of the Workers Compensation (General) Regulation 1995 or in force under a previous order of WorkCover referred to in subclause (2) continues to apply as if it were an order under clause 8 of this Order until (and except to the extent that) the Director-General of that Department makes an Order under clause 8 that supersedes a matter covered by such a previous order.

(4) An order under clause 8 may provide that a hospital is not a public hospital of a particular type in respect of treatment provided to a specified class of patient.

4. Fees for hospital patient services generally

(1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being treatment provided to a worker within a classification specified in Column 1 of Schedule A is, for each day (or part of a day) that the worker is a patient of the hospital, the corresponding amount specified in Column 2 of that Schedule.

(2) This clause does not apply to hospital treatment of a type referred to in clauses 5 to 7 of this Order.

5. Fees for brain injury rehabilitation services

(1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being brain injury rehabilitation services within a classification specified in Column 1 of Schedule B, is the corresponding amount specified in Column 2 of that Schedule.

(2) This clause does not apply to hospital treatment of a type referred to in clauses 4 or 6 to 7 of this Order.

6. Fees for spinal injury rehabilitation services

(1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being spinal injury rehabilitation services within a classification specified in Column 1 of Schedule C, is the corresponding amount specified in Column 2 of that Schedule.

(2) This clause does not apply to hospital treatment of a type referred to in clauses 4 to 5 or 7 of this Order.

7. Fee amount payable for physiotherapy out-patient services

The amount for which an employer is liable under the Act for hospital treatment of a worker, being physiotherapy services provided to the worker as an out-patient and of a type specified in Column 1 of Schedule D, is the corresponding amount specified in Column 2 of that Schedule.

8. Definitions

(1) In this Order:

classification refers to the classification, whether relating to classification of hospital, category of patient or otherwise (or any combination of them), appearing in Column 1 of any of Schedules A-C.

critical care, in relation to a patient, has the same meaning as it has in the "NSW Department of Health – DOHRS" issued by the Department of Health in June 2000 or in any subsequent revision of that document issued by that Department.

distinct areas means different body areas (affected by a worker's injury) requiring a separate approach to treatment.

employer consultations means discussions (which can include discussions by telephone) between a physiotherapist and worker's employer or rehabilitation provider in connection with the worker's treatment.

extended treatment means treatment that is extremely complex.

initial consultation and treatment means the first examination and treatment of a worker by the physiotherapist in respect of an injury.

metropolitan (non-referral) hospital means a public hospital notified as a metropolitan (non-referral) hospital for the purposes of this Order by the Director-General of the Department of Health by order published in the Gazette.

metropolitan (referral) hospital means a public hospital notified as a metropolitan (referral) hospital for the purposes of this Order by the Director-General of the Department of Health by order published in the Gazette.

non-metropolitan hospital means a public hospital notified as a non-metropolitan hospital for the purposes of this Order by the Director-General of the Department of Health by order published in the Gazette.

occasion of service in relation to a non-admitted patient occasion of service, has the same meaning as it has in the "NSW Department of Health – DOHRS" issued by the Department of Health in June 2000 or in any subsequent revision of that document issued by that Department.

other public hospital means a public hospital other than a metropolitan (non-referral) hospital, a metropolitan (referral) hospital, a non-metropolitan hospital or a psychiatric hospital.

out-patient is a patient who does not undergo a formal admission process.

psychiatric hospital means a public hospital notified as a psychiatric hospital for the purposes of this Order by the Director-General of the Department of Health by order published in the Gazette.

public hospital means a public hospital within the meaning of section 59 of the Act.

standard consultation and treatment means treatment provided after the initial consultation and treatment, or treatment involving reassessment.

the Act means the Workers Compensation Act 1987.

treatment in classes means treatment provided by a physiotherapist when more than one patient is treated at the same time.

WorkCover means the WorkCover Authority of New South Wales.

(2) All references to treatment and services in this Order are (consistent with the definition of "hospital treatment" in section 59 of the Act) references to treatment and services provided at a public hospital or at any rehabilitation centre conducted by such a hospital.

9. Schedules

Schedules A-D form part of this Order.

SCHEDULE A

Hospital patient services generally

COLUMN1 Item/classification	COLUMN2 Daily amount (\$)
1. Metropolitan (referral) hospital:	
(a) Critical care patient	1,810
(b) In-patient (other than critical care patient)	730
(c) Out-patient	85
2. Metropolitan (non-referral) hospital:	
(a) Critical care patient	1,055
(b) In-patient (other than critical care patient)	550
(c) Out-patient	65
3. Non metropolitan hospital:	
(a) Critical care patient	835
(b) In-patient (other than critical care patient)	505
(c) Out-patient	55
4. Psychiatric hospital:	
(a) In-patient	305
(b) Out-patient	55
5. Other public hospital:	
(a) In-patient	170
(b) Out-patient	55

SCHEDULE B

Brain injury rehabilitation services

COLUMN1 Item/classification	COLUMN2 Amount (\$)
1. Admitted patient services:	
(a) Category A patient	700 per day
(b) Category B patient	450 per day
(c) Category X patient	1,000 per day
2. Metropolitan (non-referral) hospital:	
(a) Category A patient	500 per day
(b) Category B patient	250 per day
3. Non admitted patient services	50 per cumulative half hour
4. Outpatient medical clinic appointments	70 per occasion of service

SCHEDULE C

Spinal injury rehabilitation services

COLUMN1 Item/classification	COLUMN2 Amount (\$)
1. Admitted patients (Northern Area Health Service, Royal Rehabilitation Centre of Sydney)	550 per day
2. Out-patient services:	
(a) Conference	50 per half hour per therapist
(b) Therapy	50 per half hour per therapist

SCHEDULE D

Physiotherapy out-patient services

COLUMN1 Item/type of service	COLUMN2 Amount per occasion of service (\$)
1. Initial consultation and treatment	55
2. Standard consultation and treatment	45
3. Initial consultation and treatment where two distinct areas are treated	85
4. Consultation and treatment where two distinct areas are treated	67.50
5. Initial consultation and treatment where three distinct areas are treated	112.50
6. Consultation and treatment where three distinct areas are treated	90
7. Extended treatment	90
8. Treatment in classes	34
9. Other aspects of treatment not covered under any of items 1-8, eg case conferencing and employer consultations	112.50 per hour

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 a.m. on the dates shown below.

5 September 2001

- 014/7189** SCANNING DOCUMENTS FOR THE DEPARTMENT MINERAL RESOURCES.
DOCUMENTS: \$110.00 PER SET.
- 016/7190** ALUMINIUM V-HULL & HEAVY DUTY FLAT BOTTOM BOATS (INCLUDING TRAILERS).
DOCUMENTS: \$110.00 PER SET.

12 September 2001

- 012/7146** PROVISION OF MEDIA MONITORING SERVICES. DOCUMENTS: \$110.00 PER SET.
- 016/7179** SPONSORSHIP SERVICES. DOCUMENTS: \$110.00 PER SET.
- 013/7203** PROVISION OF SHIPPING SERVICES TO LORD HOWE ISLAND. DOCUMENTS: \$110.00 PER SET.

18 September 2001

- S01/00325 (48)** LAND & PROPERTY INFORMATION NSW, DITM - CATERING CONTRACT.
DOCUMENTS: \$165.00 PER SET.
- 025/7191** PRINTING OF 'THE SCHOOL MAGAZINE'. DOCUMENTS: \$110.00 PER SET.
- 01/7201** SUPPLY OR LEASE/PURCHASE OF ICP ATOMIC EMISSION SPECTROMETER.
DOCUMENTS: \$110.00 PER SET.
- 01/7212** WAVELENGTH DISPERSIVE X-RAY SPECTROMETER. DOCUMENTS: \$110.00 PER SET.

19 September 2001

- 003/7112** SPECIAL FLUORESCENT LUMINAIRES. DOCUMENTS: \$110.00 PER SET.

20 September 2001

- 016/7181** AERIAL LADDER PLATFORM VEHICLES. DOCUMENTS: \$110.00 PER SET.
- S01/00108 (1020)** CLEANING FOR DEPT OF HOUSING - LIVERPOOL. CATEGORY B. INSPECTION DATE & TIME:
28/08/2001 @ 10:45 AM SHARP. AREA: 18,801.2 SQ. METERS. DOCUMENTS: \$55.00 PER SET.

25 September 2001

- S0172563** 2001 HSC SECURITY CENTRES GREATER SYDNEY METRO AREA. DOCUMENTS: \$110.00 PER SET.

27 September 2001

- S01/00305 (906)** CLEANING OF WESTMEAD CORONER'S COURT. CATEGORY D. INSPECTION DATE & TIME:
13/09/2001 @ 11:30 AM SHARP. AREA: 611 SQ. METERS. DOCUMENTS: \$27.50 PER SET.
- 00/7136** REHABILITATION OF OYSTER LEASES IN GEORGES RIVER ESTUARY.
DOCUMENTS: \$110.00 PER SET.

3 October 2001

- ITS004/2025a** MOBILE TELEPHONES, ACCESSORIES & INSTALLATION; REPAIR & MAINTENANCE.
DOCUMENTS: \$220.00 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>)

DEPARTMENT OF HOUSING

“TENDERERS are required to comply with the New South Wales Government’s Code of Practice and Tendering for the Construction Industry”

WESTERN SYDNEY REGIONAL OFFICE

LAWNMOWING / CLEANING
TENDER ADMENDMENTS

(1) JOB No. WSG 054. Maintenance of vacant land DUNDAS / ERMINGTON / SOUTH GRANVILLE / GUILDFORD. 5 Sites. CONTRACT WITHDRAWN.

MAINTENANCE / UPGRADING
SCHEDULE RATE CONTRACT

(1) MOUNT DRUITT / PENRITH / ST MARYS / RICHMOND / BLUE MOUNTAINS. 4 Zones. General repairs for period ending 28 February 2002.

Note: **CLOSING 10.00 A.M., TUESDAY, 18 SEPTEMBER 2001.**

TENDER ADMENDMENTS

(1) JOB No. WSR 1749. External Repairs / External Painting. BAULKHAM HILLS / NORTH PARRAMATTA / NORTHMEAD / PARRAMATTA / WENTWORTHVILLE, approx. 125 properties.

Note: **NEW CLOSING DATE - 11 SEPTEMBER 2001.**

MAINTENANCE / UPGRADING

(1) HEBERSHAM / ROOTY HILL / WHALAN (JOB No. WSR1752), approx. 84 properties.

(2) BLACKETT / SHALVEY (JOB No. WSR 1753), approx. 125 properties.

(3) TREGEAR / WHALAN / WILLMOT (JOB No. WSR 1754), approx. 144 properties.

External Repairs / External Painting.

FULL BUILDERS LICENCE REQUIRED FOR ALL EXTERNAL REPAIRS / EXTERNAL PAINTING CONTRACTS.

Note: **CLOSING 10.00 A.M., TUESDAY, 25 SEPTEMBER 2001.**

Tender Fee: \$55.00 per tender (GST included), payable by cheque or money order.

Telephone: 9891 8402 / 9891 8180.

Tender documents are available from Western Sydney Regional Office, 106-108 Church Street, Parramatta and tenders close at that office.

SOUTH WESTERN SYDNEY REGIONAL OFFICE

LAWNMOWING / CLEANING

(1) FAIRFIELD / CARRAMAR (JOB No. SCL 031).

(2) FAIRFIELD / CANLEY VALE (JOB No. SCL 033).

(3) SMITHFIELD / FAIRFIELD (JOB No. SCL 034).

(4) PADSTOW (JOB No. SCL 041).

(5) REVESBY / PADSTOW (JOB No. SCL 042).

Maintenance of Lawns / Grounds / Common Area Cleaning.

Note: A briefing session will be held for tenderers on 5 September 2001, in the Departments Training Room 1, Level 6, 23-31 Moore Street, Liverpool, commencing at 2.00 p.m. sharp.

Telephone: 9821 6336.

Note: **CLOSING 10.00 A.M., TUESDAY, 18 SEPTEMBER 2001.**

Tender Fee: \$55.00 for each tender (GST included), **cheque only**, to be made out to Department of Housing. The tender box is located on the Ground Floor, 23- 31 Moore Street, Liverpool.

Government Printing Service
TENDERS FOR PRINTING

TENDERS will be received up to 9.30 am on the date specified for the undermentioned printing. Envelopes containing tenders must be addressed to: Government Printer Unit 5 Block V 391 Park Road REGENTS PARK NSW 2143, and have legibly endorsed upon the face thereof the items and description of the printing for which the tender is submitted. Special envelopes are available for this purpose.

Gazette closing one week – 17th September 2001

Tender No. 20265

Tenders are invited for the production of NSW Government Schools Annual Reports. The scope of work required will take place in two stages (stage one Primary Schools, stage two Secondary Schools).

The task requires the development of software suitable for schools to write their reports, development of a suitable tracking system which will allow the client to view the stages of the work at each interval, proof reading of the reports for spelling and grammatical errors, printing of 2244 individual reports varying in run length from 10 copies to 1560 copies of either 8 or 12pp, distribution of reports to private addresses, schools and district offices.

For further information please contact Phil Dobson on 9743 8777.

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

BEGA VALLEY SHIRE COUNCIL

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Bega Valley 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 Bega, 29th August, 2001. D. G. JESSON, General Manager, Bega Valley Council, PO Box 492, Bega, NSW 2550.

SCHEDULE

Lots 180, 181 and 182 in Deposited Plan 1011488. [0762]

COFFS HARBOUR CITY COUNCIL

Rural Fires Act 1997

Notice of Declaration of Bush Fire Danger Period

NSW Rural Fire Service – Coffs Harbour District

NOTICE is hereby given that pursuant to section 82 of the Rural Fires Act 1997, a Bush Fire Danger Period has been declared throughout the Coffs Harbour District commencing midnight, 7th September, 2001. Residents are advised that fire permit requirements for all burning off activities will commence from 8th September, 2001 and carry on through to the Statutory Bush Fire Danger period (1st October to 31st March). Any persons lighting a fire in the open is required to obtain a permit from the permit issuing authority. All permittees are responsible for notification to neighbouring land owners and land management authorities twenty-four (24) hours prior to burning as well as taking appropriate action to ensure containment and control of fires. Failure to obtain a permit is an offence under the Rural Fires Act 1997. Further information regarding fire permits may be obtained by contacting local Rural Fire Brigades or the District Office of the Rural Fire Service at 79 Marcia Street, Coffs Harbour. W. D. Roche, Fire Control Officer, Coffs Harbour District. COFFS HARBOUR CITY COUNCIL, Locked Bag 155, Coffs Harbour, NSW 2450.

[0783]

COOMA MONARO SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Cooma Monaro Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any 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 purpose of providing access to the Royal Hill Reservoir site. Dated at Cooma, 24th August, 2001. N. WATT, General Manager, Cooma Monaro Shire Council, c.o. Walker Gibbs & King, Solicitors, PO Box 8, Cooma, NSW 2630.

SCHEDULE

Lot 1, DP 1023087.

[0763]

GREATER TAREE CITY COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land and Dedication as Public Road

THE Council of the City of Greater Taree declares, with the approval of Her Excellency the Governor, that the land described in Schedule A, excluding mines or deposits of minerals within such land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, and that the land described in Schedule B is dedicated as public road, for the purposes of the Roads Act 1993. Dated at Taree, 5th September, 2001. G. TREVASKIS, General Manager, Greater Taree City Council, PO Box 482, Taree, NSW 2430.

SCHEDULE A

Lot 7, DP 1010899 and Lot 1, DP 1025761.

SCHEDULE B

Lot 7, DP 1010899; Lots 1 and 2, DP 1025761. [0785]

HASTINGS COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Hastings 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 Port Macquarie, 7th September, 2001. B. SMITH, General Manager, Hastings Council, corner Lord and Burrawan Streets, Port Macquarie, NSW 2444.

SCHEDULE

Lot 1 in Deposited Plan 1019665 and situated at Ocean Drive, Port Macquarie south of Elkhorn Grove. [0764]

LISMORE CITY COUNCIL

Rural Fires Act 1997

Bush Fire Danger Period

Lismore Rural Fire District

PURSUANT to section 82 of the Rural Fires Act 1997, notice is hereby given that the Bush Fire Danger period for the Lismore Rural Fire District, comprising the Local Government area of Lismore City Council, began at 1.00 a.m. on 24th August, 2001 and shall continue until 31st March, 2002 unless otherwise notified. Persons wishing to light any fire in the open must first obtain a permit from the local permit issuing officer of the Rural Fire Brigade for the area in which they wish to burn. Fines apply for failure to comply with this Regulation. R. Collyer, Fire Control Officer, Lismore Rural Fire District. LISMORE CITY COUNCIL, PO Box 23A, Lismore, NSW 2480. [0765]

LIVERPOOL CITY COUNCIL

Roads Act 1993, Section 10

Notice of Dedication of Land as Public Road at
Liverpool

THE Council of the City of Liverpool dedicates the land described in the Schedule below as public road pursuant to section 10 of the Roads Act 1993. B. CARR, General Manager, Liverpool City Council, Locked Bag 7064, Liverpool BC, NSW 1871.

SCHEDULE

All that piece or parcel of land known as Lot 21 in Deposited Plan 719531 in the Council of the City of Liverpool, Parish of St Luke, County of Cumberland and as described in Folio Identifier 21/719531. [0766]

MIDCOAST COUNTY COUNCIL

Local Government Act 1993, Section 553

Notice of Extension to Sewerage Supplies

NOTICE is given that MidCoast Water has extended sewerage supplies to the following areas: The rural residential properties within and adjacent to Heritage Estate and the remaining parts of Homestead Estate (southern and eastern sections), Hallidays Point. Plans of the above extensions are available for inspection at the Forster Office. The above lands are now liable for sewerage charges in accordance with section 553 of the Local Government Act. N. HANINGTON, General Manager, MidCoast County Council, Locked Bag 4000, Forster, NSW 2428. [0767]

NORTH SYDNEY COUNCIL

Tree Preservation Order

This Order shall be made with the aim of retaining in healthy condition and in natural shape and form, those trees which are currently or which will become, visually, historically, horticulturally or environmentally valuable to the community of North Sydney. The Order is also to serve as a platform for educating the community on the

importance of trees in the urban environment and the arboriculturally correct techniques for managing them. This Order shall apply to all land being publicly or privately owned throughout Council's area.

Authority to issue tree pruning or removal permits, or to commence prosecutions for any breach of this Order, has been delegated to the Environmental Services Manager. Pursuant to the provisions of Part IV, Clause 8 of the Environmental Planning and Assessment Model Provisions 1980, the North Sydney Council Tree Preservation Order 2001 shall be in the following terms:

- A. North Sydney Council hereby makes an Order to be known as the North Sydney Council Tree Preservation Order 2001, which shall apply to the whole Council area.
- B. In this Order a tree includes a living perennial plant generally with a single, woody, self-supporting stem or trunk, unbranched for some distance above the ground.
- C. This Order prohibits the lopping, topping, pruning, ringbarking, injuring, wilful destruction, or removal of any of the following trees unless prior written consent is sought and obtained from Council:
 - any tree on public land regardless of size
 - any tree listed on the North Sydney Significant Tree Register
 - any vegetation more than 5 metres tall on the site of a heritage item (as indicated in the North Sydney Local Environmental Plan 1989)
 - any of the following species if more than 5 metres tall or having a crown width greater than 5 metres;
 - Port Jackson Fig
 - Moreton Bay Fig
 - Angophora costata (Sydney Red Gum)
 - any other tree having a height of 10 metres, a crown width of 10 metres, or a trunk circumference of 1.5 metres measured 1 metre above ground. Such consent shall not be required in relation to trees which are dead or which are declared noxious weeds in the North Sydney Council area (except on heritage sites as indicated in the North Sydney Local Environmental Plan 2001, where significant Privet or other noxious specimens may be required to be retained and managed in accordance with the Noxious Weeds Act)
- D. Any consent given by Council will be valid for the described work to be carried out once within a period of twelve (12) months from the date of issue and may be made subject to such conditions as the Council deems fit.
- E. Where approval has been granted for the removal of any tree listed on the North Sydney Council Significant Tree Register, unless the tree poses an immediate hazard, advertising must take place for a minimum fourteen (14) day period by way of a Council supplied notice affixed in a prominent location on the front boundary of the property on which the tree is located. Such advertising may also be conditioned on any other tree at the discretion of the Open Space and Environmental Services Division.
- F. Where approval has been issued by way of a Development Consent which also permits the removal

of trees covered by this Order, a separate application under the Tree Preservation Order is not necessary. However, should the Development Approval lapse, then an application under the Tree Preservation Order shall be required.

- G. Where a Development Application is lodged after a Tree Preservation Order permit has been issued, but prior to the approved tree works taking place, that permit becomes null and void and application for the pruning/removal of the tree(s) must be made through Council's Planning and Development Services Division in conjunction with the Development Application.
- H. Any person who contravenes, or causes or allows to be contravened, the provisions of the Tree Preservation Order 2001, shall be guilty of an offence and liable to prosecution with maximum penalties of \$100,000.

That an experienced arborist in accordance with the Australian Standard should do all work for Pruning of Amenity Trees (AS4373-1996).

That Council's policy provide for the pruning of trees on public property for the purpose of views where such pruning will not compromise the integrity or the ecological value of the tree or negatively impact the amenity of the area. A qualified arborist under Council supervision with the cost of the work to be incurred by the applicant, if approved, must do such work. Consent will not be granted to prune trees in Bushland areas (as indicated in the North Sydney Council Local Environmental Plan 1989) for the purpose of views.

That the issues of leaf, fruit, flower, bark, cone or twig drop will not generally constitute justification for tree removal and nor will issues such as cracking of driveways, footpaths, paving or fences. In instances of blocked sewer or drainage pipes approval to remove a tree will generally only be granted where there are no permanent repair alternatives (ie. where tunneling or re-sleeving are not feasible).

That where any application is refused and the applicant seeks a review, that the matter be referred to Council's Property Development Committee for recommendations prior to final determination by Council.

That the Council shall forthwith cause notice of the making of this Order to be published in the Gazette and in a newspaper circulating in Council's area. NORTH SYDNEY COUNCIL, PO Box 12, North Sydney, NSW 2059. [0784]

OBERON COUNCIL

Roads Act 1993

Naming of Public Road – Apanie Road

ADVICE is hereby given that the Council at its meeting of 10th July, 2001 decided to name the following road:

<i>Description</i>	<i>New Road</i>
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The public road that runs off Chain of Ponds Road at Black Springs. Apanie Road.

Council has published in The Oberon Review a notification under section 162 of the Roads Act, the proposal as described above on Thursday, 19th July, 2001. OBERON COUNCIL, PO Box 84, Oberon, NSW 2787.

[0768]

PORT STEPHENS COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that pursuant to section 10, Roads Act 1993 Council hereby dedicates, as public road, those Council owned parcels of land set out in the Schedule below. Council resolution 108 dated 27th March, 2001.

SCHEDULE

Lot 2, DP 842285; Lot 12, DP 828802; Lot 4, DP 842285 and Lot 67, DP 851284.

Roads Act 1993, Section 162 (1)

Naming of Public Roads -

NOTICE is hereby given that pursuant to section 162 (1), Roads Act 1993 Council has named the public road described below:

<i>Description</i>	<i>New Name</i>
Lot 4, DP 842285 and Lot 12, DP 828802.	Halloran Way.

Council file E5360-035 and E5425-01, contact Cliff Johnson telephone (02) 4980 0265. P. GESLING, General Manager, Port Stephens Council, PO Box 42, Raymond Terrace, NSW 2324. [0769]

RICHMOND VALLEY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Richmond Valley Council declares with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of a water treatment facility. Dated at Casino, 30th August, 2001. R. V. SCHIPP, General Manager, Richmond Valley Council, Locked Bag 10, Casino, NSW 2470.

SCHEDULE

Lot 1, DP 1018631. [0770]

LAKE MACQUARIE 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 Lake Macquarie has resolved in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder of which the persons named are known to the Council to be the owners or to have interest in the land and on which the amount of rates stated in each case, as at 30th June, 2001 is due:

<i>Owner or persons having interest in the land</i>	<i>Description of land</i>	<i>Amount of rates (including extra charges) overdue for more than five (5) years</i>	<i>Amount of all other rates (including extra charges) due in arrears</i>	<i>Total</i>
(a)	(b)	(c)	(d)	(e)
		\$	\$	\$
Jane GRAY.	Lot 25, DP 548113, 32 Somersham Avenue, Rathmines.	270.04	3937.84	4207.88
ARCOURT INVESTMENTS PTY LIMITED. 3467979 Mortgage to Jacqueline BOON. 6865626 Mortgage to Jacqueline BOON.	Lot 10, section O, DP 4339, 51 Sackville Street, Killingworth.	2077.21	3315.31	5392.52
Gary THREADGATE. O444986 Caveat Robert Gordon FOGGO, Anthony Marmaduke CARMICHAEL, Bruce John HURRELL, Jillian Margaret STIBBARD, Beverley Anne CANTLE, Peter Damian BROWN and Alister Andrew HENSKENS.	Lot 7, section N, DP 4339, 26 Stephenson Street, Killingworth.	702.51	2178.28	2880.79
Gary John CORRIGAN. T703745 Mortgage to Arcourt Investments Pty Limited. T703745 Mortgage to Arcourt Investments Pty Limited. E753796 Transfer of Mortgage to Erin RADNEDGE. I439213 Sub-Mortgage to Salvatore NUCIFORA, Austin Ronald CATHERS and Barbara Gail CATHERS I439214 Sub-Mortgage to Austin Ronald CATHERS I439215 Sub-Mortgage to Austin Ronald CATHERS I851895 Mortgage to Salvatore NUCIFORA U837745 Sub-Mortgage to Jacqueline BOON U876921 Sub-Mortgage to Jacqueline BOON 5467000 Mortgage re Sub-Mortgage I439215 now Elizabeth Frances WOUTERSZ and Mervyn John CATHERS 5467001 Mortgage re Sub-Mortgage I439214 now Elizabeth Frances WOUTERSZ and Mervyn John CATHERS 5467002 Mortgage re Sub-Mortgage I439213 now Salvatore NUCIFORA, Barbara Gail CATHERS, Elizabeth Frances WOUTERSZ and Mervyn John CATHERS.	1895.98	2553.86	4449.84	

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 any arrangements satisfactory to the Council for payment of all such rates being entered into by the rateable person before the time fixed for sale, the said land will be offered for sale by public auction by Paul Avery, Licensed Auctioneer at the Lake Macquarie City Council's Administration Centre, 126-138 Main Road, Speers Point on Wednesday, 6th February, 2002 at 2.00 p.m. K. HOLT, General Manager, PO Box 1906, Hunter Region Mail Centre, NSW 2310.

[0771]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of WALTER BYRNE FITZGERALD, late of 17 Polding Road, Lindfield, in the State of New South Wales, retired architect, who died on 19th December, 2000, must send particulars of his claim to the executors, Anne Catherine Linder, Moya Alison Martin and Denis Byrne Fitzgerald, c.o. 95 Robinson Street, Lindfield, 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 No. 104424/01 was granted in New South Wales on 23rd March, 2001. A. C. LINDER, M. A. MARTIN and D. B. FITZGERALD, 95 Robinson Street, Lindfield, NSW 2070. [0772]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of GABRIELLE HARVEY, late of 6/67 Ocean View Avenue, Vaucluse, in the State of New South Wales, waitress, who died on 23rd February, 2001, must send particulars of his claim to the administrator, Les Harvey, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the administrator may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Letters of Administration were granted in New South Wales on 15th August, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0773]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of THORAL ROSALIE MAYE HARRIS, late of 183 Canley Vale Road, Canley Heights, in the State of New South Wales, retired, who died on 18th June, 2001, must send particulars of his claim to the executor, Gary Richard Harris, c.o. J. P. Gould, Solicitors, Commonwealth Bank Chambers, 2/268 Canley Vale Road, Canley Heights, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 28th August, 2001. J. P. GOULD, Solicitors, Commonwealth Bank Chambers, 2/268 Canley Vale Road, Canley Heights, NSW 2166 (DX 25110, Fairfield), tel.: (02) 9727 2888. [0776]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of HENRY FIELD STEVENSON, late of 1/23 Curlewis Street, Bondi, in the State of New South Wales, postman/stores supervisor, who died between 13th and 19th February, 1998, must send particulars of his claim to the administratrix, Elsie Clark, c.o. J. P. Gould, Solicitors, Commonwealth Bank Chambers, 2/268 Canley Vale Road, Canley Heights, within one (1) calendar month from publication of this notice. After that time the administratrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Letters of Administration were granted in New South Wales on

22nd August, 2001. J. P. GOULD, Solicitors, Commonwealth Bank Chambers, 2/268 Canley Vale Road, Canley Heights, NSW 2166 (DX 25110, Fairfield), tel.: (02) 9727 2888. [0774]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of CARMELA CASTORINA, late of Croydon, in the State of New South Wales, who died on 30th January, 2001, must send particulars of his claim to the executrix, Maria Carmela Teresa Bartorilla, c.o. Mercuri & Co., Solicitors, Suite 1, 191 First Avenue, Five Dock, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 27th August, 2001. MERCURI & CO., Solicitors, Suite 1, 191 First Avenue, Five Dock, NSW 2046 (DX 21014, Drummoyne), tel.: (02) 9712 5700. [0775]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of COSTAKIS MEDJITES, late of 17/29 Darling Street, Waverley, in the State of New South Wales, taxi proprietor, who died on 2nd May, 2001, must send particulars of his claim to the executrix, Janine Karen Giezekamp, c.o. Lobban McNally & Harney, Solicitors, 50 Margaret Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 14th August, 2001. LOBBAN McNALLY & HARNEY, Solicitors, 50 Margaret Street, Sydney, NSW 2000 (DX 471, Sydney), tel.: (02) 9299 8438. [0777]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of LORENZA CHIVILO late of 52 Tillock Street, Haberfield in the State of New South Wales, retired, who died on 6th May, 2001, must send particulars of his claim to the administrators, Elisa Wong and Anthony Chee Yan Wong, c.o. Colquhoun & Colquhoun, Solicitors, 588 Darling Street, Rozelle within one calendar month from publication of this notice. After that time the administrators may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Letters of Administration were granted in New South Wales on 29th August, 2001. COLQUHOUN & COLQUHOUN, Solicitors, 588 Darling Street, Rozelle, NSW 2039. [0786]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of BLODWEN DOROTHY HUTTON (In the Will called DOROTHY BLODWIN HUTTON), late of Point Clare, in the State of New South Wales, nurse, who died on 17th April, 2001, must send particulars of his claim to the executor, c.o. John G. Burton & Associates, Solicitors, 16 Adelaide Street, East Gosford, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 24th

July, 2001. JOHN G. BURTON & ASSOCIATES, Solicitors, 16 Adelaide Street, East Gosford, NSW 2250 (DX 7263, Gosford), tel.: (02) 4323 4899. [0787]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MARIE-LUISE COHN, late of Frenchmans Lodge, Randwick (previously of 3 Pindari Road, Dover Heights), in the State of New South Wales, widow, who died on 22nd June, 2001, must send particulars of his claim to the executors, David Leon Urbach, Eric Ephraim Cohen and Steven Peter Nemes, c.o. Heaney, Richardson & Nemes, Solicitors, AWA Building, 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 21st August, 2001. HEANEY, RICHARDSON & NEMES, Solicitors for the Administrator, AWA Building, Level 10, 45-47 York Street, Sydney, NSW 2000 (DX 367, Sydney), tel.: (02) 9262 3299. [0788]

COMPANY NOTICES

NOTICE of final meeting.—J. P. McCARTHY PTY LIMITED (In voluntary liquidation), ACN 001 344 958.—Notice is hereby given that pursuant to section 509 of the Corporations Law, the final meeting of members of the company will be held at 92 Cooper Street, Cootamundra on 5th October, 2001 at 2.00 p.m. for the purpose of the liquidator laying before the meeting an account of the winding up and the giving of any explanation thereof. Dated 3rd September, 2001. M. McNAMARA, Liquidator, c.o. Dawson & Partners, Chartered Accountants, 92 Cooper Street, Cootamundra, NSW 2590, tel.: (02) 6942 1711. [0778]

NOTICE of final extraordinary general meeting.—VOMORA PTY LIMITED (In voluntary liquidation), ACN 002 053 027.—Notice is hereby given that the final extraordinary general meeting of the abovenamed company will be duly convened and held at the offices of Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale on 26th September, 2001. The final accounts for the winding up of the company will be presented. Dated 29th August, 2001. K. J. PIKE, Liquidator, c.o. Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale, NSW 2350, tel.: (02) 6774 8400. [0779]

NOTICE of final extraordinary general meeting.—BENTON ENTERPRISES PTY LIMITED (In voluntary liquidation), ACN 050 067 215.—Notice is hereby given that the final extraordinary general meeting of the abovenamed company will be duly convened and held at the offices of Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale on 26th September, 2001. The final accounts for the winding up of the company will be presented. Dated 29th August, 2001. K. J. PIKE, Liquidator, c.o. Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale, NSW 2350, tel.: (02) 6774 8400. [0780]

NOTICE of voluntary winding up of company.—SANGER HOLDINGS AUSTRALIA PTY LIMITED, ACN 001 085 678.—At an extraordinary general meeting of members of the company, duly convened and held on 30th August, 2001 the following special resolution was unanimously passed: "That the company be wound up voluntarily". It was also resolved to appoint Gilbert E. Coles of 47 Aubin Street, Neutral Bay as liquidator of the company. GILBERT E. COLES, 47 Aubin Street, Neutral Bay, NSW 2089, tel.: (02) 9953 2966. [0781]

NOTICE of final meeting.—HARLEQUIN AUSTRALIA PTY LIMITED (In liquidation), ACN 065 725 117.—Notice is given pursuant to section 509 (2) of the Corporations Law, that a final meeting of creditors of Harlequin Australia Pty Limited (In liquidation) will be held at the offices of Ernst & Young, Chartered Accountants, Level 8, 321 Kent Street, Sydney on 22nd October at 10.30 a.m. The purpose of the meeting is to lay accounts before it, showing the manner in which the winding up has been conducted and the property of the company disposed of, and for hearing any explanation that may be given by the liquidator. P. SHEAR, Liquidator, c.o. Ernst & Young, Chartered Accountants, 321 Kent Street, Sydney, NSW 2000. [0782]