



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

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LEGISLATION



New South Wales

Crimes (Sentencing Procedure) Amendment (Form 1) Regulation 2002

under the

Crimes (Sentencing Procedure) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Crimes (Sentencing Procedure) Act 1999*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to amend a prescribed form that specifies offences with which an offender has been charged, but of which the offender has not been convicted, that the offender wants the court to take into account when dealing with the offender for another offence (being the principal offence). In relation to each of these additional charges that may be taken into account by the court, the amendment requires there to be recorded on such a form the police charge number, the name of the court before which the charge is pending, and the date of the offender's next court appearance in relation to the charge. (This information is in addition to the information currently required to be recorded on such a form in relation to each additional charge.)

This Regulation is made under the *Crimes (Sentencing Procedure) Act 1999*, including sections 32 and 103 (the general power to make regulations).

Clause 1 Crimes (Sentencing Procedure) Amendment (Form 1) Regulation 2002

Crimes (Sentencing Procedure) Amendment (Form 1) Regulation 2002

under the

Crimes (Sentencing Procedure) Act 1999

1 Name of Regulation

This Regulation is the *Crimes (Sentencing Procedure) Amendment (Form 1) Regulation 2002*.

2 Amendment of Crimes (Sentencing Procedure) Regulation 2000

The *Crimes (Sentencing Procedure) Regulation 2000* is amended by omitting the matter under “**(BACK OF FORM)**” at the end of Form 1 in Schedule 1 and inserting instead:

Note: in relation to each offence taken into account by the Court, this Form must be forwarded to the Registrar of the Court before which the charge for the offence is pending.

Number	Police charge number	Place where alleged offence committed	Date of alleged offence	Brief description of alleged offence	Court before which charge is pending	Date of next court appearance in relation to charge
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New South Wales

Crimes (Forensic Procedures) Amendment (Informed Consent) Regulation 2002

under the

Crimes (Forensic Procedures) Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Crimes (Forensic Procedures) Act 2000*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

Section 76 of the *Crimes (Forensic Procedures) Act 2000* authorises the carrying out of forensic procedures on a person who volunteers to a police officer to undergo a forensic procedure (a *volunteer*) with the informed consent of the volunteer under section 77. Section 77 of that Act provides that a volunteer gives informed consent if the volunteer consents in the presence of an independent person after a police officer informs the volunteer of certain specified matters. Section 77 (2) (e) provides that the specified matters include matters prescribed by the regulations. Pursuant to section 78 of the Act the consent of a volunteer to the carrying out of a forensic procedure is not effective unless, amongst other things, the consent is in writing and in a form containing the particulars prescribed by the regulations.

The object of this Regulation is to amend the *Crimes (Forensic Procedures) Regulation 2000*:

- (a) to prescribe, for the purposes of section 77 (2) (e) of the Act, additional information that must be given to a volunteer before informed consent may be given, and
- (b) to prescribe, for the purposes of section 78 (a) of the Act, additional particulars that must be included in the form providing a volunteer's consent to the carrying out of a forensic procedure.

This Regulation is made under the *Crimes (Forensic Procedures) Act 2000*, including sections 77 (2) (e), 78 (a) and 118 (the general regulation-making power).

Clause 1 Crimes (Forensic Procedures) Amendment (Informed Consent) Regulation 2002

Crimes (Forensic Procedures) Amendment (Informed Consent) Regulation 2002

under the

Crimes (Forensic Procedures) Act 2000

1 Name of Regulation

This Regulation is the *Crimes (Forensic Procedures) Amendment (Informed Consent) Regulation 2002*.

2 Amendment of Crimes (Forensic Procedures) Regulation 2000

This Regulation amends the *Crimes (Forensic Procedures) Regulation 2000* as set out in Schedule 1.

Crimes (Forensic Procedures) Amendment (Informed Consent) Regulation
2002

Amendments

Schedule 1

Schedule 1 Amendments

(clause 2)

[1] Clause 2 Commencement

Omit “Clause 8 commences” from clause 2 (2).

Insert instead “Clauses 7A and 8 commence”.

[2] Clause 7A

Insert after clause 7:

7A Informed consent—volunteer or volunteer’s parent or guardian

For the purposes of section 77 (2) (e) of the Act, the following are prescribed matters:

- (a) that the DNA database system includes 2 indexes relevant to volunteers, a volunteers (limited purposes) index and a volunteers (unlimited purposes) index, and the differences in the use that may be made of information on each of the indexes,
- (b) that the volunteer, or parent or guardian of the volunteer, may give consent subject to the condition that information obtained from the analysis of forensic material taken in accordance with the consent will only be placed on a specified index of that system, or will not be placed on either index.

[3] Clause 8 Form of consent—volunteer or volunteer’s parent or guardian

Insert after clause 8 (e):

- (f) a statement indicating whether the consent is given subject to a condition about on which index, if any, information obtained from the analysis of forensic material taken in accordance with the consent may be placed.



Gaming Machines Amendment Regulation (No 2) 2002

under the

Gaming Machines Act 2001

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Gaming Machines Act 2001*.

J. RICHARD FACE, M.P.,
Minister for Gaming and Racing

Explanatory note

The objects of this Regulation are as follows:

- (a) To provide that gaming machine advertising that appears as part of a problem gambling campaign conducted by or on behalf of the State is excluded from the operation of section 43 of the *Gaming Machines Act 2001*. Under that section, it is an offence to publish any form of advertising that gives publicity to the playing of gaming machines in hotels and clubs unless the advertising is excluded by the regulations.
- (b) To exclude retail shopping centres with less than 40 shops (and which contain a hotel) from the operation of section 60 of the Act. Under that section, gaming machines cannot be authorised to be kept in a hotel or club that is part of a retail shopping centre if the authorisation would result in an increase in the number of gaming machines to be kept in the hotel or club concerned. That section also provides that the authorisation to keep gaming machines in a hotel or club ceases when the hotel or club premises are moved or extended to a retail shopping centre. The exclusion provided by this Regulation will not apply in relation to any registered club that is part of a retail shopping centre with less than 40 shops.

This Regulation is made under the *Gaming Machines Act 2001*, including sections 43 (6), 60 and 210 (the general regulation-making power).

Clause 1 Gaming Machines Amendment Regulation (No 2) 2002

Gaming Machines Amendment Regulation (No 2) 2002

under the

Gaming Machines Act 2001

1 Name of Regulation

This Regulation is the *Gaming Machines Amendment Regulation (No 2) 2002*.

2 Amendment of Gaming Machines Regulation 2002

The *Gaming Machines Regulation 2002* is amended as set out in Schedule 1.

Gaming Machines Amendment Regulation (No 2) 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 41 Gaming machine advertising and signs—exclusions

Insert at the end of clause 41 (1) (c):

, or

- (d) as part of an advertising campaign conducted by or on behalf of the State in relation to problem gambling,

[2] Clause 138A

Insert after clause 138:

138A Exclusion of retail shopping centres with less than 40 shops

- (1) A retail shopping centre is excluded from the definition of *retail shopping centre* in section 60 of the Act if:
 - (a) the retail shopping centre comprises less than 40 shops, and
 - (b) the retail shopping centre contains one, but not more than one, hotel:
 - (i) that was part of the shopping centre as at the commencement of this clause, or
 - (ii) that becomes part of the shopping centre as the result of the granting of an application under the *Liquor Act 1982* (being an application that was made on or before 28 March 2000 but not determined by that date).
- (2) If an application to which Division 1 of Part 4 of the Act applies is made with respect to a hotel that is or becomes part of a retail shopping centre that is excluded under subclause (1) from the operation of section 60 of the Act, a class 2 social impact assessment is required to be provided in connection with the application.
- (3) Subclause (2) has effect despite anything to the contrary in section 34 (2) of the Act or clause 33 (2) of this Regulation.

Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Bus Lanes) Regulation 2002

under the

Road Transport (Safety and Traffic Management) Act 1999

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

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to permit drivers of vehicles operated by or at the direction of the Roads and Traffic Authority for the purpose of conducting road and traffic surveys to drive such vehicles in bus lanes, tram lanes, transit lanes or truck lanes under the *Australian Road Rules*.

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

Clause 1 Road Transport (Safety and Traffic Management) (Road Rules)
 Amendment (Bus Lanes) Regulation 2002

Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Bus Lanes) Regulation 2002

1 Name of Regulation

This Regulation is the *Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Bus Lanes) Regulation 2002*.

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

The *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* is amended by inserting the following after clause 15 (1) (e):

, and

- (f) a person is permitted to drive a vehicle in a bus lane, tram lane, transit lane or truck lane if the vehicle is being operated by or at the direction of the Authority for the purpose of conducting road and traffic surveys.

OFFICIAL NOTICES

Appointments

CONSUMER, TRADER AND TENANCY TRIBUNAL ACT 2001

PROFESSOR MARIE BASHIRAC, Governor of the State of New South Wales, with the advice of the Executive Council and pursuant to Section 7 of the Consumer, Trader and Tenancy Tribunal Act 2001, has appointed the following as a part-time Member of the Consumer, Trader and Tenancy Tribunal for the period shown, both dates inclusive.

FORBES Stephen, 25 September 2002 to 24 September 2003.

EDUCATION ACT 1990

Notification of an Appointment to the Board of Studies

I, JOHN ARTHUR WATKINS, Minister for Education and Training, in pursuance of Schedule 1, Clause 8 of the Education Act 1990, appoint John Patrick GELLING as a member of the Board of Studies, being a nominee provided under section 100 (3) (k), for a term commencing on and from 1 September 2002 until 31 August 2005.

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

EDUCATION ACT 1990

Notification of an Appointment to the Board of Studies

I, JOHN ARTHUR WATKINS, Minister for Education and Training, in pursuance of Schedule 1, Clause 8 of the Education Act 1990, appoint Timothy HORSTEAD as a member of the Board of Studies, being a nominee provided under section 100 (3) (e), for a term commencing on and from 1 October 2002 until 30 September 2005.

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

MINE SUBSIDENCE COMPENSATION ACT 1961

Appointment of Member Nominated by Proprietors of Colliery Holdings to the Mine Subsidence Board

HER Excellency, Professor Marie Bashir, A.C., Governor of New South Wales, with the advice of the Executive Council, pursuant to the provisions of section 5 (2) (c) of the Mines Subsidence Compensation Act 1961, has appointed Peter Joseph HAYES as a member of the Mine Subsidence Board for a period of three (3) years commencing 18 September 2002.

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

VALUATION OF LAND ACT 1916

Re-appointment of Valuer General

Department of Information Technology and Management

HER Excellency the Governor, with the advice of the Executive Council, pursuant to section 8 of Clause 2 (2) of Schedule 1 to the Valuation of Land Act 1916, appoint Peter CUNNINGHAM as Valuer General, effective on and from 14 September 2002 until the date of the Governor's approval 18 September 2002.

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

NSW Agriculture

STOCK DISEASES ACT 1923

Notification No. 1755 – OJD

Emberton Quarantine Area – Wagga

I, RICHARD AMERY M.P., Minister for Agriculture, pursuant to section 10 of the Stock Diseases Act 1923 ('the Act'), declare the land described in the Schedule to be a quarantine area on account of the presence or suspected presence of Johne's disease in sheep, goats, and deer (other than fallow deer) ("the stock").

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

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

SCHEDULE

Owner: Lyal Maxwell METCALF and Jeanette Gerard METCALF

Shire: Wagga Wagga

County: Mitchell

Parish: Yarragundry

Land: Lots 57, 67, 68, 74, 75 and 79 in DP 754573

Dated this 9th day of October 2002.

RICHARD AMERY, M.P.,
Minister for Agriculture

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

ROADS ACT 1993

ORDER

Transfer of Crown Road to a Council

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE 1

Parish: BYWONG
County: MURRAY
Land District: QUEANBEYAN
Shire: YARROWLUMLA

DESCRIPTION: Crown road west and south of Lot 3, DP 232345 known as Schofields Road and Crown road east of Lots 22 & 23, DP 754873, Lot 3, 839812; Lot 11, DP 746832 and south of Lot 22, DP 754873 known as Bohmers Lane.

SCHEDULE 2

Roads Authority: The Council of the Shire of Yarrowlumla

(Council's Ref: R3/255, R3/262)

Reference: GB 02 H 292.

GRAFTON OFFICE
Department of Land and Water Conservation
76 Victoria Street (Locked Bag 10), Grafton, NSW 2460
Phone: (02) 6640 2000 Fax: (02) 6640 2035

**APPOINTMENT OF RESERVE TRUST AS TRUSTEE
OF A RESERVE**

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2
Coffs Coast State Park Trust	Reserve No. 1003728 Public Purpose: Port Facilities And Services Notified: This Day File Reference: GF02R68

RESERVATION OF CROWN LAND

PURSUANT to section 87 of the Crown Lands 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.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Bellingen Local Government Area: Coffs Harbour City Council Locality: Coffs Harbour Lot D.P. No. Parish County 546 45226 Coff Fitzroy Area: 5538m2 File Reference: GF02R68	Reserve No. 1003728 Public Purpose: Port Facilities And Services

CORRECTION OF DEFECTIVE INSTRUMENT

IN pursuance of the provisions of Section 257 of the Roads Act, 1993 the order "Notification of Closing of Roads" appearing in the NSW *Government Gazette* of 11 October 2002, Folio 8718 under the heading "Grafton Office" specifying "Land District - Lismore; Shire Ballina" is corrected by deletion of the words "(not being land under the Real Property Act)."

Papers: GF00H390 and GF02H30.

JOHN AQUILINA, MP.,
Minister

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 Schedules hereunder are appointed, for the terms of office specified in that Column, as members of the trust boards for the reserve trusts specified opposite thereto in Column 2, which have been established and appointed as trustees of the reserves referred to opposite thereto in Column 3 of the Schedules.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
Keith William MORROW (re-appointment) Ernest Anton FIEDLER (re-appointment) Laurence William HOSKING (re-appointment) Ian KIRKLAND (re-appointment) Rowan Burnett TRIMBLE (re-appointment) Arthur Lloyd NAPPER (re-appointment) Ernest Barry FIEDLER (re-appointment)	Booyong Public Recreation And Preservation Of Native Flora Reserve Trust	Reserve No. 62153 Public Purpose: Preservation Of Native Flora Public Recreation Notified: 3 October 1930 File Reference: GF81R372

For a term commencing 16 November 2002 and expiring 15 November 2007.

SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
Jennifer Patricia DOIG (re-appointment) Bruce Robert NEWTON (re-appointment) Jeffery William REEVES (re-appointment) Suzanne Margaret REEVES (re-appointment)	Horseshoe Creek Public Hall Reserve Trust	Reserve No. 72303 Public Purpose: Public Hall Notified: 6 June 1947 File Reference: GF80R236

For a term commencing 16 November 2002 and expiring 15 November 2007.

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

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 reserve specified opposite thereto in Column 2 of the Schedule.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2
Williamtown Park (R34184) Reserve Trust	Reserve No. 34184 Public Purpose: Public Recreation Notified: 22 March 1902 File Reference: MD02 R 12

**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 & Newcastle Road, East Maitland, Wyong Shire
 Council Hely Street Wyong.

Submissions in writing will be accepted by the Manager Resource Knowledge of the Newcastle Regional Office, 464 King Street, Newcastle until 4 p.m on 22 November 2002.

JOHN AQUILINA M.P.,
 Minister for Fair Trading
 and Minister for Land and Water Conservation

Description

Draft assessment of Crown land being Lot 159 DP45606 about 7.01 hectares at Scenic Drive Budgewoi, Parish Munmorah, County Northumberland. Land NSW is considering an application for the private treaty purchase of Lot 159.

Land Assessment Number 550

File number MD 99 H 113

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

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.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Kiama	Reserve No. 53977
Local Government Area: Wollongong City Council	Public Purpose: Public Recreation
Locality: Lake Illawarra	Notified: 4 June 1920
Lot: 138	Lot D.P. No. Parish County
D.P. No.: 726781	116 751299 Wollongong Camden
Parish: Wollongong	133 728047 Wollongong Camden
County: Camden	7011 751299 # Wollongong Camden
Area: 6956m2	7012 751299 # Wollongong Camden
File Reference: NA98R37	7013 751299 # Wollongong Camden
	7014 751299 # Wollongong Camden
	7015 751299 # Wollongong Camden
	139 726781 Wollongong Camden
	91 751299 Wollongong Camden
	New Area: 184.7ha

Notes: BEING A CROWN ROAD, CLOSED THIS DAY.

Disclaimer: # Please note that the above Lot numbers marked # are for Departmental use only.

NOTIFICATION OF CLOSING OF 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 hereby extinguished.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation
 and Minister for Fair Trading

Land District: Kiama; LGA: Wollongong

Lot 138, DP 726781 at Primbee, Parish Wollongong and County Camden (not being land under the Real Property Act). NA 98 R 37 & NA 01 H 1.

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

NOTIFICATION OF CLOSING OF 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.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation
 and Minister for Fair Trading

Land District: Bega; LGA: Bega Valley

Lot 1 DP 1040872 at Wapengo, Parish Tanja and County Dampier (not being land under the Real Property Act). NA01 H 81.

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

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

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

PURSUANT to Section 117, Crown Lands Act, 1989, the person specified in Column 1 of the Schedule hereunder is appointed as administrator for the term also specified in Column 1, of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Jon Robert GUYVER	Ophir (R65909) Reserve Trust	Reserve No. 65909 Public Purpose: Public Recreation Notified: 3 April 1936 File Reference: OE80R16/5

For a term commencing this day and expiring 17 January 2003.

SYDNEY METROPOLITAN OFFICE
Department of Land and Water Conservation
Level 12, Macquarie Tower 10 Valentine Avenue, Parramatta NSW 2124
(PO Box 3935, Parramatta NSW 2124
Phone: (02) 9895 7657 Fax: (02) 9895 6227

**PLAN OF MANAGEMENT FOR CROWN
RESERVES, UNDER PART 5 DIVISION 6 OF THE
CROWN LANDS ACT 1989 AND CROWN LANDS
REGULATION 2000**

A DRAFT plan of management has been prepared for the Carss Bush Park & Todd Park which is generally land owned by Kogarah Council but a large parcel of unreserved Crown land forms part of the reserve and is proposed to be reserved for public recreation.

Inspection of the draft plan can be made at Kogarah Council Customer Service Centre, 84 Railway Parade, Kogarah; Kogarah Council Library, 2 Belgrave Street, Kogarah; Kogarah Council Oatley Library, 26 Letitia Street, Oatley; Kogarah Council South Hurstville Library, Cnr Allen & Short Streets, South Hurstville.

Representations are invited from the public on the draft plan. The draft plan will be on exhibition for a period of 42 days. Submissions will be received up until Friday 25th October, 2002 and should be sent to General Manager Carss Bush Park POM, Kogarah Council Locked Bag 8 Kogarah NSW 2217.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

DESCRIPTION OF LAND

*Land District: Metropolitan; LGA: Kogarah;
Parish: St George; County: Cumberland*

1. Crown land adjoining Carss Park and on the foreshore of Kogarah Bay proposed to be reserved for public recreation being reclaimed land part of R56146 from sale or lease generally.
2. Lot 543 DP 727276 being licence for pool to Kogarah Council in Kogarah Bay

Location: Kogarah Bay

File No. MN89R167

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

IT is intended, following the laying of a copy of this notification before each House of Parliament in the State of New South Wales in accordance with section 84 of the Crown Lands Act, 1989, to revoke the dedication of Crown land specified in Schedule 1 hereunder to the extent specified in Schedule 2 with a view to dealing with the land as specified in Schedule 3.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation.

SCHEDULE 1

*Land District: Metropolitan; Parish: Willoughby;
Municipality: Mosman; County: Cumberland*

Proclamation No.: 500500 of 22 January 1908 for Public Park

Description: Lot 7151 DP 752067

Land at Balmoral comprising about 4.047 hectares being Lot 7151 DP 752067 known as Balmoral Park.

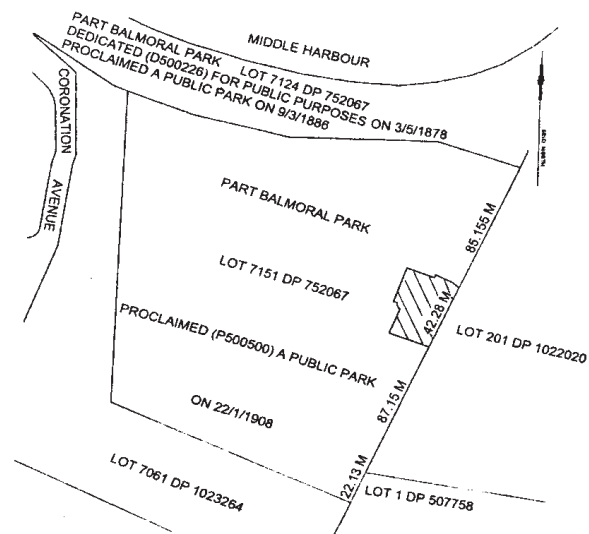
File: MN02R72

SCHEDULE 2

The part within Lot 7151 DP 752067 as shown hatched on diagram hereunder comprising about 1267 square metres

SCHEDULE 3

The land is intended to be reserved for community purposes



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

ERRATUM

IN the *Government Gazette* dated 20th September, 2002 (Folio 8227) under the heading "Appointment of Trust Board Members". Please amend the notification by deleting "Robert James Smith" and inserting in lieu thereof "Rodney James Smith". WA82R96

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.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Corowa	Reserve No. 85242
Local Government Area: Corowa Shire Council	Public Purpose: Public Recreation
Locality: Mulwala	Notified: 19 February 1965
Lot 2	Lot D.P. No. Parish County
D.P. No. 1002381	7010 752290 # Mulwala Denison
Parish: Mulwala	7007 752290 # Mulwala Denison
County: Denison	7008 752290 # Mulwala Denison
Area: 435m ²	1 48391 Mulwala Denison
File Reference: WA97H16	392 729530 Mulwala Denison
	2 48391 Mulwala Denison
	7006 752290 # Mulwala Denison
	PT 288 752290 Mulwala Denison
	PT 289 752290 Mulwala Denison
	331 752290 Mulwala Denison
	355 752290 Mulwala Denison
	398 823321 Mulwala Denison
	405 1001595 Mulwala Denison
	New Area: 3.798ha

Disclaimer: # Please note that the above Lot numbers marked # are for Departmental use only.

Water Conservation

WATER ACT 1912

ORDER

THE Water Administration Ministerial Corporation, pursuant to section 20W of the Water Act 1912, declares by this Order that the volumetric water allocations scheme described in the Schedule hereto shall, from the date of this publication, be subject to a modification prepared under section 20X of the Water Act.

Dated 18th October 2002.

Signed for the Water Administration Ministerial Corporation.

DAVID HARRISS,
Regional Director
(by delegation)

SCHEDULE

The volumetric water allocations scheme referred to in the Order published in Gazette No. 115 of 14 August 1981, in respect of the Murray River Catchment. (GA2:494925)

WATER ACT 1912

Notice Under Section 22B

Pumping Restrictions

Alumy Creek, Southgate Creek, Franks Creek and Their Tributaries

THE Department of Land and Water Conservation pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Alumy Creek, Southgate Creek, Franks Creek and their tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Saturday, 12 October 2002 and until further notice, the right to pump water from Alumy Creek, Southgate Creek, Franks Creek and their tributaries is RESTRICTED to a maximum of four hours in any twenty four hour period between the hours of 5 am to 9am.

This restriction excludes water supply for town water supply, stock, domestic and farming (fruit washing and dairy washdown) purposes.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- (a) where the offence was committed by a Corporation – 200 penalty units.
- (b) where the offence was committed by any other person – 100 penalty units.

One penalty unit = \$110.00.

Dated this 12th day of October 2002.

* The notice dated 10 August 2002 is hereby revoked.

G. LOLLBACK,
Resource Access Manager,
North Coast Region, Grafton
(GA2: 343392)

WATER ACT 1912

Notice Under Section 22B

Pumping Suspensions

*Macleay River And Its Tributaries Including
The Tidal Pool*

THE Department of Land and Water Conservation pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Macleay River and its tributaries including tidal pool extractions is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Tuesday, 22 October 2002 and until further notice, the right to pump water from Macleay River and its tributaries including tidal pool extractions is SUSPENDED.

This suspension excludes water supply for town water supply, stock, domestic and farming (fruit washing and dairy washdown) purposes.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- (a) where the offence was committed by a Corporation – 200 penalty units.
- (b) where the offence was committed by any other person – 100 penalty units.

One penalty unit = \$110.00.

Dated this 22nd of October 2002.

G. LOLLBACK,
Resource Access Manager,
North Coast Region, Grafton
(GA2: 343397)

WATER ACT 1912

Notice Under Section 22B

Pumping Suspensions

Simpsons Creek, Tyagarah Creek and Their Tributaries

THE Department of Land and Water Conservation pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Simpsons Creek, Tyagarah Creek and their tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Thursday, 17 October 2002 and until further notice, the right to pump water from Simpsons Creek, Tyagarah Creek and their tributaries is SUSPENDED.

This suspension excludes water supply for town water supply, stock, domestic and farming (fruit washing and dairy washdown) purposes.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- (a) where the offence was committed by a Corporation – 200 penalty units.

- (b) where the offence was committed by any other person – 100 penalty units.

One penalty unit = \$110.00.

Dated this 17th day of October 2002.

G. LOLLBACK,
Resource Access Manager,
North Coast Region, Grafton
(GA2: 343396)

WATER ACT 1912

Notice Under Section 22B

Pumping Restrictions

Skidders Creek, Byron Creek, Tinderbox Creek, O'Possum Creek, Houghlahans Creek, Emigrant Creek, Maguires Creek, Pearces Creek, Gum Creek, Duck Creek, Tucki Tucki Creek, Youngman Creek, Goolmangar Creek, Jiggi Creek and Their Tributaries

THE Department of Land and Water Conservation pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Skidders Creek, Byron Creek, Tinderbox Creek, O'Possum Creek, Houghlahans Creek, Emigrant Creek, Maguires Creek, Pearces Creek, Gum Creek, Duck Creek, Tucki Tucki Creek, Youngman Creek, Goolmangar Creek, Jiggi Creek and their tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Friday, 11 October 2002 and until further notice, the right to pump water from these watercourses and their tributaries is RESTRICTED to a maximum of six hours in any twenty four hour period between the hours of 4 pm to 10 am.

This restriction excludes water supply for town water supply, stock, domestic and farming (fruit washing and dairy washdown) purposes.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- (a) where the offence was committed by a Corporation – 200 penalty units.
(b) where the offence was committed by any other person – 100 penalty units.

One penalty unit = \$110.00.

Dated this 11th day of October 2002.

G. LOLLBACK,
Resource Access Manager,
North Coast Region, Grafton
(GA2: 343388)

WATER ACT 1912

Notice Under Section 22B

Pumping Suspensions

Leycester Creek And Its Tributaries

THE Department of Land and Water Conservation pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Leycester Creek and its

tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Friday, 11 October 2002 and until further notice, the right to pump water from Leycester Creek and its tributaries is SUSPENDED.

This suspension excludes water supply for town water supply, stock, domestic and farming (fruit washing and dairy washdown) purposes.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- (a) where the offence was committed by a Corporation – 200 penalty units.
(b) where the offence was committed by any other person – 100 penalty units.

One penalty unit = \$110.00.

Dated this 11th day of October 2002.

G. LOLLBACK,
Resource Access Manager,
North Coast Region, Grafton
(GA2: 343389)

WATER ACT 1912

Notice Under Section 22B

Pumping Restrictions

Clarence River and Its Tributaries from Copmanhurst to Its Confluence with Mann River at Carnham

THE Department of Land and Water Conservation pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in the Clarence River and its tributaries from Copmanhurst to its confluence with the Mann River at Carnham is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Friday, 11 October 2002 and until further notice, the right to pump water is RESTRICTED to a maximum of ten hours in any twenty four hour period between the hours of 4 pm to 10 am.

This restriction excludes water supply for town water supply, stock, domestic and farming (fruit washing and dairy washdown) purposes.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- (a) where the offence was committed by a Corporation – 200 penalty units.
(b) where the offence was committed by any other person – 100 penalty units.

One penalty unit = \$110.00.

Dated this 11th day of October 2002.

G. LOLLBACK,
Resource Access Manager,
North Coast Region, Grafton
(GA2: 343390)

WATER ACT 1912

Notice Under Section 22B

Pumping Restrictions

*Clarence River and Its Tributaries Above Its Confluence
with the Mann River at Carnham*

THE Department of Land and Water Conservation pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in the Clarence River and its tributaries above its confluence with the Mann River at Carnham is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Friday, 11 October 2002 and until further notice, the right to pump water is RESTRICTED to a maximum of four hours in any twenty four hour period between the hours of 4pm to 10am.

This restriction excludes water supply for town water supply, stock, domestic and farming (fruit washing and dairy washdown) purposes.

This restriction excludes Acacia Creek, Koreelah Creek, Tunglebung Creek, Duck Creek, Bean Creek, Tooloom Creek and their tributaries which are currently suspended.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- (a) where the offence was committed by a Corporation – 200 penalty units.
- (b) where the offence was committed by any other person – 100 penalty units.

One penalty unit = \$110.00.

Dated this 11th day of October 2002.

G. LOLLBACK,
Resource Access Manager,
North Coast Region, Grafton
(GA2: 343391)

WATER ACT 1912

Notice Under Section 22B

Pumping Restrictions

*Terania Creek, Tuntable Creek and Their Tributaries and
Leycester Creek Below Tuncester*

THE Department of Land and Water Conservation pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Terania Creek, Tuntable Creek and their tributaries and Leycester Creek below Tuncester is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Wednesday, 16 October 2002 and until further notice, the right to pump water is RESTRICTED to a maximum of six hours in any twenty four hour period between the hours of 4 pm to 10 am.

This restriction excludes water supply for town water supply, stock, domestic and farming (fruit washing and dairy washdown) purposes.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- (a) where the offence was committed by a Corporation – 200 penalty units.
- (b) where the offence was committed by any other person – 100 penalty units.

One penalty unit = \$110.00.

Dated this 16th day of October 2002.

G. LOLLBACK,
Resource Access Manager,
North Coast Region, Grafton
(GA2: 343393)

WATER ACT 1912

Notice Under Section 22B

Pumping Suspensions

*Goolmangar Creek, Jiggi Creek, Upper Wilsons Creek
above Mullumbimby Town Water Supply Weir and Their
Tributaries*

*Brunswick River, Lacks Creek, Marshalls Creek and
Their Tributaries*

THE Department of Land and Water Conservation pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Goolmangar Creek, Jiggi Creek, Upper Wilsons Creek above Mullumbimby Town Water Supply Weir, Brunswick River, Lacks Creek, Marshalls Creek and their tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Wednesday, 16 October 2002 and until further notice, the right to pump water is SUSPENDED.

This suspension excludes water supply for stock, domestic and farming (fruit washing and dairy washdown) purposes.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- (a) where the offence was committed by a Corporation – 200 penalty units.
- (b) where the offence was committed by any other person – 100 penalty units.

One penalty unit = \$110.00.

Dated this 16th day of October 2002.

G. LOLLBACK,
Resource Access Manager,
North Coast Region, Grafton
(GA2: 343393)

WATER ACT 1912

Notice Under Section 22B

Pumping Restrictions

*Burringbar Creek, Cudgera Creek, Piggabeen Creek,
Cobaki Creek and Their Tributaries*

THE Department of Land and Water Conservation pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Burringbar Creek, Cudgera Creek, Piggabeen Creek, Cobaki Creek and their tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licenses under Part 2 of the Act that from Wednesday, 16 October 2002 and until further notice, the right to pump water from Burringbar Creek, Cudgera Creek, Piggabeen Creek, Cobaki Creek and their tributaries is RESTRICTED as below.

Cudgera Creek – Maximum of 6 hours in every 24 hour period between the hours of 4pm and 10am.

Burringbar Creek – Maximum of 4 hours in every 24 hour period between the hours of 5am and 9am.

Piggabeen and Cobaki Creeks - Maximum of 4 hours in every 24 hour period between the hours of 6am and 8am, and 6pm and 8pm.

This restriction excludes water supply for town water supply, stock, domestic and farming (fruit washing and dairy washdown) purposes.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- (a) where the offence was committed by a Corporation – 200 penalty units.
- (b) where the offence was committed by any other person – 100 penalty units.

One penalty unit = \$110.00.

Dated this sixteenth day of October 2002.

G. LOLLBACK,
Resource Access Manager,
North Coast Region, Grafton
(GA2: 343394)

WATER ACT 1912

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

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

Murray River Valley

MURRAY PARK FARM PTY LIMITED for 1 pump on the Murray River on Lot 4/659936 and 1 pump on the Murray River and an unnamed watercourse on Lot A/420480, all Parish of Cottadidda, County of Denison, for stock and domestic and irrigation of citrus planting purposes (Replacement licence due to amalgamation of existing licences – no increase in entitlement) (GA2:494924) (Ref:50SL075522).

Any enquiries regarding the above should be directed to the undersigned (telephone (02) 6041 6777).

Written objections to the application specifying the grounds thereof, may be made by any statutory authority or local occupier within the proclaimed area whose interests may be affected, and must be lodged with the Department's office at Albury by no later than the 15 November 2002.

C. PURTLE,
Natural Resource Officer,
Murray Region

Department of Land and Water Conservation
PO Box 829, ALBURY NSW 2640. Tel.: (02) 6041 6777

WATER ACT 1912

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

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

Lachlan River Valley

Graeme Clifford HUNTER for a dam on Lot 17, DP 752104, Parish of Milpose, County of Cunningham for conservation of water for stock and domestic purposes (New licence). (GA2:512459) (70SL090828).

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

ROD SHARP,
Acting Senior Natural Resource Officer,
Central West Region

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

WATER ACT 1912

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

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

Lachlan River Valley

T A FIELD ESTATES PTY LIMITED for 4 pumps on the Lachlan River on Lots 21, 25, and 15, DP 750648, Parish of Buckley, County of Blaxland and Lot 2, DP 1023559, Parish Weenya, County of Nicholson for stock and domestic purposes and irrigation of 1103.30 hectares. (Replacement licence – increase in allocation obtained by way of permanent transfer and amalgamation of existing entitlements). (GA2:512460) (Ref:70SL090822).

Written objections specifying grounds thereof, may be made by any statutory authority or local occupier within the proclaimed local area whose interests may be effected

must be lodged with the Department within 28 days of the date of this publication as prescribed by the Act.

ROD SHARP,
Acting Senior Natural Resource Officer,
Central West Region

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

WATER ACT 1912

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

Murrumbidgee Valley

AUSTRALIAN CLAY TARGET ASSOCIATION INC for a bore on Lot 100, DP 1012965, Parish of Gumly Gumly, County of Wynyard for a water supply for recreation purposes (New licence). (Reference: 40BL188893).

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 15 November 2002 as prescribed by the Act.

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

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

WATER ACT 1912

AN APPLICATION under Part 2, being within a proclaimed (declared) local area under section 20E (2) of the Water Act 1912, as amended.

Application for an amended authority within a proclaimed local area as generally described hereunder has been received as follows:

Gwydir River Valley

Kevin John LONERGAN for two (2) pumps on the Gil Gil Creek on Lot 18/750502, Parish of Turrawah, County of Benarba for irrigation of 162 hectares (cotton, grain, fodder). application seeks increase in pumping capacity – no increase in area. (Ref: 90SL100630) (GA2460808).

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

GEOFF CAMERON,
Manager Resource Access

Department of Land and Water Conservation
PO Box 550, Tamworth NSW 2340

WATER ACT 1912

AN APPLICATION under Part 2, being within a proclaimed (declared) local area under section 20E (2) of the Water Act 1912, as amended.

Application for an amended authority within a proclaimed local area as generally described hereunder has been received as follows:

Gwydir River Valley

Malcolm David HARRIS and Emily Jane HARRIS for one (1) pump and diversion channel on the Gil Gil Creek on Lot 15/750462, Parish of Galloway, County of Benarba. Three (3) pumps and a diversion channel on Lot 22/750488, Parish of Narrawall, County of Benarba for stock and domestic purposes and 810 hectares of irrigation. Subject application is the result of upgrade in pump capacity and addition of diversion channels, with no increase in pumping allocation. (Ref: 90SA11682) (GA460809).

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

GEOFF CAMERON,
Manager Resource Access

Department of Land and Water Conservation
PO Box 550, Tamworth NSW 2340

WATER ACT 1912

AN APPLICATION under Part 2, being within a proclaimed (declared) local area under section 20E (2) of the Water Act 1912, as amended.

Application for an amended authority within a proclaimed local area as generally described hereunder has been received as follows:

Gwydir River Valley

Keith Ebenezer DUNLOP for a pump on Pallal Creek on Lot 1/1031194, Parish of Derra Derra, County of Murchison for 243 megalitres of water for irrigation purposes. This application is an amendment to a Public Notice of 10/9/02, due to the proposed relocation of the entitlement from "Kywarra" to "Pallal". A flow condition will be determined at the Pallal road crossing. (Ref:90SL100631) (GA460810).

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

GEOFF CAMERON,
Manager Resource Access

Department of Land and Water Conservation
PO Box 550, Tamworth NSW 2340

Department of Mineral Resources

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T02-0431)

No. 2002, INVESTIGATOR MINERALS PTY LIMITED (ACN 093 475 051), area of 100 units, for Group 1, dated 7 October, 2002. (Broken Hill Mining Division).

(T02-0432)

No. 2003, INVESTIGATOR MINERALS PTY LIMITED (ACN 093 475 051), area of 100 units, for Group 1, dated 7 October, 2002. (Broken Hill Mining Division).

(T02-0433)

No. 2004, LIMESTONE MINING LIMITED (ACN 089 190 198), area of 12 units, for Group 2, dated 8 October, 2002. (Orange Mining Division).

(T02-0434)

No. 2005, PASMINGO AUSTRALIA LIMITED (ACN 004 074 962), area of 68 units, for Group 1, dated 10 October, 2002. (Cobar Mining Division).

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

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(T01-0228)

No. 1843, now Exploration Licence No. 6000, YARDARINO LIMITED (ACN 009 256 535), County of Ewenmar, Map Sheet (8534), area of 30 units, for Group 1, dated 1 October, 2002, for a term until 30 September, 2004.

(T02-0043)

No. 1885, now Exploration Licence No. 6004, BRAESIDE AUSTRALIA LIMITED (ACN 097 650 194), Counties of Hawes and Parry, Map Sheet (9134, 9135), area of 39 units, for Group 1, dated 3 October, 2002, for a term until 2 October, 2004.

(T02-0047)

No. 1889, now Exploration Licence No. 6003, BRAESIDE AUSTRALIA LIMITED (ACN 097 650 194), County of St Vincent, Map Sheet (8826, 8827), area of 29 units, for Group 1, dated 3 October, 2002, for a term until 2 October, 2004.

(C02-0210)

No. 1906, now Exploration Licence No. 5993, CREEK RESOURCES PTY LIMITED (ACN 100 228 886), County of Buckland, Map Sheet (9035), area of 491.1642 hectares, for Group 9, dated 18 September, 2002, for a term until 17 September, 2005.

(T02-0071)

No. 1912, now Exploration Licence No. 6001, PEREGRINE MINERAL SANDS N.L. (ACN 009 307 591), Counties of Caira and Taila, Map Sheet (7428, 7429, 7528, 7529), area of 518 units, for Group 10, dated 30 September, 2002, for a term until 29 September, 2004.

(T02-0079)

No. 1920, now Exploration Licence No. 6002, BROKEN HILL OPERATIONS PTY LIMITED (ACN 054 920 893), Counties of Farnell and Yancowinna, Map Sheet (7134), area of 107 units, for Group 1, dated 30 September, 2002, for a term until 29 September, 2004.

(T02-0086)

No. 1926, now Exploration Licence No. 5999, Alan Robert CAMERON and Sylvia May CAMERON, County of Gipps, Map Sheet (8230, 8231), area of 11 units, for Group 2, dated 30 September, 2002, for a term until 29 September, 2004.

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

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

(C87-0202)

Authorisation No. 399, POWERCOAL PTY LIMITED (ACN 052 533 070), area of 693 hectares. Application for renewal received 11 October, 2002.

(T86-0546)

Exploration Licence No. 2727, MOUNT CONQUEROR MINERALS N.L. (ACN 003 312 721) and TRIAKO RESOURCES LIMITED (ACN 008 498 119), area of 1 unit. Application for renewal received 11 October, 2002.

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

WITHDRAWAL OF APPLICATION FOR RENEWAL

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

(T86-0932)

Exploration Licence No. 2934, TELMINEX N.L. (ACN 003 309 911), County of Georgiana, Map Sheet (8729), area of 12 units. Application for renewal lodged on 19 September, 2002. The title continues to have effect by virtue of the application for renewal lodged on 27 September, 2002.

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

PART CANCELLATIONS

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

(T00-0079)

Exploration Licence No. 5810, GREAT NORTHERN NSW PTY LIMITED (ACN 091 240 425) and SAPPHIRE MINES N.L. (ACN 009 153 128), County of Arrawatta and County of Gough, Map Sheet (9138, 9238).

Description of area cancelled:

Map Sheet	Block	Units
Armidale	1385	
Armidale	1388	n st
Armidale	1459	c
Armidale	1460	
Armidale	1316	
Armidale	1461	
Armidale	1462	
Armidale	1532	
Armidale	1390	

Part cancellation took effect on 4 October, 2002.

The authority now embraces an area of 104 units.

(C01-0282)

Consolidated Coal Lease No.768 (Act 1973), held by BHP STEEL (AIS) PTY LIMITED (ACN 000 019 625), PO Box 1854, Wollongong NSW, has been cancelled in part at the holder's request in so far as it relates to the land described in the Schedule hereto. Such cancellation took effect on 9 October, 2002.

Parish –Wollongong;
County – Camden;

Area: A total area of about 3390 square metres in two parts: one part being part of the area formerly subject of MPL 985 (Act 1906) Plan Cat. No. P 8287 being PML 12 comprising 198 sq metres; second part being the area formerly subject of MPL No. 23 (Act 1973) Diagram Cat. No. 1137 comprising 3192 sq metres.

(T97-0580)

Mining Lease No. 1315 (Act 1992), RZM PTY. LIMITED (ACN 001 242 397), Parish of Sutton, County of Gloucester, Map Sheet (9232-1-S).

Description of area cancelled:

An area of 189.2 hectares. For further information contact Titles Branch.

Part cancellation took effect on 8 October, 2002.

The authority now embraces an area of 48 hectares.

(T97-0580)

Mining Lease No. 1315 (Act 1992), RZM PTY LIMITED (ACN 001 242 397), Parish of Sutton, County of Gloucester, Map Sheet (9232-1-S).

Description of area cancelled:

An area of 33 hectares. For further information contact Titles Branch.

Part cancellation took effect on 8 October, 2002.

The authority now embraces an area of 48 hectares.

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

COAL MINES REGULATION ACT 1982**Revocation of Approval**

REVOKED APPROVAL No: MDA Ex ia 14149

FILE No: C96/0306

DATE: 4 October 2002

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 is no longer deemed to be approved for use in the hazardous zones of underground coal mines in New South Wales.

Description: Transceiver Headsets

Identification: Remic, models 7800H and 7800HL TMS

This approval was issued to,

Name: Remic Corporation Pty Limited

Address: 74 Edinburgh Road,
CASTLECRAIG, NSW 2068

The approval was notified in the *Government Gazette* No. 13, dated 31 January, 1997.

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

Department of Planning

Hornsby Shire Local Environmental Plan 1994 (Amendment No 71)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S02/00317/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Hornsby Shire Local Environmental Plan 1994 (Amendment No 71)

Hornsby Shire Local Environmental Plan 1994 (Amendment No 71)

1 Name of plan

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

2 Aims of plan

This plan aims:

- (a) to rezone the land to which this plan applies to Residential B (Medium Density), and
- (b) to allow, with consent, the carrying out of certain development on that land.

3 Land to which plan applies

This plan applies to land known as No 381 Pennant Hills Road and No 2 The Crescent, Pennant Hills, shown edged heavy black on the map marked "Hornsby Shire Local Environmental Plan 1994 (Amendment No 71)" deposited in the office of Hornsby Shire Council.

4 Amendment of Hornsby Shire Local Environmental Plan 1994

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

Hornsby Shire Local Environmental Plan 1994 (Amendment No 71)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 22 Exceptions

Insert at the end of the Table to clause 22 (1):

No 381 Pennant Hills Road and No 2 The Crescent, Pennant Hills	Lot 1 DP 804852, Lot A DP 378975, Lot D DP 359636	Development authorised by a development consent in force immediately before the commencement of <i>Hornsby Shire Local Environmental Plan 1994 (Amendment No 71)</i> , being a development consent that is still in force.
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[2] Clause 23 Dictionary

Insert in appropriate order in the definition of *the map* in clause 23 (1):

Hornsby Shire Local Environmental Plan 1994 (Amendment
No 71)



Kempsey Local Environmental Plan 1987 (Amendment No 84)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G02/00025/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Kempsey Local Environmental Plan 1987 (Amendment No 84)

Kempsey Local Environmental Plan 1987 (Amendment No 84)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Kempsey Local Environmental Plan 1987 (Amendment No 84)*.

2 Aim of plan

This plan aims to permit, with the consent of the Kempsey Shire Council, the carrying out of development on the land to which this plan applies for the purposes of a primary school.

3 Land to which plan applies

This plan applies to Lot 2, DP 569841, 108 Crescent Head Road, Kempsey, as shown edged heavy black on the map marked "Kempsey Local Environmental Plan 1987 (Amendment No 84)" deposited in the office of Kempsey Shire Council.

4 Amendment of Kempsey Local Environmental Plan 1987

Kempsey Local Environmental Plan 1987 is amended by inserting at the end of the schedule to clause 37, in Columns 1 and 2 respectively, the following matter:

Lot 2, DP 569841, 108 Crescent Head Road, Kempsey, Primary School
as shown edged heavy black on the map marked
"Kempsey Local Environmental Plan 1987
(Amendment No 84)"

Manly Local Environmental Plan 1988 (Amendment No 51)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S02/00718/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Manly Local Environmental Plan 1988 (Amendment No 51)

Manly Local Environmental Plan 1988 (Amendment No 51)

1 Name of plan

This plan is *Manly Local Environmental Plan 1988 (Amendment No 51)*.

2 Aims of plan

This plan aims:

- (a) to add to, remove from and further describe properties as items of the environmental heritage in Schedule 4 to *Manly Local Environmental Plan 1988 (the 1988 plan)*, and
- (b) to bring under the heritage provisions of the 1988 plan a new conservation area, namely the Pittwater Road Conservation Area, and
- (c) to provide that Manly Council must not grant consent to a development application relating to a conservation area unless it has considered the provisions of any development control plan relating to heritage conservation areas (*any relevant dcp*), and
- (d) to amend a heading to a clause in the 1988 plan, and
- (e) to update a reference to a provision in an Act in the 1988 plan.

3 Land to which plan applies

- (1) To the extent that this plan adds, removes and further describes properties as items of the environmental heritage, it applies to land listed in Schedule 1 [5]–[8].
- (2) To the extent that this plan brings into the 1988 plan a new conservation area, it applies to the land known as the Pittwater Road Conservation Area, as shown edged heavy black on the map marked “Manly Local Environmental Plan 1988 (Amendment No 51)” deposited in the office of Manly Council.

Manly Local Environmental Plan 1988 (Amendment No 51)

Clause 3

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- (3) To the extent that this plan provides for the Council to consider the provisions of any relevant dcp in determining a development application, it applies to all land within heritage conservation areas under the 1988 plan.
 - (4) To the extent that this plan amends a clause heading, it applies to all land with Zone No 2 having frontage to Pittwater Road, Manly.

4 Amendment of Manly Local Environmental Plan 1988

Manly Local Environmental Plan 1988 is amended as set out in Schedule 1.

Manly Local Environmental Plan 1988 (Amendment No 51)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 7 Interpretation

Insert at the end of the definition of *item of the environmental heritage* in clause 7 (1):

Manly Local Environmental Plan 1988 (Amendment No 51)

[2] Clause 7, definition of “small shop”

Omit “as defined in section 76A of the *Factories Shops and Industries Act 1962*”.

Insert instead “within the meaning of section 78B of the *Shops and Industries Act 1962*”.

[3] Clause 21 Conservation area

Insert after clause 21 (2) (b):

, and

- (c) the provisions of any development control plan relating to heritage conservation areas.

[4] Clause 32, heading

Omit the heading to the clause. Insert instead:

32 Development of land having frontage to Pittwater Road, Manly

Manly Local Environmental Plan 1988 (Amendment No 51)

Amendments

Schedule 1

[5] Schedule 4 Items of the environmental heritage

Insert in alphabetical order of street name under the headings *Architectural and Archaeological Items* and **(A) Alphabetical Entry by Street** in the Schedule the following items:

Residential flat building	5a Carlton Street, Manly (Lots 1–4, SP 16614)
Row house	26 Denison Street, Manly (Lots 9 and 16, DP 233249)
Row house	28 Denison Street, Manly (Lot 10, DP 233249)
Row house	30 Denison Street, Manly (Lot 11, DP 233249)
Row house	32 Denison Street, Manly (Lot 12, DP 233249)
Row house	34 Denison Street, Manly (Lot 13, DP 233249)
Row house	36 Denison Street, Manly (Lot 14, DP 233249)
Row house	38 Denison Street, Manly (Lot 15, DP 233249)
Baby health care centre	1 Pittwater Road, Manly (Lot C, DP 332042)
House	80 Pittwater Road, Manly (Lot 62, DP 192310)
House	82 Pittwater Road, Manly (Lot 1, DP 798774)
House	105 Pittwater Road, Manly (Lot 9, DP 2427)
House	107 Pittwater Road, Manly (Lot 1, DP 1030198)
House	108 Pittwater Road, Manly (Lot 2, DP 576052)

Manly Local Environmental Plan 1988 (Amendment No 51)

Schedule 1 Amendments

House	110 Pittwater Road, Manly (Lot 1, DP 576052)
Service station	167 Pittwater Road, Manly (Lot 1, DP 303817, Lot 2, DP 656268 and Lots 9–12, Section 6, DP 2427)
House	184 Pittwater Road, Manly (Lot 30, DP 2427)
Pumping station	252 Pittwater Road, Manly (Lot 1, DP 744872)
Memorial club	52 Raglan Street, Manly (Lot 2077, DP 7520385)
House	53 Whistler Street, Manly (Lot 1, DP 742272)
House	55 Whistler Street, Manly (Lot 1, DP 85051)
House	65 Whistler Street, Manly (Lot 24, DP 192310)

[6] Schedule 4

Omit from the Schedule under the headings *Architectural and Archaeological Items* and **(A) Alphabetical Entry by Street** the following items:

Pittwater Road (from Denison Street to Collingwood Street, Manly)

House	63 Pittwater Road, Manly
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Manly Local Environmental Plan 1988 (Amendment No 51)

Amendments

Schedule 1

[7] Schedule 4

Insert after each item shown in Column 1 below, being matter in the Schedule under the headings *Architectural and Archaeological Items* and **(A) Alphabetical Entry by Street**, the matter relating to that item shown in Column 2 below:

Column 1	Column 2
15–17 Pittwater Road, Manly	(Lots 1–5, DP 64980)
25 and 27 Pittwater Road, Manly	(Lot 2, DP 226667 and Lot 1, DP 515956)
35–49 Pittwater Road, Manly	(Lots 1–8, DP 233249)
61 Pittwater Road, Manly	(Lot 1, DP 1024498)
77 Pittwater Road, Manly	(Lot 1, DP 503181)
210–214 Pittwater Road, Manly	(Lots 3–5, DP 107720)
216–218 Pittwater Road, Manly	(Lots 1 and 2, DP 107720)
226 Pittwater Road, Manly	(Lot 1, DP 798037)

[8] Schedule 4

Insert at the end of the matter under the headings *Landscape Items* and **(B) Alphabetical Entry by Park, Reserve etc** in the Schedule the following item:

Natural escarpment

Kangaroo Park

[9] Schedule 4

Insert at the end of the matter under the heading **CONSERVATION AREA** in the Schedule:

The Pittwater Road Conservation Area

Sutherland Shire Local Environmental Plan 2000 (Amendment No 16)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S01/02441/S69 Pt 1)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Sutherland Shire Local Environmental Plan 2000 (Amendment No 16)

Sutherland Shire Local Environmental Plan 2000 (Amendment No 16)

1 Name of plan

This plan is *Sutherland Shire Local Environmental Plan 2000 (Amendment No 16)*.

2 Aims of plan

This plan aims to introduce in the complying development provisions in *Sutherland Shire Local Environmental Plan 2000*, *Sydney Regional Environmental Plan No 17—Kurnell Peninsula (1989)* and *Sutherland Local Environmental Plan—Menai Town Centre 1992* provisions relating to a new category for two storey single dwelling houses and two storey additions or alterations to single dwelling houses.

This plan also corrects a typographical error in a provision of *Sutherland Shire Local Environmental Plan 2000*.

3 Land to which plan applies

This plan applies to all land within the local government area of Sutherland Shire under *Sutherland Shire Local Environmental Plan 2000*, *Sydney Regional Environmental Plan No 17—Kurnell Peninsula (1989)* and *Sutherland Local Environmental Plan—Menai Town Centre 1992*.

4 Amendment of Sutherland Shire Local Environmental Plan 2000

Sutherland Shire Local Environmental Plan 2000 is amended as set out in Schedule 1.

5 Amendment of Sydney Regional Environmental Plan No 17—Kurnell Peninsula (1989)

Sydney Regional Environmental Plan No 17—Kurnell Peninsula (1989) is amended as set out in Schedule 2.

6 Amendment of Sutherland Local Environmental Plan—Menai Town Centre 1992

Sutherland Local Environmental Plan—Menai Town Centre 1992 is amended as set out in Schedule 3.

Sutherland Shire Local Environmental Plan 2000 (Amendment No 16)

Amendment of Sutherland Shire Local Environmental Plan 2000

Schedule 1

Schedule 1 Amendment of Sutherland Shire Local Environmental Plan 2000

(Clause 4)

[1] Clause 65 Exceptions to the land use table in the 6 (a) Public Recreation and 6 (d) Future Recreation zones

Omit “Elouera Surf Living Saving Club” from clause 65 (3).

Insert instead “Elouera Surf Life Saving Club”.

[2] Schedule 5 Complying development—general provisions

Insert at the end of Part 1:

Two storey single dwelling houses and two storey additions or alterations to single dwelling houses

(excluding areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25)

- (a) Maximum height of 6.5m from ground level to the ceiling and 8m to the highest point of the roof.
- (b) Must be located a minimum of 0.9m off side boundaries, except in 2 (a2), 2 (e1) and 2 (e2) Residential zones, Woronora Heights and areas west of the Woronora River (excepting Woronora), where the minimum is 1.5m.
- (c) The two storey component of any proposed dwelling or addition must not extend beyond 50% of the depth of an allotment measured from the primary street frontage.
- (d) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback.
- (e) The maximum amount of cut or fill is restricted to 0.6m and the cut must not extend further than 0.9m beyond the perimeter of the building. All fill must be retained within the perimeter of the buildings.
- (f) For new dwelling houses two carparking spaces must be provided behind the building line.
- (g) Any car spaces and access provided must comply with the requirements of Australian Standard AS 2890.1—1993 *Parking facilities, Part 1: Off-street car parking*.

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Sutherland Shire Local Environmental Plan 2000 (Amendment No 16)

Schedule 1 Amendment of Sutherland Shire Local Environmental Plan 2000

- (h) Any driveways provided must be designed to align with footpath crossing levels issued by the Council.
- (i) New dwellings must be entitled to at least a 3.5 star rating under the House Energy Rating Scheme (NatHERS).
- (j) Additions and alterations to existing dwellings must comply with insulation (roof, wall and floor), hot water system, AAA rated fittings and clothes dryer requirements as per the existing development control plan requirements for single dwelling additions.
- (k) Works are not to include side or rear first floor balconies.
- (l) Works are not to include kitchen areas on the first floor.
- (m) Works are not to include installation of oil or solid fuel heating appliances.
- (n) Must comply with the Council's construction standards for buildings located in bushfire prone areas or relevant Council building standards.
- (o) Work on that part of the residential premises used for the purpose of preparation or storage of food (or both) for sale to the public as part of a home activity use, must comply with the *Food Regulation 2001*, the Council's *Code for Food Premises* and *Code for Commercial Home Catering*.
Work does not include any commercial mechanical exhaust ventilation system.

Sutherland Shire Local Environmental Plan 2000 (Amendment No 16)

Amendment of Sydney Regional Environmental Plan No 17—Kurnell Peninsula (1989)

Schedule 2

Schedule 2 Amendment of Sydney Regional Environmental Plan No 17—Kurnell Peninsula (1989)

(Clause 5)

Schedule 6 Complying development—general provisions

Insert at the end of Part 1 of the Schedule:

Two storey single dwelling houses and two storey additions or alterations to single dwelling houses

(excluding areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25)

- (a) Maximum height of 6.5m from ground level to the ceiling and 8m to the highest point of the roof.
- (b) Must be located a minimum of 1.5m off side boundaries.
- (c) The two storey component of any proposed dwelling or addition must not extend beyond 50% of the depth of an allotment measured from the primary street frontage.
- (d) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback.
- (e) The maximum amount of cut or fill is restricted to 0.6m and the cut must not extend further than 0.9m beyond the perimeter of the building. All fill must be retained within the perimeter of the buildings.
- (f) For new dwelling houses two carparking spaces must be provided behind the building line.
- (g) Any car spaces and access provided must comply with the requirements of Australian Standard AS 2890.1—1993 *Parking facilities*, Part 1: *Off-street car parking*.
- (h) Any driveways provided must be designed to align with footpath crossing levels issued by the Council.
- (i) New dwellings must be entitled to at least a 3.5 star rating under the House Energy Rating

Sutherland Shire Local Environmental Plan 2000 (Amendment No 16)

Schedule 2 Amendment of Sydney Regional Environmental Plan No 17—Kurnell Peninsula (1989)

Scheme (NatHERS).

- (j) Additions and alterations to existing dwellings must comply with insulation (roof, wall and floor), hot water system, AAA rated fittings and clothes dryer requirements as per the existing development control plan requirements for single dwelling additions.
- (k) Works are not to include side or rear first floor balconies.
- (l) Works are not to include kitchen areas on the first floor.
- (m) Works are not to include installation of oil or solid fuel heating appliances.
- (n) Must comply with the Council's construction standards for buildings located in bushfire prone areas or relevant Council building standards.
- (o) Work on that part of the residential premises used for the purpose of preparation or storage of food (or both) for sale to the public as part of a home activity use, must comply with the *Food Regulation 2001*, the Council's *Code for Food Premises* and *Code for Commercial Home Catering*.
Work does not include any commercial mechanical exhaust ventilation system.
- (p) Maximum floorspace ratio is 0.4:1.
- (q) Minimum landscaped area is 50% of the site area.

Sutherland Shire Local Environmental Plan 2000 (Amendment No 16)

Amendment of Sutherland Local Environmental Plan—Menai Town Centre Schedule 3
1992

Schedule 3 Amendment of Sutherland Local Environmental Plan—Menai Town Centre 1992

(Clause 6)

Schedule 2 Complying development—general provisions

Insert at the end of Part 1 of the Schedule:

**Two storey single
dwelling houses and
two storey additions
or alterations to
single dwelling
houses**

(excluding areas where
the Australian Noise
Exposure Forecast
(ANEF) is between 20
and 25)

- (a) Maximum height of 6.5m from ground level to the ceiling and 8m to the highest point of the roof.
- (b) Must be located a minimum of 0.9m off side boundaries.
- (c) The two storey component of any proposed dwelling or addition must not extend beyond 50% of the depth of an allotment measured from the primary street frontage.
- (d) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback.
- (e) The maximum amount of cut or fill is restricted to 0.6m and the cut must not extend further than 0.9m beyond the perimeter of the building. All fill must be retained within the perimeter of the buildings.
- (f) For new dwelling houses two carparking spaces must be provided behind the building line.
- (g) Any car spaces and access provided must comply with the requirements of Australian Standard AS 2890.1—1993 *Parking facilities*, Part 1: *Off-street car parking*.
- (h) Any driveways provided must be designed to align with footpath crossing levels issued by the Council.
- (i) New dwellings must be entitled to at least a 3.5 star rating under the House Energy Rating Scheme (NatHERS).

Sutherland Shire Local Environmental Plan 2000 (Amendment No 16)

Schedule 3 Amendment of Sutherland Local Environmental Plan—Menai Town Centre
1992

- (j) Additions and alterations to existing dwellings must comply with insulation (roof, wall and floor), hot water system, AAA rated fittings and clothes dryer requirements as per the existing development control plan requirements for single dwelling additions.
- (k) Works are not to include side or rear first floor balconies.
- (l) Works are not to include kitchen areas on the first floor.
- (m) Works are not to include installation of oil or solid fuel heating appliances.
- (n) Must comply with the Council's construction standards for buildings located in bushfire prone areas or relevant Council building standards.
- (o) Work on that part of the residential premises used for the purpose of preparation or storage of food (or both) for sale to the public as part of a home activity use, must comply with the *Food Regulation 2001*, the Council's *Code for Food Premises* and *Code for Commercial Home Catering*.
Work does not include any commercial mechanical exhaust ventilation system.
- (p) Minimum landscaped area is 45% of the site area.

Sutherland Shire Local Environmental Plan—Kurnell Peninsula (Amendment No 11)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S01/02441/S69 Pt 4)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Sutherland Shire Local Environmental Plan—Kurnell Peninsula
(Amendment No 11)

Sutherland Shire Local Environmental Plan—Kurnell Peninsula (Amendment No 11)

1 Name of plan

This plan is *Sutherland Shire Local Environmental Plan—Kurnell Peninsula (Amendment No 11)*.

2 Aims of plan

This plan aims:

- (a) to introduce exempt development and complying development provisions into *Sydney Regional Environmental Plan No 17—Kurnell Peninsula (1989) (the 1989 plan)*, and
- (b) to allow Sutherland Shire Council to preserve a tree, trees or bushland vegetation by making tree and bushland vegetation preservation orders for land to which the 1989 plan applies, and
- (c) to require development consent to the erection of dwelling-houses having not more than 2 floors above existing ground level on land within Zone No 2 (a) (the Residential Zone) under the 1989 plan. (Development consent is already required for dwelling-houses more than 2 floors above existing ground level.)

3 Land to which plan applies

- (1) To the extent that this plan introduces exempt and complying development provisions, it applies to all land within the local government area of Sutherland Shire under the 1989 plan.
- (2) To the extent that this plan requires development consent to the erection of certain dwelling-houses, it applies to all land within the Residential Zone under the 1989 plan.

4 Amendment of Sydney Regional Environmental Plan No 17—Kurnell Peninsula (1989)

Sydney Regional Environmental Plan No 17—Kurnell Peninsula (1989) is amended as set out in Schedule 1.

Sutherland Shire Local Environmental Plan—Kurnell Peninsula
(Amendment No 11)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in alphabetical order in clause 5 (1):

accredited officer has the same meaning as in the Act.

advertising means the use of a building or place for the external display of symbols, messages or other devices for promotional purposes, whether or not the display involves the erection of a structure or the carrying out of a work.

bushland vegetation mean vegetation that is either a remnant of the natural vegetation of land, or if altered, is still representative of the structure and floristics of the natural vegetation.

complying development has the same meaning as in the Act.

community advertising means:

- (a) advertising of community events or community uses, or charity events, or
- (b) display of health or safety notices, or like notices, or
- (c) advertising which is ancillary to the primary legal use of community or recreational land, but is not for the purpose of advertising the sale of a product, or
- (d) display of a notice by a public authority.

demolition means the partial or total destruction, dismantling or moving of a building. It includes decontamination, rehabilitation or remediation of land on which a building has been partially or totally destroyed or dismantled, or from which a building has been removed.

dwelling house means one dwelling on one allotment.

exempt development has the same meaning as in the Act.

ground level is the ground surface of a site as it was prior to any cutting, filling or grading of the site.

Sutherland Shire Local Environmental Plan—Kurnell Peninsula
(Amendment No 11)

Schedule 1 Amendments

home activity means a business that is ancillary to a residential use and is carried out, or partially carried out, in a dwelling or within an allotment which contains a dwelling house or dwellings, but only if:

- (a) that use is undertaken by the permanent residents, and
- (b) not more than two non-residents are employed in it at any one time, and
- (c) the use does not interfere with the amenity of adjoining properties or the locality, whether or not by the generation of vehicular traffic or parking or the emission of noise, vibration, smell or creation of some other nuisance,

but does not include a bed and breakfast establishment.

storey means:

- (a) the space between two floors, or
- (b) the space between any floor and its ceiling or roof above, or
- (c) foundation areas, garages, workshops, storerooms and the like, where the height between ground level and the top of the floor above is 1.5 metres or more.

A storey which exceeds 4.5 metres is considered as two storeys.

subdivision has the same meaning as in the Act.

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

the Regulation means the *Environmental Planning and Assessment Regulation 2000*.

waterbody means:

- (a) a natural waterbody, including
 - (i) a lake or lagoon either naturally formed or artificially modified, or
 - (ii) a river or stream, whether perennial or intermittent, flowing in a natural channel with an established bed or in a natural channel artificially modifying the course of the stream, or
 - (iii) tidal waters including any bay, estuary or inlet, or

Sutherland Shire Local Environmental Plan—Kurnell Peninsula
(Amendment No 11)

Amendments

Schedule 1

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- (b) an artificial waterbody, including any constructed waterway, canal, inlet, bay, channel, dam, pond or lake, but does not include a dry detention basin or other construction that is only intended to hold water intermittently.

[2] Clause 6 Adoption of model provisions

Omit “8,” from clause 6 (1).

[3] Clause 9 Zone objectives and development control table

Insert after clause 9 (2):

- (2A) Exempt development may also be carried out without development consent on the land on which it is allowed.

[4] Clause 9, Table, Zone No 2 (a), Item 2

Omit “Dwelling-houses having not more than 2 floors above existing ground level.” from Item 2 (**Without development consent**) of the matter relating to Zone No 2 (a).

Insert instead “Nil.”.

[5] Clauses 34–36

Insert after clause 33:

34 How are trees and bushland vegetation preserved?

- (1) The objective of this clause is the preservation of valuable trees and bushland vegetation in the local government area of Sutherland Shire.
- (2) Where it appears to the Council that it is expedient for the purpose of preserving or securing trees and bushland vegetation in order to ensure the integrity of the natural environment for both residents of and visitors to the area of Sutherland Shire it may make a tree and bushland vegetation preservation order.

Sutherland Shire Local Environmental Plan—Kurnell Peninsula
(Amendment No 11)

Schedule 1 Amendments

- (3) A tree and bushland vegetation preservation order may prohibit the ringbarking, cutting down, topping, lopping, pruning, removing, injuring or wilful destruction of any bushland vegetation, tree or trees specified in the order except with development consent or the permission of the Council.
- (4) A tree and bushland vegetation preservation order made in accordance with this clause may apply to any tree or trees, or to any specified class, type or description of trees or to bushland vegetation described in the order.
- (5) A tree and bushland vegetation preservation order may exempt any tree or any specified class, type or description of trees or bushland vegetation upon land described in the order.
- (6) A tree and bushland vegetation preservation order, and an amendment or repeal of any such order, has effect only when it has been published in the Government Gazette and in a local newspaper.
- (7) A person must not contravene, or cause or permit the contravention of, a tree and bushland vegetation preservation order that is in force.
- (8) It is a sufficient defence to a prosecution for an offence under this clause if the accused establishes:
 - (a) that the tree or bushland vegetation concerned was dying or dead or had become dangerous, or
 - (b) that taking the action alleged to comprise the offence was reasonably necessary to protect human life, buildings or other property from imminent danger from a bush fire burning in the vicinity of the land on which the tree or bushland vegetation was situated, or
 - (c) that written notice about proposed action to remove trees or bushland vegetation that pose or poses a fire hazard was given to the Council, and the Council, before the action alleged to comprise the offence was taken, confirmed in writing:
 - (i) that the tree or bushland vegetation concerned was in a Inner Protection Area within the meaning of the document entitled *Planning for Bushfire Protection* published in December 2001

Sutherland Shire Local Environmental Plan—Kurnell Peninsula
(Amendment No 11)

Amendments

Schedule 1

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- by the NSW Rural Fire Service in collaboration with Planning NSW, a copy of which is available for inspection at the office of the Council, or
- (ii) that the tree or bushland vegetation concerned was of a species classified by the Council as being likely to present a significant fire hazard, or
- (d) that written notice about the proposed action alleged to comprise the offence was given to the Council, a period of not less than 14 days occurred after the notice was given (and before the action was taken) and the Council did not advise the person during that period that it opposed the action being taken.

In this subclause, *notice* means a notice that includes the name and address of the person who gives it and that explains that a tree of a named species or bushland vegetation situated in a specified position on land described in the notice is intended to be ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed for the purpose of bush fire hazard reduction.

- (9) The provisions of a tree and bushland vegetation preservation order do not apply to activities lawfully conducted in accordance with the Act or the *Telecommunications Act 1992* of the Commonwealth, the *Roads Act 1993*, the *Rural Fires Act 1997*, the *Local Government Act 1993*.

35 What is exempt development?

- (1) Development of minimal environmental impact listed in Schedule 5 is exempt development, subject to subclauses (2) and (3).
- (2) Development is exempt development only if:
- (a) the development is in accordance with the specified predetermined development standards and other requirements identified for that development in Schedule 5, and
- (b) the development is ancillary to an existing legal use of a property and will be contained wholly within the property, and

Sutherland Shire Local Environmental Plan—Kurnell Peninsula
(Amendment No 11)

Schedule 1 Amendments

- (c) the development complies with the deemed-to-satisfy provisions of the *Building Code of Australia (the BCA)* and the standards currently prescribed in the Regulation, and
- (d) the development does not contravene any condition of a development consent applying to the land, and
- (e) the development does not result in removal, pruning or lopping of trees or bushland vegetation which would otherwise require the consent or permission of the Council to remove, prune or lop under the Council's tree and bushland vegetation preservation order, and
- (f) the development does not cause interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise, and
- (g) the development is not carried out within the zone of influence of or over an existing or proposed easement or public sewer main or, if over a sewer main, the proposal complies with the *building over sewer* requirements of the Sydney Water Corporation applying to the land, and
- (h) if appropriate, any installation involved is carried out to the manufacturer's specifications and requirements, and
- (i) the development does not restrict any vehicular or pedestrian access to or from the site or reduce the number of car spaces on the site below the minimum required by the Council, and
- (j) the development does not result in the redirection of surface storm water or run off onto adjoining private property, and
- (k) the development does not involve excavation beyond 600 millimetres below natural ground level, and
- (l) it does not involve handling, storing, or using hazardous chemicals or materials otherwise than on a domestic scale (except on farms and at a distance of more than

Sutherland Shire Local Environmental Plan—Kurnell Peninsula
(Amendment No 11)

Amendments

Schedule 1

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- 25 metres from any habitable building), and does not release any hazardous chemicals or materials or any pollutants into the environment, and
- (m) it is located within a bushfire interface area or bushfire prone area and complies with the Council's construction standards or relevant building standards for buildings in these areas.
- (3) Development is not exempt development if it is carried out on land that:
- (a) is listed as, or contains an item listed as, a heritage item in this plan, or
 - (b) is an Aboriginal place under the *National Parks and Wildlife Act 1974*, or
 - (c) is reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna or geological formations or for other environmental protection purposes, or
 - (d) is a location of an endangered ecological community or critical habitat as identified in the *Threatened Species Conservation Act 1995*, or
 - (e) is within the 7 (a) (Waterways Zone), or
 - (f) is within the 7 (b) (Special Development Zone), or
 - (g) is within the 8 (a) (National Parks and Nature Reserves (Existing) Zone), or
 - (h) is within the 9 (a) (Regional Open Space (Reservation) Zone), or
 - (i) is within 40 metres of a waterbody where the development requires any excavation, or
 - (j) is within 10 metres of land which is zoned 7 (a) (Waterways Zone).

36 What is complying development?

- (1) Development listed in Schedule 6 is complying development, subject to subclauses (2) and (3).

Sutherland Shire Local Environmental Plan—Kurnell Peninsula
(Amendment No 11)

Schedule 1 Amendments

- (2) Development is complying development only if:
- (a) the development is in accordance with the specified predetermined development standards and other requirements identified for that development in Schedule 6, and
 - (b) the proposed development does not involve a building or a site in or on which an existing use, as defined in section 106 of the Act, is being carried out, and
 - (c) it is consistent with any plan of management approved under *State Environmental Planning Policy No 44—Koala Habitat Protection*, and with any recovery plan or threat abatement plan in force under the *Threatened Species Conservation Act 1995* that may apply to the land, and
 - (d) it does not contravene any condition of a development consent applying to the land, and
 - (e) the development complies with the deemed-to-satisfy provisions of the *Building Code of Australia (the BCA)* and the standards currently prescribed in the Regulation, and
 - (f) the development does not restrict any vehicular or pedestrian access to or from the site or reduce the number of car spaces on the site below the minimum required by the Council, and
 - (g) the development will not result in removal, pruning or lopping of trees or bushland vegetation which would require the consent or permission of the Council to remove, prune or lop under the Council's tree and bushland vegetation preservation order, and
 - (h) the development is not carried out within the zone of influence of over an existing or proposed easement or public sewer main or, if over a sewer main, the proposal complies with the building over sewer requirements of Sydney Water Corporation applying to the land, and
 - (i) the development will not result in the redirection of surface storm water or run off onto adjoining private property, and

Sutherland Shire Local Environmental Plan—Kurnell Peninsula
(Amendment No 11)

Amendments

Schedule 1

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- (j) the maximum floorspace ratio is 0.4:1, and
 - (k) the minimum landscaped area is 50% of the site area.
- (3) Development is not complying development if it is carried out on land that:
- (a) is identified by the Council as being:
 - (i) within a bushfire interface area, or
 - (ii) subject to flooding, tidal inundation, subsidence or land slip, or
 - (iii) contaminated land, or
 - (b) is listed as, or contains an item listed as, a heritage item in this plan, or is on land that abuts a heritage item, or
 - (c) is an Aboriginal place under the *National Parks and Wildlife Act 1974*, or
 - (d) is reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna or geological formations or for other environmental protection purposes, or
 - (e) is a location of an endangered ecological community or critical habitat as identified in the *Threatened Species Conservation Act 1995*, or
 - (f) is within the 6 (a) (Public Recreation (Existing) Zone), or
 - (g) is within the 6 (b) (Public Recreation (Proposed) Zone), or
 - (h) is within the 7 (a) (Waterways Zone), or
 - (i) is within the 7 (b) (Special Development Zone), or
 - (j) is within the 8 (a) (National Parks and Nature Reserves (Existing) Zone), or
 - (k) is within the 9 (a) (Regional Open Space (Reservation) Zone), or
 - (l) has previously been used as a service station, for intensive agriculture, mining or extractive industry, for waste storage or waste treatment, or for the manufacture of chemicals, asbestos or asbestos products and a notice of completion of remediation work for the proposed use

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has not been given to the Council in accordance with *State Environmental Planning Policy No 55—Remediation of Land*, or

- (m) is within 40 metres of a waterbody where the development requires any excavation, or
 - (n) is within 10 metres of land which is zoned 7 (a) (Waterways Zone), or
 - (o) is adjacent to an arterial road or arterial road reservation where the development proposes a new, or alters an existing, vehicular accessway to that road or reservation, or
 - (p) is subject to an interim heritage order under the *Heritage Act 1997* or that is listed on the State Heritage Register under that Act.
- (4) A complying development certificate issued for any such development is to be subject to the conditions for the development specified in any applying development control plan adopted by the Council, as in force when the certificate is issued.

[6] Schedules 5 and 6

Insert after Schedule 4:

Schedule 5 Exempt development

(Clause 35)

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Access ramps for the disabled	<ul style="list-style-type: none"> (a) Maximum height 1m above ground level. (b) Maximum grade 1:14 and otherwise in compliance with relevant Australian Standards. (c) Must be located a minimum of 1.5 m from site boundaries.

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Advertising structures	<p>General requirements</p> <ul style="list-style-type: none"> (a) The erection of the advertising structure must comply with all the requirements of the <i>Building Code of Australia</i>, including Part B1 (Structural Provisions). (b) Signs must not cover mechanical ventilation inlet or outlet vents. (c) Advertising structures within a public road reserve must be at least 0.6m from kerb/roadway edge. (d) Flashing signs are not exempt in any zone. (e) No restrictions on advertising where displayed within a building and the advertisement is not visible from a public place, although it may be visible through openings at the ground and first floor levels of business premises, shops, food shops, restaurants, industrial premises, warehouses or bulky goods outlets.
<p>1 Street and traffic signs (including street name plates, directional signs, advance traffic warning signs, traffic signs and traffic signal devices)</p>	<ul style="list-style-type: none"> (a) Construction must be by or on behalf of the Council or the Roads and Traffic Authority. (b) Must be designed, fabricated and installed in accordance with relevant Australian Standards.
<p>2 Business advertising (a) Suspended under awning signs</p>	<ul style="list-style-type: none"> (a) One per premises. (b) Must not exceed 1.5m² in area and, if over a public road, must be suspended with a clearance of no less than 2.6m above ground or pavement level. (c) Must relate to the use of premises.

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(b) Awning fascia signs	<ul style="list-style-type: none"> (a) Must relate to the use of the premises to which the fascia is attached. (b) Where a development control plan for a business centre applies, the background colour, and all lettering colours and styles on the awning fascia must comply with the requirements of that plan.
(c) Under awning advertising (on building facades)	Must relate to the use of the building
(d) A-frame signs and shopfront displays	<ul style="list-style-type: none"> (a) Must comply with the approved development control plan for A-frame advertising boards and shopfront display. (b) A lease or licence for the structure must be obtained from the before the sign or shopfront display is erected.
3 Industrial advertising	<ul style="list-style-type: none"> (a) One advertising sign of a maximum of 5m² in area is permitted and it must be fixed flush to the front elevation of the industrial building or industrial unit, to a maximum height of 6m above ground level and not project above the parapet of the building or the eaves line where the building has a pitched roof. (b) Freestanding directory boards for multiple occupancy complexes are permitted within the property boundary/premises subject to the total area of the board or boards not exceeding 5m² in area and a maximum height of 4.5m above ground level. (c) All signage must relate to the activity on the site.

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
4 Temporary signs	
(a) Real estate signs	(a) Must only advertise premises or land for sale or lease. (b) One sign per premises and located within property boundaries. (c) Sign must not exceed 2.5m ² in area. (d) Not exempt more than 14 days after completion of the sale or granting of the lease.
(b) Construction signs (signs advertising firms involved in construction of a building)	(a) Only during construction of the building. (b) One composite sign per premises only and the sign must be located within the property boundaries. (c) Any signage must not exceed 2.5m ² in area.
(c) Special event sign	(a) Must be displayed only on the property where the special event is to be held. (b) Must be constructed of lightweight, banner type material. (c) Not exempt for more than 14 days before the special event or more than 48 hours after the event is finalised.
(d) Inflatable promotional signs	(a) Must be displayed only on the property where the promotion is to be held. (b) Not exempt if displayed for more than 7 consecutive days, more than 4 times or for a total of more than 28 days in any year or later than 48 hours after the relevant promotion is finalised.

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5 Home activity identification signs	<ul style="list-style-type: none"> (a) One per premises. (b) Signs must not exceed 0.5m² in area and be affixed to the dwelling no higher than 3m above ground or pavement level and below the eaves line of the building.
6 Community advertising	<ul style="list-style-type: none"> (a) A permanent fixed sign must not exceed 1.5m² in area and must not be higher than 3m above the ground or pavement level. (b) A temporary sign may not display an advertisement for more than 7 consecutive days or for a total of more than 28 days in any year.
Aerials/Antennae/Microwave antennae/Satellite dishes	<ul style="list-style-type: none"> (a) For receiving purposes only. (b) Must not have substantial adverse impact on views enjoyed by adjoining and neighbouring premises. <p>For Satellite dishes only:</p> <ul style="list-style-type: none"> (a) Maximum diameter 750mm. (b) Maximum height must not exceed the highest point of a pitched roof, or 1m above the highest point of a flat roof, of the building it will serve. (c) Must not be installed forward of the building line or on roof areas visible from the road. (d) Must not be visible from any public place, including roads, public open space, public recreation areas and waterways. (e) The dish and supporting structure must be finished in a non-reflective colour, which blends in with the surrounding environment.

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Air conditioning units	<ul style="list-style-type: none"> (a) External units must not be attached above the second storey on residential buildings, unless located on a balcony where the air conditioning unit is not clearly visible from street level. (b) Roof mounted air conditioning units are permitted on industrial premises only. (c) Must not be located within the street facing elevation or within the front building setback if ground mounted. (d) Must be located a minimum of 0.5m from any side or rear boundaries. (e) Any air conditioning unit must not include a cooling tower as part of the system. (f) Any building work must not reduce the structural integrity of the building. (g) Any opening created must be adequately weatherproofed. (h) The noise level generated by the air conditioning unit must not exceed an LAeq of 5 dB(A) above background noise level when measured at the property boundary. Despite this, domestic air conditioning units must not be audible within any room of any adjoining premises, from 10pm to 7am on weekdays or 10pm to 8am on weekends or public holidays.

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Awnings, canopies and security/storm blinds or shutters	<ul style="list-style-type: none"> (i) Any noise emitted must not include any tonal, impulsive or intermittent characteristics. (j) Must be maintained and installed in compliance with Australian Standards AS/NZS 1668.1:1998, AS 1668.2—2002, AS/NZS 3666.1:2002, AS/NZS 3666.2:2002 and AS/NZS 3666.3:2000. (a) Must be retractable. Note. See “Pergolas, and fixed awnings etc” for fixed attachments. (b) Must not be installed above the second storey of any building. (c) This exemption is not applicable to security blinds or shutters on the street front elevation of business buildings or business shopfront awnings.
Barbecues (portable and fixed structures)	<ul style="list-style-type: none"> (a) All barbecues are to be located so that they do not cause a nuisance while being used. (b) Maximum height of fixed structure 2.7m from ground level. (c) Fixed structures must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (d) For fixed structures, a minimum 0.5m setback from side or rear boundaries, except where a heat shield is incorporated or adjoins a non-combustible fence. (e) Barbeques must be located so that the risk of the spread of fire from the barbecue to any other structure is minimised.

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Bird aviaries and pet animal shelters	<ul style="list-style-type: none"> (a) Maximum area 10m². (b) Maximum height 2.7m from ground level. (c) Must be located in rear or side yard areas only. (d) Must be located away from the boundary a minimum of 0.5m. (e) Limit of one bird aviary per property. (f) An aviary for fowls (poultry, including domestic fowl, chickens or guinea fowls) and small birds must not be located within 4.5m of a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food. (g) An aviary for poultry (other than fowls) must not be located within 30m of any building referred to in paragraph (f). (h) All poultry or fowls must be kept in accordance with Part 3 of and Division 2 of Schedule 5 to the <i>Local Government (Orders) Regulation 1999</i>. (i) Fowls are limited to a maximum of 20, and other poultry to a maximum of 5. (j) The floors of poultry houses within 15.2m of a dwelling, public hall or school must be paved with concrete or mineral asphalt underneath the roosts or perches, unless situated on clean sand.

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Building alterations (external)	<p>General requirements</p> <p>(a) Does not apply to:</p> <ul style="list-style-type: none"> (i) residential flat buildings, or (ii) the principal street frontage of buildings in the 3 (d) Neighbourhood Business, 4 (a) General Industrial, 4 (b) Light Industrial, 4 (c1) Special Industrial (Oil Refining) or 4 (c2) Special Industrial zones, or (iii) any development in the 5 (a) Special Uses “A”, 6 (a) Public Recreation (Existing), 6 (b) Public Recreation (Proposed) and 6 (c) Private Recreation zones. <p>Note. See Schedule 6 (Complying development) for external building alterations.</p> <ul style="list-style-type: none"> (b) Work must be non-structural. (c) Applies only to alterations or renovations to previously completed buildings. (d) Works are not to include changes to the footprint or increase floorspace of the buildings or residential use of rooms whether by removal of existing walls, partitions or by other means. This does not exclude bay windows up to 0.3m from the existing alignment of the wall.

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
(a) Recladding of roofs or walls	<ul style="list-style-type: none"> (e) Works are not to include repositioning or enlarging of windows above ground level. (f) Works are not to cause reduced window arrangements for light and ventilation needs, reduced doorways for egress purposes or involve enclosure of open areas. (g) Any work involving lead paint removal must not cause lead contamination of the air or ground or water. <ul style="list-style-type: none"> (a) Replacement of existing materials must be with similar materials which do not increase the reflectivity. (b) Recladding not to involve structural alterations, change to roof shape or roof pitch, or brick veneering.
(b) Skylight roof windows (including solartube or similar type installations and roof ventilators)	<ul style="list-style-type: none"> (a) The building work must not reduce the structural integrity of the building or involve structural alterations. (b) Any opening created by the installation must be adequately weatherproofed.
(c) Windows, glassed areas and external doors	<ul style="list-style-type: none"> (a) Replacement materials must comply with: Australian Standard AS 1288—1994, <i>Glass in buildings—Selection and installation</i> and AS/NZS 2208:1996, <i>Safety glazing materials in buildings</i>. (b) Opaque or other obscured glazing must be replaced with similar opaque glazing so as not to impact on the privacy of neighbouring properties.

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Building alterations (internal)	
(a) Business/Industrial	<ul style="list-style-type: none"> (a) Does not include alterations to premises for the preparation or storage (or both) of food for sale to the public. (b) Works must be non-structural, such as shelving, displays, benches and partitions that do not provide structural support to any part of the building. (c) Works must not compromise fire safety or affect accessibility to fire exits. (d) Must not increase existing floor area of premises. (e) Must be an alteration to an existing building.
(b) Residential	<ul style="list-style-type: none"> (a) Works must be non-structural. (b) Applies only to alterations or renovations to previously completed buildings. (c) Works are not to include changes to the footprint of the dwelling or residential use of rooms whether by removal of existing walls, partitions or by other means. (d) Works may include replacement of internal doors, walls, windows, ceiling or floor linings or deteriorated frame members with equivalent or improved quality materials. (e) Works may include renovation of bathrooms, kitchens, and inclusion of built-in fixtures such as vanities, cupboards and wardrobes.

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
	<ul style="list-style-type: none"> (f) Works are not to cause reduced window arrangements for light and ventilation needs, reduced doorways for egress purposes or involve enclosure of open areas. (g) Works must not increase external size and envelope of the existing building. (h) Works are not to include installation of oil or solid fuel heating appliances. (i) Does not include alterations to premises for the preparation or storage (or both) of food for sale to the public.
Bushfire hazard reduction	<p>Work must be carried out consistent with a bush fire management plan made pursuant to section 52 of the <i>Rural Fires Act 1997</i>.</p>
Cabanas and gazebos	<ul style="list-style-type: none"> (a) Maximum area 10m² per structure. (b) The floor must be located at or near ground level. (c) Maximum height of 4.0m from ground level. (d) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (e) Structures must be sited a minimum of 1.5m from side and rear boundaries. (f) Maximum total floorspace of combined structures in this category is 40m².

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
<p>Changes of use (Different use resulting from change of use of:</p> <ul style="list-style-type: none"> (a) business premises, shop, restaurant, food shop or sex shop to business premises, or (b) business premises, shop, restaurant, food shop or sex shop to shop or different kind of shop, or (c) food shop to different kind of food shop, or (d) restaurant to a different kind of restaurant, or (e) bulky goods outlet to different kind of bulky goods outlet, or (f) industry to different kind of industry, or (g) warehouse to different kind of warehouse.) 	<ul style="list-style-type: none"> (a) Does not include a change of use to a sex shop. (b) Hours of operation are limited generally to between 6am and 9pm daily for all uses except industrial uses where the hours of operation are limited to between 6am and 7pm Monday to Saturday with no use on Sundays or public holidays. (c) The change of use is not to include any change to existing floorspace, parking, landscaping or waste facilities approved for the development.
<p>Clothes hoists/lines</p>	<ul style="list-style-type: none"> (a) Must be installed at ground level. (b) Must be located behind the building or in the side or rear yard. (c) Must not be located on balconies or elevated decks.
<p>Decks and patios</p>	<ul style="list-style-type: none"> (a) The finished surface level must not be greater than 1m above ground level. (b) The structure must not exceed an area of 20m². (c) The structure must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback.

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Demolition of a structure	<ul style="list-style-type: none"> (d) Sufficient step down is to be provided to prevent the entry of water into any associated dwelling. (e) Must be located a minimum of 1.5m from side and rear boundaries. (a) Demolition of a structure is only exempt development if erection of that structure would be exempt development, or where an order to demolish has been issued by the Council under the <i>Environmental Planning and Assessment Act 1979</i>. (b) Does not apply to demolition of a structural retaining wall. (c) Does not apply to the decontamination, rehabilitation or remediation of contaminated land. (d) Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i>.
Driveways and pathways	<ul style="list-style-type: none"> (a) Does not apply to works on public land except for driveways or pathways constructed by or on behalf of the Council. (b) Must be structurally sound and of stable construction. (c) Must not be elevated or suspended above ground level or involve excavation greater than 0.6m.

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Fences and gates (including replacement of existing fences or gates)	<p>(d) Driveway or access gradients must be designed to align with footpath crossing levels issued by the Council and must comply with the access gradient requirements of Australian Standard AS 2890.1—1993, <i>Parking facilities</i>, Part 1: <i>Off-street car parking</i>.</p> <p>(e) Must be graded and drained so as not to cause a drainage nuisance to adjoining property or footpath area.</p> <p>General requirements</p> <p>(a) Does not apply to fences required by the <i>Swimming Pools Act 1992</i>.</p> <p>(b) Does not apply to fencing of street frontages of land occupied by dual occupancies, townhouses or villas.</p> <p>(c) Does not apply to fences or gates for residential flats.</p> <p>(d) All fences are to be constructed so as not to create a drainage nuisance.</p> <p>(e) Does not apply to fencing along the street boundary of land occupied by dual occupancies, townhouses or villas.</p>
(a) Front fences (including side fences between the building line and the street or any other public place)	<p>(a) Does not apply to front fences where covenants apply to the land that restrict erection of front fencing.</p> <p>(b) Does not apply to commercial premises.</p> <p>(c) A maximum height of 1m.</p> <p>(d) An open form front fence, to a maximum height of 2.5m, is permitted on industrial premises but only where set behind existing landscaping carried out with consent.</p>

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(b) Side fences and rear fences (fences behind the building line)	<ul style="list-style-type: none"> (a) Maximum height of 1.8m if constructed of timber, metal or lightweight materials, all other materials maximum height of 1.0m. (b) Open form fencing to a maximum height of 2.5m is permitted on industrial premises.
Flagpoles	<ul style="list-style-type: none"> (a) Maximum height 6.0m above ground level. (b) Must not project beyond property boundaries. (c) Limit of one flagpole per property. (d) Not used to display flag larger than 1m². (e) Not used to display flags for advertising purposes.
Greenhouses, garden sheds, studios, cubby houses and playground equipment	<ul style="list-style-type: none"> (a) Maximum area 10m² per structure. (b) The floor must be located at or near ground level. (c) Maximum height of 4.0m from ground level. (d) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (e) Structures must be sited a minimum of 1.5m from side and rear boundaries. (f) Maximum total floorspace of combined structures in this category is 40m². (g) Maximum area and height requirements do not apply where the structures are located on land zoned 5 (a) Special Uses “A”.

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Home activities	<ul style="list-style-type: none"> (a) The activity must not interfere with the amenity of the area by reason of such things as vehicular traffic, parking, noise, vibration, smell, fumes, smoke, water or other waste products. (b) Any sound producing plant, equipment, machinery or fittings associated with or forming part of a mechanical ventilation system or refrigeration system, which is installed as part of a home activity, must be sound insulated or isolated. (c) Noise emitted must not exceed an LAeq of 5 dB(A) above the background level in any octave band from 63.0 Hz centre frequencies inclusive at the boundary of the site. The method of measurement of sound must be carried out in accordance with Australian Standard AS 1055.1—1997, <i>Acoustics—Description and measurement of environmental noise—General procedures</i>. (d) Any noise emitted must not include any tonal, impulsive or intermittent characteristics. (e) Hours of operation for the activity are limited to between 8am and 6pm Monday to Saturday.
Letter box	Must not exceed a maximum height of 1.2m above ground level.

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Outdoor eating areas	<ul style="list-style-type: none"> (a) Must comply with the approved development control plan for Outdoor Eating Areas. (b) A licence for the activity must be obtained from the Council before any outdoor eating activities are undertaken.
Pergolas, and fixed awnings, shade structures/sunshades at ground floor level or over an existing first floor deck	<ul style="list-style-type: none"> (a) Maximum area 20m² per structure. (b) Maximum height 2.7m above ground level where proposed at ground floor level. (c) Maximum height 2.7m above existing first floor or deck level where proposed over an existing elevated deck. (d) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (e) Must be located a minimum of 1.5m from side and rear boundaries. (f) Does not apply to business shopfront awnings. (g) Maximum area and height requirements do not apply where the structures are located on land zoned 5 (a) Special Uses “A”.

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<p>Public facilities and amenities (new construction and use) (includes such things as playground equipment, public toilet facilities, staircases, recreational, sporting, entertainment and cultural activities, works for the purpose of landscaping, gardening, beach and foreshore protection works, lighting and night-time activities, traffic management facilities, public transport facilities, street furniture, security equipment or devices, goal posts, sight screens and similar ancillary sporting structures)</p>	<ul style="list-style-type: none"> (a) Approved by the Council and undertaken by or on behalf of the Council, or if on Crown land where consultation with the Department of Land and Water Conservation has occurred or, in the case of traffic management facilities, must be undertaken by or on behalf of the Roads and Traffic Authority. (b) Works must be located on land under the control of the Council or the Roads and Traffic Authority. (c) Must be designed, fabricated and installed in accordance with any relevant Australian Standards and the <i>Building Code of Australia</i>. (d) Bus shelters and seats with ancillary advertising must comply with the requirements of the development control plan for bus shelters and seats. (e) Park and street furniture (for example, seats, bins, picnic tables, barbecues etc) must comply with the requirements of any applicable development control plan or adopted plan of management. (f) The following works or uses may only be exempt if in accordance with an adopted plan of management: <ul style="list-style-type: none"> (i) temporary uses, such as markets, concerts, fetes etc, (ii) public toilet facilities, (iii) installation of lighting to enable the night use of recreational facilities.

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Retaining walls	<ul style="list-style-type: none"> (a) Not if any site filling or raising of site levels greater than 0.3m will occur within 1.5m of side or rear boundaries. (b) Maximum height 0.6m. (c) Masonry walls to comply with Australian Standards AS 3700—2001, <i>Masonry structures</i>, AS 3600—1994, <i>Concrete structures</i> and AS/NZS 1170.0:2002, AS/NZS 1170.1:2002, AS/NZS 1170.2:2002 and AS 1170.4—1993, <i>Structural design actions</i> and <i>Minimum design loads on structures</i>. (d) Timber walls to comply with Australian Standards AS 1720.1—1997, AS 1720.2—1990 and AS 1720.4—1990, <i>Timber structures</i> and AS/NZS 1170.0:2002, AS/NZS 1170.1:2002, AS/NZS 1170.2:2002 and AS 1170.4—1993, <i>Structural design actions</i> and <i>Minimum design loads on structures</i>. (e) All retaining walls are to be constructed so as not to cause a drainage nuisance. (f) Maximum length of 20 lineal metres of retaining wall per property. (g) Not if there are two or more wall rises or drops in succession.

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<p>Water heaters (includes heat pump hot water heaters and solar water heaters)</p>	<ul style="list-style-type: none"> (a) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (b) The installation must not reduce the structural integrity of the building or involve structural alterations. (c) The development must comply with the provisions of the <i>Building Code of Australia</i> for fire separation if in multi-unit housing. (d) The noise level generated must not exceed an LAeq of 5 dB(A) above background noise level when measured at the property boundary. Despite this, domestic water heaters must not be audible within any room of any adjoining premises, from 8pm to 7am on weekdays and 10pm to 8am on weekends or public holidays. (e) Maximum height must not exceed the highest point of a pitched roof, or 1m above the highest point of a flat roof, of the building it will serve. (f) Trees must not be lopped in order to achieve solar access for solar water heaters.

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Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Water tanks	<ul style="list-style-type: none"> (a) Not if a below ground tank or on land that requires excavation. (b) Maximum height 2.7m from ground level. (c) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (d) Tanks must be located a minimum of 0.5m from side and rear boundaries. (e) Maximum capacity of 1,600 litres. (f) Suitable proofing for the prevention of mosquito breeding must be provided. (g) Rainwater tank overflows must be connected to an approved stormwater system.

Schedule 6 Complying development—general provisions

(Clause 36)

Part 1 Complying development in the following zone:

Zone 2 (a) Residential

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(Amendment No 11)

Schedule 1 Amendments

Development consisting of the erection or carrying out of the following:	Development standards and other requirements
Building alterations (internal)	<ul style="list-style-type: none"> (a) Work must not reduce fire safety or accessibility to a fire exit. (b) Applies only to alterations or renovations to previously completed buildings. (c) Works must not include installation of oil or solid fuel heating appliances. (d) Work on that part of residential premises used for the purpose of preparation or storage (or both) of food for sale to the public as part of a home activity use, must comply with the <i>Food Regulation 2001</i>, the Council's <i>Code for Food Premises</i> and <i>Code for Commercial Home Catering</i>. Work does not include installation of any commercial mechanical exhaust ventilation system.
Cabanas and gazebos	<ul style="list-style-type: none"> (a) Maximum area of 40m² per structure. (b) Maximum height of 4.0m from ground level for all structures. (c) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (d) Must be located a minimum of 1.5m off side and rear boundaries. (e) The finished floor level must be no more than 1.0m above ground level at any point.

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Schedule 1

Development consisting of the erection or carrying out of the following:	Development standards and other requirements
Decks and Patios	<ul style="list-style-type: none"> (a) The finished surface level must not be greater than 1m above ground level. (b) The structure must not exceed an area of 40m². (c) The structure must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (d) Sufficient step down is to be provided to prevent the entry of water into any associated dwelling. (e) Must be located a minimum of 1.5m from side and rear boundaries.
Demolition	<ul style="list-style-type: none"> (a) Not including decontamination, rehabilitation or remediation of a contaminated site. (b) Demolition must be in accordance with any relevant Australian Standards.
Fences, Gates and Retaining Walls	<ul style="list-style-type: none"> (a) Front fences within the front building line must not exceed a maximum height of 1.0m above ground level. (b) Side or rear fences must not exceed a maximum height of 1.8m above ground level.

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Schedule 1 Amendments

Development consisting of the erection or carrying out of the following:	Development standards and other requirements
Garages	<ul style="list-style-type: none"> (c) Retaining walls: <ul style="list-style-type: none"> (i) must be located a minimum of 0.5m from a boundary line, and (ii) must not exceed a maximum height of 1.0m above ground level, and (iii) maximum length of 20 lineal metres of retaining wall per property. (d) Does not apply to fencing along the street boundary of land occupied by dual occupancies, townhouses or villas. <ul style="list-style-type: none"> (a) Maximum gross floor area of 40m² per structure. (b) Maximum height 4.0m from ground level for all structures. (c) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (d) Must be located a minimum of 1.5m off side boundaries. (e) The finished floor level must be no more than 1.0m above ground level at any point.
Greenhouses, garden sheds, studios, cubby houses	<ul style="list-style-type: none"> (a) Maximum gross floor area of 40m² per structure. (b) Maximum height 4.0m from ground level for all structures. (c) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback.

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Schedule 1

Development consisting of the erection or carrying out of the following:

Development standards and other requirements

Pergolas, awnings, shade structures/sunshades, carports

- (d) Must be located in rear or side yards.
- (e) Must be located a minimum of 1.5 off side boundaries.
- (f) The finished floor level must be no more than 1.0m above ground level at any point.

- (a) Maximum area of 40m² per structure.
- (b) Maximum height of 4.0m from ground level for all structures.
- (c) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback.
- (d) Must be located a minimum of 1.5m off side and rear boundaries.
- (e) The finished floor level must be no more than 1.0m above ground level at any point.

Single storey single dwelling houses and ground floor single storey additions or alterations to single dwelling houses

(excluding areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25)

- (a) Maximum height of 5.4m from ground level to the highest point of the roof.
- (b) Must be located a minimum of 1.5m off side boundaries.
- (c) Must be located a minimum of 4.5m from rear boundaries.
- (d) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback.

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Schedule 1 Amendments

Development consisting of the erection or carrying out of the following:

Development standards and other requirements

- (e) The maximum amount of cut or fill is restricted to 0.6m and the cut must not extend further than 0.9m beyond the perimeter of the building.
- (f) All fill must be retained within the perimeter of the buildings.
- (g) For new dwellings, two car parking spaces must be provided behind the building line.
- (h) Any car spaces and access provided must comply with the requirements of Australian Standard AS 2890.1—1993, *Parking facilities, Part 1: Off-street car parking*.
- (i) Any driveways provided must be designed to align with footpath crossing levels issued by the Council.
- (j) New dwellings must be entitled to at least a 3.5 star rating under the *National House Energy Rating Scheme* (NatHERS).
- (k) Alterations or additions must comply with the energy efficiency standards in the applicable development control plan.
- (l) Works are not to include installation of oil or solid fuel heating appliances.
- (m) Must comply with Council's construction standards for buildings located in bushfire prone areas or relevant Council building standards.

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Schedule 1

Development consisting of the erection or carrying out of the following:

Development standards and other requirements

- (n) Work on that part of residential premises used for the purpose of preparation or storage (or both) of food for sale to the public as part of a home activity use, must comply with the *Food Regulation 2001*, the Council's *Code for Food Premises* and *Code for Commercial Home Catering*. Work does not include any commercial mechanical exhaust ventilation system.
- (o) Maximum floorspace ratio is 0.4:1.
- (p) Minimum landscaped area is 50% of the site area.

Subdivision for one or more of the following purposes only:

- (a) widening of a public road by a public authority, or
- (b) adjusting a boundary between allotments, but only if the new lots comply with this plan. The subdivision must not result in an increased number of lots, the re-orientation of the existing allotments or redefinition of the Mean High Water Mark, or
- (c) correcting an encroachment on an allotment, but only if the new lots comply with this plan, or

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Development consisting of the erection or carrying out of the following:

- (d) strata subdivision of any building, except dual occupancy housing, approved and constructed after 1 July 1988, subject to the development conforming with all conditions of any applicable development consent, or
- (e) consolidation of allotments, if it is development, or
- (f) the creation of an allotment for public reserve purposes but only where the residue lot or lots comply with the minimum size standards of this plan.

Swimming pools, spas and safety fencing

Development standards and other requirements

- (a) Must be located in the rear or side yard.
- (b) Must be located a minimum of 1.0m from side or rear boundaries to the water.
- (c) Pools (including in-ground or above-ground) must not exceed 1.0m above ground level with no attached decking within 1.5m of side and rear boundaries (refer to Decks and Patios).
- (d) Safety fencing must comply with the *Swimming Pools Act 1992* and Australian Standard AS 1926.2—1995, *Swimming pool safety, Part 2: Location of fencing for private swimming pools*.

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Schedule 1

Development consisting of the erection or carrying out of the following:

Development standards and other requirements

- (e) Swimming pool/spa pump and associated equipment must be sound insulated or isolated (or both) so that the noise emitted does not exceed an LAeq of 5 dB(A) above background noise level in any octave band from 63.0 Hz centre frequencies inclusive at the property boundary, measured in accordance with Australian Standard AS 1055.1—1997, *Acoustics—Description and measurement of environmental noise—General procedures.*

Part 2 Complying development in the following zones:

- 3 (d) Neighbourhood Business
- 4 (a) General Industrial
- 4 (b) Light Industrial
- 4 (c1) Special Industrial (Oil Refining)
- 4 (c2) Special Industrial
- 5 (a) Special Uses “A”
- 6 (c) Private Recreation

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Schedule 1 Amendments

Development consisting of the erection or carrying out of the following:	Development standards and other requirements
Building alterations (external)	<ul style="list-style-type: none"> (a) Building must be an existing building authorised by a consent. (b) Only where there is an applicable development control plan or plan of management that specifies standards for the external treatment or appearance of the building and only where the development complies with the requirements of the applicable development control plan or plan of management. (c) Work must not reduce fire safety or accessibility to a fire exit. (d) Work must not contravene any conditions of any development consent applicable to the building or its use.
Building alterations (internal)	<ul style="list-style-type: none"> (a) Building must be an existing building authorised by a consent. (b) Work must not reduce fire safety or accessibility to a fire exit. (c) Work must not increase the existing gross floor area of industrial premises except where it is an internal mezzanine floor, where that area may be increased by up to a maximum floor area of 50m² but only for the purpose of storage or amenities. (d) Work must not increase existing gross floor area of business premises, including extensions within pedestrian arcades.

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(Amendment No 11)

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Schedule 1

**Development consisting of the
erection or carrying out of the
following:**

**Development standards and other
requirements**

- (e) Work on that part of residential premises used for the purpose of preparation or storage (or both) of food for sale to the public as part of a home activity use, must comply with the *Food Regulation 2001*, the Council's *Code for Food Premises* and *Code for Commercial Home Catering*. Work does not include any commercial mechanical exhaust ventilation systems.
- (f) Work on food shops or restaurants must comply with the *Food Regulation 2001*, the Council's *Code for Food Premises*, the *Clean Air (Plant and Equipment) Regulation 1997*, the *Protection of the Environment Operations Act 1997*, AS/NZS 1668.1:1998 and AS 1668.2—2002. Alterations to an existing food shop or restaurant do not include the construction or installation of an externally mounted or located exhaust duct, fan or refrigeration unit.
- (g) Work on hairdressers, beauty salons or skin penetration premises must comply with the *Public Health Act 1991* and Regulations under that Act, the NSW Health Department's *Skin Penetration Guidelines*, published in July 1999 (if appropriate) and the *Local Government (Orders) Regulation 1999*.

Sutherland Shire Local Environmental Plan—Kurnell Peninsula
(Amendment No 11)

Schedule 1 Amendments

**Development consisting of the
erection or carrying out of the
following:**

**Development standards and other
requirements**

- (h) Existing sound producing machinery or fittings associated with or forming part of the existing mechanical ventilation system or refrigeration system, must be sound insulated or isolated (or both) so that the noise emitted does not exceed an LAeq of 5 dB(A) above the background level in any octave band from 63.0 Hz centre frequencies inclusive at the boundary of the site (in accordance with any relevant Australian Standards). Any noise emitted must not include any tonal, impulsive or intermittent characteristics.

Demolition

- (a) Demolition is only permitted of a building the erection of which is identified in this Schedule as complying development.
(b) Not including decontamination, rehabilitation or remediation of a contaminated site.
(c) Demolition must be carried out in accordance with any relevant Australian Standards.

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Amendments

Schedule 1

Development consisting of the erection or carrying out of the following:

Development standards and other requirements

Subdivision for one or more of the following purposes only:

- (a) widening of a public road by a public authority,
 - (b) adjusting a boundary between allotments, but only if the new lots comply with this plan. The subdivision must not result in an increased number of lots, the re-orientation of the existing allotments or redefinition of the Mean High Water Mark,
 - (c) correcting an encroachment on an allotment, but only if the new lots comply with this plan,
 - (d) strata subdivision of any building, except dual occupancy housing, approved and constructed after 1 July 1988 subject to the development conforming with all conditions of any applicable development consent,
 - (e) consolidating allotments, if it is development,
 - (f) the creation of an allotment for public reserve purposes but only where the residue lot or lots comply with the minimum size standards of this plan.
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Sutherland Local Environmental Plan—Menai Town Centre 1992 (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S01/02441/S69 Pt 3)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Sutherland Local Environmental Plan—Menai Town Centre 1992
(Amendment No 2)

Sutherland Local Environmental Plan—Menai Town Centre 1992 (Amendment No 2)

1 Name of plan

This plan is *Sutherland Local Environmental Plan—Menai Town Centre 1992 (Amendment No 2)*.

2 Aims of plan

This plan aims:

- (a) to introduce exempt development and complying development provisions into *Sutherland Local Environmental Plan—Menai Town Centre 1992 (the 1992 plan)*, and
- (b) to make consequential and other minor amendments to the 1992 plan.

3 Land to which plan applies

This plan applies to all land within the local government area of Sutherland Shire under *Sutherland Local Environmental Plan—Menai Town Centre 1992*.

4 Amendment of Sutherland Local Environmental Plan—Menai Town Centre 1992

Sutherland Local Environmental Plan—Menai Town Centre 1992 is amended as set out in Schedule 1.

Sutherland Local Environmental Plan—Menai Town Centre 1992
(Amendment No 2)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 8

Omit the clause. Insert instead:

8 What uses are allowed in the town centre?

All development requires consent, except for:

- (a) exempt development listed in Schedule 1, that satisfies the requirements of clause 32, and
- (b) urban servicing such as the provision of water, sewerage, electricity, gas, telephone, drainage, telecommunications, roadworks and main roads.

[2] Clause 30 How are trees and bushland vegetation preserved?

Omit “fuel free zone within the meaning of the document entitled *Planning for Bush Fire Protection* published by the Department of Rural Fire Service” from clause 30 (9) (c) (i).

Insert instead “Inner Protection Area within the meaning of the document entitled *Planning for Bushfire Protection* published in December 2001 by the NSW Rural Fire Service in collaboration with Planning NSW, a copy of which is available for inspection at the office of the Council”.

[3] Clauses 31–33 and Schedules 1 and 2

Insert after clause 30:

31 Definitions

For the purposes of clauses 32 and 33:

accredited certifier has the same meaning as in the Act.

advertising means the use of a building or place for the external display of symbols, messages or other devices for promotional purposes, whether or not the display involves the erection of a structure or the carrying out of a work.

complying development has the same meaning as in the Act.

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Schedule 1 Amendments

community advertising means:

- (a) advertising of community events or community uses, or charity events, or
- (b) display of health or safety notices, or like notices, or
- (c) advertising which is ancillary to the primary legal use of community or recreational land, but is not for the purpose of advertising the sale of a product, or
- (d) display of a notice by a public authority.

demolition means the partial or total destruction, dismantling or moving of a building. It includes decontamination, rehabilitation or remediation of land on which a building has been partially or totally destroyed or dismantled, or from which a building has been removed.

dwelling house means one dwelling on one allotment.

exempt development has the same meaning as in the Act.

ground level is the ground surface of a site as it was prior to any cutting, filling or grading of the site.

home activity means a business that is ancillary to a residential use and is carried out, or partially carried out, in a dwelling or within an allotment which contains a dwelling house or dwellings, but only if:

- (a) that use is undertaken by the permanent residents, and
- (b) not more than two non-residents are employed in it at any one time, and
- (c) the use does not interfere with the amenity of adjoining properties or the locality, whether or not by the generation of vehicular traffic or parking or the emission of noise, vibration, smell or creation of some other nuisance,

but does not include a bed and breakfast establishment.

storey means:

- (a) the space between two floors, or
- (b) the space between any floor and its ceiling or roof above, or

Sutherland Local Environmental Plan—Menai Town Centre 1992
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Amendments

Schedule 1

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- (c) foundation areas, garages, workshops, storerooms and the like, where the height between ground level and the top of the floor above is 1.5 metres or more.

A storey which exceeds 4.5 metres is considered as two storeys.

subdivision has the same meaning as in the Act.

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

the Regulation means the *Environmental Planning and Assessment Regulation 2000*.

waterbody means:

- (a) a natural waterbody, including
- (i) a lake or lagoon either naturally formed or artificially modified, or
 - (ii) a river or stream, whether perennial or intermittent, flowing in a natural channel with an established bed or in a natural channel artificially modifying the course of the stream, or
 - (iii) tidal waters including any bay, estuary or inlet, or
- (b) an artificial waterbody, including any constructed waterway, canal, inlet, bay, channel, dam, pond or lake, but does not include a dry detention basin or other construction that is only intended to hold water intermittently.

32 What is exempt development?

- (1) Development of minimal environmental impact listed in Schedule 1 is exempt development, subject to subclauses (2) and (3).
- (2) Development is exempt development only if:
- (a) the development is in accordance with the specified predetermined development standards and other requirements identified for that development in Schedule 1, and
 - (b) the development is ancillary to an existing legal use of a property and will be contained wholly within the property, and

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- (c) the development complies with the deemed-to-satisfy provisions of the *Building Code of Australia (the BCA)* and the standards currently prescribed in the Regulation, and
- (d) the development does not contravene any condition of a development consent applying to the land, and
- (e) the development does not result in removal, pruning or lopping of trees or bushland vegetation which would otherwise require consent or the permission of the Council to remove, prune or lop under the Council's tree and bushland vegetation preservation order, and
- (f) the development does not cause interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise, and
- (g) the development is not carried out within the zone of influence of or over an existing or proposed easement or public sewer main or, if over a sewer main, the proposal complies with the *building over sewer* requirements of Sydney Water Corporation applying to the land, and
- (h) if appropriate, any installation involved is carried out to the manufacturer's specifications and requirements, and
- (i) the development does not restrict any vehicular or pedestrian access to or from the site or reduce the number of car spaces on the site below the minimum required by the Council, and
- (j) the development does not result in the redirection of surface storm water or run off onto adjoining private property, and
- (k) the development does not involve excavation beyond 600 millimetres below natural ground level, and
- (l) it does not involve handling, storing, or using hazardous chemicals or materials otherwise than on a domestic scale (except on farms and at a distance of more than 25 metres from any habitable building), and does not

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- release any hazardous chemicals or materials or any pollutants into the environment, and
- (m) it is located within a bushfire interface area or bushfire prone area and complies with the Council's construction standards or relevant building standards for buildings in these areas.
- (3) Development is not exempt development if it is carried out on land that:
- (a) is listed as, or contains an item listed as, a heritage item in this plan, or
 - (b) is an Aboriginal place under the *National Parks and Wildlife Act 1974*, or
 - (c) is reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna or geological formations or for other environmental protection purposes, or
 - (d) is a location of an endangered ecological community or critical habitat as identified in the *Threatened Species Conservation Act 1995*, or
 - (e) is within 40 metres of a waterbody where the development requires any excavation.

33 What is complying development?

- (1) Development listed in Schedule 2 is complying development, subject to subclauses (2) and (3).
- (2) Development is complying development only if:
 - (a) the development is in accordance with the specified predetermined development standards and other requirements identified for that development in Schedule 2, and
 - (b) the proposed development does not involve a building or a site in or on which an existing use, as defined in section 106 of the Act, is being carried out, and
 - (c) it is consistent with any plan of management approved under *State Environmental Planning Policy No 44—Koala Habitat Protection*, and with any recovery plan or threat abatement plan in force under the *Threatened*

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- Species Conservation Act 1995* that may apply to the land, and
- (d) it does not contravene any condition of a development consent applying to the land, and
 - (e) the development complies with the deemed-to-satisfy provisions of the *Building Code of Australia (the BCA)* and the standards currently prescribed in the Regulation, and
 - (f) the development does not restrict any vehicular or pedestrian access to or from the site or reduce the number of car spaces on the site below the minimum required by the Council, and
 - (g) the development will not result in removal, pruning or lopping of trees or bushland vegetation which would require the consent or permission of the Council to remove, prune or lop under the Council's tree and bushland vegetation preservation order, and
 - (h) the development is not carried out within the zone of influence of over an existing or proposed easement or public sewer main or, if over a sewer main, the proposal complies with the building over sewer requirements of Sydney Water Corporation applying to the land, and
 - (i) the development will not result in the redirection of surface storm water or run off onto adjoining private property, and
 - (j) the development complies with the provisions of the relevant development control plan for housing in the Residential "B" area for Menai Centre.
- (3) Development is not complying development if it is carried out on land that:
- (a) is identified by the Council as being:
 - (i) within a bushfire interface area, or
 - (ii) subject to flooding, tidal inundation, subsidence or land slip, or
 - (iii) contaminated land, or
 - (b) is listed as, or contains an item listed as, a heritage item in this plan, or is on land that abuts a heritage item, or

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- (c) is an Aboriginal place under the *National Parks and Wildlife Act 1974*, or
 - (d) is reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna or geological formations or for other environmental protection purposes, or
 - (e) is a location of an endangered ecological community or critical habitat as identified in the *Threatened Species Conservation Act 1995*, or
 - (f) has previously been used as a service station, for intensive agriculture, mining or extractive industry, for waste storage or waste treatment, or for the manufacture of chemicals, asbestos or asbestos products and a notice of completion of remediation work for the proposed use has not been given to the Council in accordance with *State Environmental Planning Policy No 55—Remediation of Land*, or
 - (g) is within 40 metres of a waterbody where the development requires any excavation, or
 - (h) is adjacent to an arterial road or arterial road reservation where the development proposes a new, or alters an existing, vehicular accessway to that road or reservation, or
 - (i) is subject to an interim heritage order under the *Heritage Act 1997* or that is listed on the State Heritage Register under that Act.
- (4) A complying development certificate issued for any such development is to be subject to the conditions for the development specified in any applying development control plan adopted by the Council, as in force when the certificate is issued.

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Schedule 1 Amendments

Schedule 1 Exempt development

(Clause 32)

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Access ramps for the disabled	<ul style="list-style-type: none"> (a) Maximum height 1m above ground level. (b) Maximum grade 1:14 and otherwise in compliance with relevant Australian Standards. (c) Must be located a minimum of 1.5 m from site boundaries
Advertising structures	<p>General requirements</p> <ul style="list-style-type: none"> (a) The erection of the advertising structure must comply with all the requirements of the <i>Building Code of Australia</i>, including Part B1 (Structural Provisions). (b) Signs must not cover mechanical ventilation inlet or outlet vents. (c) Advertising structures within a public road reserve must be at least 0.6m from kerb/roadway edge. (d) Flashing signs are not exempt in any area. (e) No restrictions on advertising where displayed within a building and the advertisement is not visible from a public place, although it may be visible through openings at the ground and first floor levels of business premises, shops, food shops, restaurants, industrial premises, warehouses or bulky goods outlets.

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Schedule 1

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
1 Street and traffic signs (including street name plates, directional signs, advance traffic warning signs, traffic signs and traffic signal devices)	(a) Construction must be by or on behalf of the Council or the Roads and Traffic Authority. (b) Must be designed, fabricated and installed in accordance with relevant Australian Standards.
2 Business advertising	
(a) Suspended under awning signs	(a) One per premises. (b) Must not exceed 1.5m ² in area and, if over a public road, must be suspended with a clearance of no less than 2.6m above ground or pavement level. (c) Must relate to the use of premises.
(b) Awning fascia signs	(a) Must relate to the use of the premises to which the fascia is attached. (b) Where a development control plan for a business centre applies, the background colour, and all lettering colours and styles on the awning fascia must comply with the requirements of that plan.
(c) Under awning advertising (on building facades)	Must relate to the use of the building.
(d) A-frame signs and shopfront displays	(a) Must comply with the approved development control plan for A-frame advertising boards and shopfront display. (b) A lease or licence for the structure must be obtained from the Council before the sign or shopfront display is erected.

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Schedule 1 Amendments

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
3 Industrial advertising	<ul style="list-style-type: none"> (a) One advertising sign of a maximum of 5m² in area is permitted and it must be fixed flush to the front elevation of the industrial building or industrial unit, to a maximum height of 4.5m above ground level and not project above the parapet of the building or the eaves line where the building has a pitched roof. (b) Freestanding directory boards for multiple occupancy complexes are permitted within the property boundary/premises subject to the total area of the board or boards not exceeding 5m² in area and a maximum height of 4.5m above ground level. (c) All signage must relate to the activity on the site.
4 Temporary signs	
(a) Real estate signs	<ul style="list-style-type: none"> (a) Must only advertise premises or land for sale or lease (b) One sign per premises and located within property boundaries. (c) Sign must not exceed 2.5m² in area. (d) Not exempt more than 14 days after completion of the sale or granting of the lease.
(b) Construction signs (signs advertising firms involved in construction of a building)	<ul style="list-style-type: none"> (a) Only during construction of the building. (b) One composite sign per premises only and the sign must be located within the property boundaries.

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Schedule 1

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
(c) Special event sign	<p>(c) Any signage must not exceed 2.5m² in area.</p> <p>(a) Must be displayed only on the property where the special event is to be held.</p> <p>(b) Must be constructed of lightweight, banner type material.</p> <p>(c) Not exempt for more than 14 days before the special event or more than 48 hours after the event is finalised.</p>
(d) Inflatable promotional signs	<p>(a) Must be displayed only on the property where the promotion is to be held.</p> <p>(b) Not exempt development if displayed for more than 7 consecutive days, more than 4 times or for a total of more than 28 days in any year or later than 48 hours after the relevant promotion is finalised.</p>
5 Home activity identification signs	<p>(a) One per premises.</p> <p>(b) Signs must not exceed 0.5m² in area and be affixed to the dwelling no higher than 3m above ground or pavement level and below the eaves line of the building.</p>
6 Community advertising	<p>(a) A permanent fixed sign must not exceed 1.5m² in area and must not be higher than 3m above the ground or pavement level.</p> <p>(b) A temporary sign may not display an advertisement for more than 7 consecutive days or for a total of more than 28 days in any year.</p>

Sutherland Local Environmental Plan—Menai Town Centre 1992
(Amendment No 2)

Schedule 1 Amendments

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Aerials/Antennae/Microwave antennae/Satellite dishes	<ul style="list-style-type: none"> (a) For receiving purposes only. (b) Must not have substantial adverse impact on views enjoyed by adjoining and neighbouring premises. <p>For Satellite dishes only:</p> <ul style="list-style-type: none"> (a) Maximum diameter 750mm. (b) Maximum height must not exceed the highest point of a pitched roof, or 1m above the highest point of a flat roof, of the building it will serve. (c) Must not be installed forward of the building line or on roof areas visible from the road. (d) Must not be visible from any public place, including roads, public open space, public recreation areas and waterways. (e) The dish and supporting structure must be finished in a non-reflective colour, which blends in with the surrounding environment.
Air conditioning units	<ul style="list-style-type: none"> (a) External units must not be attached above the second storey on residential buildings, unless located on a balcony where the air conditioning unit is not clearly visible from street level. (b) Roof mounted air conditioning units are permitted on industrial premises only. (c) Must not be located within the street facing elevation or within the front building setback if ground mounted.

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(Amendment No 2)

Amendments

Schedule 1

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Awnings, canopies and security/storm blinds or shutters	<ul style="list-style-type: none"> (d) Must be located a minimum of 0.5m from any side or rear boundaries. (e) Any air conditioning unit must not include a cooling tower as part of the system. (f) Any building work must not reduce the structural integrity of the building. (g) Any opening created must be adequately weatherproofed. (h) The noise level generated by the air conditioning unit must not exceed an LAeq of 5 dB(A) above background noise level when measured at the property boundary. Despite this, domestic air conditioning units must not be audible within any room of any adjoining premises, from 10pm to 7am on weekdays or 10pm to 8am on weekends or public holidays. (i) Any noise emitted must not include any tonal, impulsive or intermittent characteristics. (j) Must be maintained and installed in compliance with Australian Standards AS/NZS 1668.1:1998, AS 1668.2—2002, AS/NZS 3666.1:2002, AS/NZS 3666.2:2002 and AS/NZS 3666.3:2000. (a) Must be retractable. Note. See “Pergolas, and fixed awnings etc” for fixed attachments. (b) Must not be installed above the second storey of any building.

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(Amendment No 2)

Schedule 1 Amendments

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Barbecues (portable and fixed structures)	<p>(c) This exemption is not applicable to security blinds or shutters on the street front elevation of business buildings or business shopfront awnings.</p> <p>(a) All barbecues are to be located so that they do not cause a nuisance while being used.</p> <p>(b) Maximum height of fixed structure 2.7m from ground level.</p> <p>(c) Fixed structures must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback.</p> <p>(d) For fixed structures, a minimum 0.5m setback from side or rear boundaries, except where a heat shield is incorporated or adjoins a non-combustible fence.</p> <p>(e) Barbeques must be located so that the risk of the spread of fire from the barbecue to any other structure is minimised.</p>
Bird aviaries and pet animal shelters	<p>(a) Maximum area 10m².</p> <p>(b) Maximum height 2.7m from ground level.</p> <p>(c) Must be located in rear or side yard areas only.</p> <p>(d) Must be located away from the boundary a minimum of 0.5m.</p> <p>(e) Limit of one bird aviary per property.</p>

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Schedule 1

Type of activity—development consisting of erection and use or carrying out of the following:

Development standards and other requirements

- (f) An aviary for fowls (poultry, including domestic fowl, chickens or guinea fowls) and small birds must not be located within 4.5m of a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.
- (g) An aviary for poultry (other than fowls) must not be located within 30m of any building referred to in paragraph (f).
- (h) All poultry or fowls must be kept in accordance with Part 3 of and Division 2 of Schedule 5 to the *Local Government (Orders) Regulation 1999*.
- (i) Fowls are limited to a maximum of 20, and other poultry to a maximum of 5.
- (j) The floors of poultry houses within 15.2m of a dwelling, public hall or school must be paved with concrete or mineral asphalt underneath the roosts or perches, unless situated on clean sand.

Building alterations (external)

General requirements

- (a) Does not apply to:
 - (i) residential flats, or
 - (ii) the principal street frontage of buildings in the Business “A”, Business “C” or Services area, or
 - (iii) any development in the Recreation and Community Land area.

Note. See Schedule 2 (Complying development) for external building alterations.
- (b) Work must be non-structural.

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Schedule 1 Amendments

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
(a) Recladding of roofs or walls	<ul style="list-style-type: none"> (c) Applies only to alterations or renovations to previously completed buildings. (d) Works are not to include changes to the footprint or increase floorspace of the buildings or residential use of rooms whether by removal of existing walls, partitions or by other means. This does not exclude bay windows up to 0.3m from the existing alignment of the wall. (e) Works are not to include repositioning or enlarging of windows above ground level. (f) Works are not to cause reduced window arrangements for light and ventilation needs, reduced doorways for egress purposes or involve enclosure of open areas. (g) Any work involving lead paint removal must not cause lead contamination of the air or ground or water. (a) Replacement of existing materials must be with similar materials which do not increase the reflectivity. (b) Recladding not to involve structural alterations, change to roof shape or roof pitch, or brick veneering.
(b) Skylight roof windows (including solartube or similar type installations and roof ventilators)	<ul style="list-style-type: none"> (a) The building work must not reduce the structural integrity of the building or involve structural alterations. (b) Any opening created by the installation must be adequately weatherproofed.

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Amendments

Schedule 1

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
(c) Windows, glassed areas and external doors	<p>(a) Replacement materials must comply with: Australian Standard AS 1288—1994 <i>Glass in buildings—Selection and installation</i> and AS/NZS 2208:1996 <i>Safety glazing materials in buildings</i>.</p> <p>(b) Opaque or other obscured glazing must be replaced with similar opaque glazing so as not to impact on the privacy of neighbouring properties.</p>
Building alterations (internal)	
(a) Business/Industrial	<p>(a) Does not include alterations to premises for the preparation or storage (or both) of food for sale to the public.</p> <p>(b) Works must be non-structural, such as shelving, displays, benches and partitions that do not provide structural support to any part of the building.</p> <p>(c) Works must not compromise fire safety or affect accessibility to fire exits.</p> <p>(d) Must not increase existing floor area of premises.</p> <p>(e) Must be an alteration to an existing building.</p>
(b) Residential	<p>(a) Works must be non-structural.</p> <p>(b) Applies only to alterations or renovations to previously completed buildings.</p>

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(Amendment No 2)

Schedule 1 Amendments

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
	<ul style="list-style-type: none"> (c) Works are not to include changes to the footprint of the dwelling or residential use of rooms whether by removal of existing walls, partitions or by other means. (d) Works may include replacement of internal doors, walls, windows, ceiling or floor linings or deteriorated frame members with equivalent or improved quality materials. (e) Works may include renovation of bathrooms, kitchens, and inclusion of built-in fixtures such as vanities, cupboards and wardrobes. (f) Works are not to cause reduced window arrangements for light and ventilation needs, reduced doorways for egress purposes or involve enclosure of open areas. (g) Works must not increase external size and envelope of the existing building. (h) Works are not to include installation of oil or solid fuel heating appliances. (i) Does not include alterations to premises for the preparation or storage (or both) of food for sale to the public.
Bushfire hazard reduction	<p>Work must be carried out consistent with a bush fire management plan made pursuant to section 52 of the <i>Rural Fires Act 1997</i>.</p>
Cabanas and gazebos	<ul style="list-style-type: none"> (a) Maximum area 10m² per structure. (b) The floor must be located at or near ground level.

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Amendments

Schedule 1

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Changes of use (Different use resulting from change of use of:	<ul style="list-style-type: none"> (c) Maximum height of 4.0m from ground level. (d) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (e) Structures must be sited a minimum of 1.5m from side and rear boundaries. (f) Limit of one of each structure for each premises. (g) Maximum total floorspace of combined structures in this category is 40m².
<ul style="list-style-type: none"> (a) business premises, shop, restaurant, food shop or sex shop to business premises, or (b) business premises, shop, restaurant, food shop or sex shop to shop or different kind of shop, or (c) food shop to different kind of food shop, or (d) restaurant to a different kind of restaurant, or (e) bulky goods outlet to different kind of bulky goods outlet, or (f) industry to different kind of industry, or (g) warehouse to different kind of warehouse.) 	<ul style="list-style-type: none"> (a) Does not include a change of use to a sex shop. (b) Hours of operation are limited generally to between 6am and 9pm daily for all uses except industrial uses where the hours of operation are limited to between 6am and 7pm Monday to Saturday with no use on Sundays or public holidays. (c) The change of use is not to include any change to existing floorspace, parking, landscaping or waste facilities approved for the development.
Clothes hoists/lines	<ul style="list-style-type: none"> (a) Must be installed at ground level. (b) Must be located behind the building or in the side or rear yard.

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Schedule 1 Amendments

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Decks and patios	<ul style="list-style-type: none"> (c) Must not be located on balconies or elevated decks. (a) The finished surface level must not be greater than 1m above ground level. (b) The structure must not exceed an area of 20m². (c) The structure must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (d) Sufficient step down is to be provided to prevent the entry of water into any associated dwelling. (e) Must be located a minimum of 1.5m from side and rear boundaries.
Demolition of a structure	<ul style="list-style-type: none"> (a) Demolition of a structure is only exempt development if erection of that structure would be exempt development, or where an order to demolish has been issued by the Council under the <i>Environmental Planning and Assessment Act 1979</i>. (b) Does not apply to demolition of a structural retaining wall. (c) Does not apply to the decontamination, rehabilitation or remediation of contaminated land. (d) Demolition must be carried out in accordance with Australian Standard AS 2601—2001 <i>Demolition of structures</i>.

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Amendments

Schedule 1

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Driveways and pathways	<ul style="list-style-type: none"> (a) Does not apply to works on public land except for driveways or pathways constructed by or on behalf of the Council. (b) Must be structurally sound and of stable construction. (c) Must not be elevated or suspended above ground level or involve excavation greater than 0.6m. (d) Driveway or access gradients must be designed to align with footpath crossing levels issued by the Council and must comply with the access gradient requirements of Australian Standard AS 2890.1—1993 <i>Parking facilities</i>, Part 1: <i>Off-street car parking</i>. (e) Must be graded and drained so as not to cause a drainage nuisance to adjoining property or footpath area.
Fences and gates (including replacement of existing fences or gates)	<p>General requirements</p> <ul style="list-style-type: none"> (a) Does not apply to fences required by the <i>Swimming Pools Act 1992</i>. (b) Does not apply to fencing of street frontages of land occupied by dual occupancies, townhouses or villas. (c) Does not apply to fences or gates for residential flats. (d) All fences are to be constructed so as not to create a drainage nuisance. (e) Does not apply to fencing along the street boundary of land occupied by dual occupancies, townhouses or villas.

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(Amendment No 2)

Schedule 1 Amendments

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
(a) Front fences (including side fences between the building line and the street or any other public place)	(a) Does not apply to front fences where covenants apply to the land that restrict erection of front fencing. (b) Does not apply to commercial premises. (c) A maximum height of 1m. (d) An open form front fence, to a maximum height of 2.5m, is permitted on industrial premises but only where set behind existing landscaping carried out with consent.
(b) Side fences and rear fences (fences behind the building line)	(a) Maximum height of 1.8m if constructed of timber, metal or lightweight materials, all other materials maximum height of 1.0m. (b) Open form fencing to a maximum height of 2.5m is permitted on industrial premises.
Flagpoles	(a) Maximum height 6.0m above ground level. (b) Must not project beyond property boundaries. (c) Limit of one flagpole per property. (d) Not used to display flag larger than 1m ² . (e) Not used to display flags for advertising purposes.
Greenhouses, garden sheds, studios, cubby houses and playground equipment	(a) Maximum area 10m ² per structure. (b) The floor must be located at or near ground level. (c) Maximum height of 4.0m from ground level.

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(Amendment No 2)

Amendments

Schedule 1

**Type of activity—development
consisting of erection and use or
carrying out of the following:**

**Development standards and other
requirements**

Home activities

- (d) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback.
- (e) Structures must be sited a minimum of 1.5m from side and rear boundaries.
- (f) Limit of one of each structure for each premises.
- (g) Maximum total floorspace of combined structures in this category is 40m².
- (h) Maximum area and height requirements do not apply where the structures are located on land within the Recreation and Community Land area.
- (a) The activity must not interfere with the amenity of the area by reason of such things as vehicular traffic, parking, noise, vibration, smell, fumes, smoke, water or other waste products.
- (b) Any sound producing plant, equipment, machinery or fittings associated with or forming part of a mechanical ventilation system or refrigeration system, which is installed as part of a home activity, must be sound insulated or isolated (or both).

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Schedule 1 Amendments

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Letter box	<p>(c) Noise emitted must not exceed an LAeq of 5dB(A) above the background level in any octave band from 63.0 Hz centre frequencies inclusive at the boundary of the site. The method of measurement of sound must be carried out in accordance with Australian Standard AS 1055.1—1997 <i>Acoustics—Description and measurement of environmental noise—General procedures.</i></p> <p>(d) Any noise emitted must not include any tonal, impulsive or intermittent characteristics.</p> <p>(e) Hours of operation for the activity are limited to between 8am and 6pm Monday to Saturday.</p> <p>Must not exceed a maximum height of 1.2m above ground level.</p>
Outdoor eating areas	<p>(a) Must comply with the approved development control plan for outdoor eating areas.</p> <p>(b) A licence for the activity must be obtained from the Council before any outdoor eating activities are undertaken.</p>
Pergolas, and fixed awnings, shade structures/sunshades at ground floor level or over an existing first floor deck	<p>(a) Maximum area 20m² per structure.</p> <p>(b) Maximum height 2.7m above ground level where proposed at ground floor level.</p> <p>(c) Maximum height 2.7m above existing first floor or deck level where proposed over an existing elevated deck.</p>

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Amendments

Schedule 1

Type of activity—development consisting of erection and use or carrying out of the following:

Development standards and other requirements

Public facilities and amenities (new construction and use)
(includes such things as playground equipment, public toilet facilities, staircases, recreational, sporting, entertainment and cultural activities, works for the purpose of landscaping, gardening, lighting and night-time activities, traffic management facilities, public transport facilities, street furniture, security equipment or devices, goal posts, sight screens and similar ancillary sporting structures)

- (d) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback.
- (e) Must be located a minimum of 1.5m from side and rear boundaries.
- (f) Does not apply to business shopfront awnings.
- (g) Maximum area and height requirements do not apply where the structures are located on land within the Recreation and Community Land area.
- (a) Approved by the Council and undertaken by or on behalf of the Council, or if on Crown land where consultation with the Department of Land and Water Conservation has occurred or, in the case of traffic management facilities, must be undertaken by or on behalf of the Roads and Traffic Authority.
- (b) Works must be located on land under the control of the Council or the Roads and Traffic Authority.
- (c) Must be designed, fabricated and installed in accordance with any relevant Australian Standards and the *Building Code of Australia*.

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Schedule 1 Amendments

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Retaining walls	<p>(d) Bus shelters and seats with ancillary advertising must comply with the requirements of the development control plan for bus shelters and seats.</p> <p>(e) Park and street furniture (for example, seats, bins, picnic tables, barbecues etc) must comply with the requirements of any applicable development control plan or adopted plan of management.</p> <p>(f) The following works or uses may only be exempt if in accordance with an adopted plan of management:</p> <ul style="list-style-type: none"> (i) temporary uses, such as markets, concerts, fetes etc, (ii) public toilet facilities, (iii) installation of lighting to enable the night use of recreational facilities. <p>(a) Not if any site filling or raising of site levels greater than 0.3m will occur within 1.5m of side or rear boundaries.</p> <p>(b) Maximum height 0.6m.</p> <p>(c) Masonry walls to comply with Australian Standards AS 3700—2001 <i>Masonry structures</i>, AS 3600—1994 <i>Concrete structures</i> and AS/NZS 1170.0:2002, AS/NZS 1170.1:2002, AS/NZS 1170.2:2002 and AS 1170.4—1993 <i>Structural design actions</i> and <i>Minimum design loads on structures</i>.</p>

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Amendments

Schedule 1

Type of activity—development consisting of erection and use or carrying out of the following:

Development standards and other requirements

Water heaters
(includes heat pump hot water heaters and solar water heaters)

- (d) Timber walls to comply with Australian Standards AS 1720.1—1997, AS 1720.2—1990 and AS 1720.4—1990 *Timber structures* and AS/NZS 1170.0:2002, AS/NZS 1170.1:2002, AS/NZS 1170.2:2002 and AS 1170.4—1993 *Structural design actions* and *Minimum design loads on structures*.
- (e) All retaining walls are to be constructed so as not to cause a drainage nuisance.
- (f) Maximum length of 20 lineal metres of retaining wall per property.
- (g) Not if there are two or more wall rises or drops in succession.
- (a) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback.
- (b) The installation must not reduce the structural integrity of the building or involve structural alterations.
- (c) The development must comply with the provisions of the *Building Code of Australia* for fire separation if in multi-unit housing.

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(Amendment No 2)

Schedule 1 Amendments

Type of activity—development consisting of erection and use or carrying out of the following:	Development standards and other requirements
Water tanks	<ul style="list-style-type: none"> (d) The noise level generated must not exceed an LAeq of 5 dB(A) above background noise level when measured at the property boundary. Despite this, domestic water heaters must not be audible within any room of any adjoining premises, from 8pm to 7am on weekdays and 10pm to 8am on weekends or public holidays. (e) Maximum height must not exceed the highest point of a pitched roof, or 1m above the highest point of a flat roof, of the building it will serve. (f) Trees must not be lopped in order to achieve solar access for solar water heaters. (a) Not if a below ground tank or on land that requires excavation. (b) Maximum height 2.4m from ground level. (c) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (d) Tanks must be located a minimum of 0.6m from side and rear boundaries. (e) Maximum capacity of 1,600 litres. (f) Suitable proofing for the prevention of mosquito breeding must be provided. (g) Rainwater tank overflows must be connected to an approved stormwater system.

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(Amendment No 2)

Amendments

Schedule 1

Schedule 2 Complying development—general provisions

(Clause 33)

Part 1 Complying development in the following areas:

Residential “B” area

Residential “C” area

Development consisting of the erection or carrying out of the following:	Development standards and other requirements
Building alterations (internal)	<ul style="list-style-type: none"> (a) Work must not reduce fire safety or accessibility to a fire exit. (b) Applies only to alterations or renovations to previously completed buildings. (c) Works must not include installation of oil or solid fuel heating appliances. (d) Work on that part of residential premises used for the purpose of preparation or storage (or both) of food for sale to the public as part of a home activity use, must comply with the <i>Food Regulation 2001</i>, the Council’s <i>Code for Food Premises</i>, and <i>Code for Commercial Home Catering</i>. Work does not include installation of any commercial mechanical exhaust ventilation system.
Cabanas and gazebos	<ul style="list-style-type: none"> (a) Maximum area of 40m² per structure. (b) Maximum height of 4.0m from ground level for all structures.

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Schedule 1 Amendments

Development consisting of the erection or carrying out of the following:	Development standards and other requirements
Decks and Patios	<ul style="list-style-type: none"> (c) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (d) Must be located a minimum of 1.5m off side and rear boundaries. (e) The finished floor level must be no more than 1.0m above ground level at any point. (a) The finished surface level must not be greater than 1m above ground level. (b) The structure must not exceed an area of 40m². (c) The structure must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (d) Sufficient step down is to be provided to prevent the entry of water into any associated dwelling. (e) Must be located a minimum of 1.5m from side and rear boundaries.
Demolition	<ul style="list-style-type: none"> (a) Not including decontamination, rehabilitation or remediation of a contaminated site. (b) Demolition must be in accordance with any relevant Australian Standards.
Fences, Gates and Retaining Walls	<ul style="list-style-type: none"> (a) Not within the front building line setback.

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Amendments

Schedule 1

Development consisting of the erection or carrying out of the following:

Development standards and other requirements

Garages

- (b) Front fences within the front building line must not exceed a maximum height of 1.0m above ground level.
- (c) Side or rear fences must not exceed a maximum height of 1.8m above ground level.
- (d) Retaining walls:
 - (i) must be located a minimum of 0.5m from a boundary line, and
 - (ii) must not exceed a maximum height of 1.0m above ground level, and
 - (iii) maximum length of 20 lineal metres of retaining wall per property.
- (e) Does not apply to fencing along the street boundary of land occupied by dual occupancies, townhouses or villas.
- (a) Maximum gross floor area of 40m² per structure.
- (b) Maximum height 4.0m from ground level for all structures.
- (c) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback.
- (d) Must be located a minimum of 1.5m off side boundaries.
- (e) The finished floor level must be no more than 1.0m above ground level at any point.

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Schedule 1 Amendments

Development consisting of the erection or carrying out of the following:	Development standards and other requirements
Greenhouses, garden sheds, studios, cubby houses	<ul style="list-style-type: none"> (a) Maximum gross floor area of 40m² per structure. (b) Maximum height 4.0m from ground level for all structures. (c) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (d) Must be located in rear or side yards. (e) Must be located a minimum of 1.5m off side boundaries. (f) The finished floor level must be no more than 1.0m above ground level at any point.
Pergolas, awnings, shade structures/sunshades, carports	<ul style="list-style-type: none"> (a) Maximum area of 40m² per structure. (b) Maximum height of 4.0m from ground level for all structures. (c) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (d) Must be located a minimum of 1.5m off side and rear boundaries. (e) The finished floor level must be no more than 1.0m above ground level at any point.
Single storey single dwelling houses and ground floor single storey additions or alterations to single dwelling houses	<ul style="list-style-type: none"> (a) Maximum height of 5.4m from ground level to the highest point of the roof.

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Schedule 1

Development consisting of the erection or carrying out of the following:	Development standards and other requirements
	<ul style="list-style-type: none"> (b) Must be located a minimum of 1.5m off side boundaries. (c) Must be located a minimum of 4.5m from rear boundaries. (d) Must be located behind the building line of the property or no further forward than the alignment of any existing building on any adjoining property, whichever is the greater setback. (e) The maximum amount of cut or fill is restricted to 0.6m and the cut must not extend further than 0.9m beyond the perimeter of the building. (f) All fill must be retained within the perimeter of the buildings. (g) For new dwellings, two car parking spaces must be provided behind the building line. (h) Any car spaces and access provided must comply with the requirements of Australian Standard AS 2890.1—1993 <i>Parking facilities, Part 1: Off-street car parking</i>. (i) Any driveways provided must be designed to align with footpath crossing levels issued by the Council. (j) New dwellings must be entitled to at least a 3.5 star rating under the <i>National House Energy Rating Scheme</i> (NatHERS). (k) Alterations or additions must comply with the energy efficiency standards in the applicable development control plan.

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(Amendment No 2)

Schedule 1 Amendments

Development consisting of the erection or carrying out of the following:

Development standards and other requirements

- (l) Works are not to include installation of oil or solid fuel heating appliances.
- (m) Must comply with Council's construction standards for buildings located in bushfire prone areas or any relevant Council building standards.
- (n) Work on that part of residential premises used for the purpose of preparation or storage (or both) of food for sale to the public as part of a home activity use, must comply with the *Food Regulation 2001*, the Council's *Code for Food Premises* and *Code for Commercial Home Catering*. Work does not include any commercial mechanical exhaust ventilation system.
- (o) Minimum landscaped area is 45% of the site area.

Subdivision for one or more of the following purposes only:

- (a) widening of a public road by a public authority, or
- (b) adjusting a boundary between allotments, but only if the new lots comply with this plan. The subdivision must not result in an increased number of lots, the re-orientation of the existing allotments or redefinition of the Mean High Water Mark, or
- (c) correcting an encroachment on an allotment, but only if the new lots comply with this plan, or

Sutherland Local Environmental Plan—Menai Town Centre 1992
(Amendment No 2)

Amendments

Schedule 1

Development consisting of the erection or carrying out of the following:

Development standards and other requirements

- (d) strata subdivision of any building, except dual occupancy housing, approved and constructed after 1 July 1988, subject to the development conforming with all conditions of any applicable development consent, or
- (e) consolidation of allotments, if it is development, or
- (f) the creation of an allotment for public reserve purposes but only where the residue lot or lots comply with the minimum size standards of this plan.

Swimming pools, spas and safety fencing

- (a) Must be located in the rear or side yard.
- (b) Minimum 1.0m distance from side or rear boundaries to the water.
- (c) Pools (including in-ground or above-ground) must not exceed 1.0m above ground level with no attached decking within 1.5m of side and rear boundaries (refer to Decks and Patios).
- (d) Safety fencing must comply with the *Swimming Pools Act 1992* and Australian Standard AS 1926.2—1995 *Swimming pool safety*, Part 2: *Location of fencing for private swimming pools*.

Sutherland Local Environmental Plan—Menai Town Centre 1992
(Amendment No 2)

Schedule 1 Amendments

Development consisting of the erection or carrying out of the following:	Development standards and other requirements
	(e) Swimming pool/spa pump and associated equipment must be sound insulated or isolated (or both) so that the noise emitted does not exceed an LAeq of 5 dB(A) above background noise level in any octave band from 63.0 Hz centre frequencies inclusive at the property boundary, measured in accordance with Australian Standard AS 1055.1—1997 <i>Acoustics—Description and measurement of environmental noise—General procedures.</i>

Part 2 Complying development in the following areas:

Business “A” area

Business “B” area

Services area

Recreation and Community Land area

Development consisting of the erection or carrying out of the following:	Development standards and other requirements
Building alterations (external)	(a) Building must be an existing building authorised by a consent. (b) Only where there is an applicable development control plan or plan of management that specifies standards for the external treatment or appearance of the building and only where the development complies with the requirements of the applicable development control plan or plan of management.

Sutherland Local Environmental Plan—Menai Town Centre 1992
(Amendment No 2)

Amendments

Schedule 1

Development consisting of the erection or carrying out of the following:	Development standards and other requirements
Building alterations (internal)	<ul style="list-style-type: none"> (c) Work must not reduce fire safety or accessibility to a fire exit. (d) Work must not contravene any conditions of any development consent applicable to the building or its use. (a) Building must be an existing building authorised by a consent. (b) Work must not reduce fire safety or accessibility to a fire exit. (c) Work must not increase the existing gross floor area of industrial premises except where it is an internal mezzanine floor, where that area may be increased by up to a maximum floor area of 50m² but only for the purpose of storage or amenities. (d) Work must not increase existing gross floor area of business premises, including extensions within pedestrian arcades. (e) Work on that part of residential premises used for the purpose of preparation or storage (or both) of food for sale to the public as part of a home activity use, must comply with the <i>Food Regulation 2001</i>, the Council's <i>Code for Food Premises</i> and <i>Code for Commercial Home Catering</i>. Work does not include any commercial mechanical exhaust ventilation systems.

Sutherland Local Environmental Plan—Menai Town Centre 1992
(Amendment No 2)

Schedule 1 Amendments

Development consisting of the erection or carrying out of the following:

Development standards and other requirements

- (f) Work on food shops or restaurants must comply with the *Food Regulation 2001*, the Council's *Code for Food Premises*, the *Clean Air (Plant and Equipment) Regulation 1997*, the *Protection of the Environment Operations Act 1997*, AS/NZS 1668.1:1998 and AS 1668.2—2002. Alterations to an existing food shop or restaurant do not include the construction or installation of an externally mounted or located exhaust duct, fan or refrigeration unit.
- (g) Work on hairdressers, beauty salons or skin penetration premises must comply with the *Public Health Act 1991* and Regulations under that Act, the NSW Health Department's *Skin Penetration Guidelines*, published in July 1999 (if appropriate) and the *Local Government (Orders) Regulation 1999*.
- (h) Existing sound producing machinery or fittings associated with or forming part of the existing mechanical ventilation system or refrigeration system, must be sound insulated or isolated (or both) so that the noise emitted does not exceed an LAeq of 5 dB(A) above the background level in any octave band from 63.0 Hz centre frequencies inclusive at the boundary of the site (in accordance with any relevant Australian Standards). Any noise emitted must not include any tonal, impulsive or intermittent characteristics.

Sutherland Local Environmental Plan—Menai Town Centre 1992
(Amendment No 2)

Amendments

Schedule 1

Development consisting of the erection or carrying out of the following:

Development standards and other requirements

Demolition

- (a) Demolition is only permitted of a building the erection of which is identified in this Schedule as complying development.
- (b) Not including decontamination, rehabilitation or remediation of a contaminated site.
- (c) Demolition must be carried out in accordance with any relevant Australian Standards.

Subdivision for one or more of the following purposes only:

- (a) widening of a public road by a public authority,
- (b) adjusting a boundary between allotments, but only if the new lots comply with this plan. The subdivision must not result in an increased number of lots, the re-orientation of the existing allotments or redefinition of the Mean High Water Mark,
- (c) correcting an encroachment on an allotment, but only if the new lots comply with this plan,
- (d) strata subdivision of any building, except dual occupancy housing, approved and constructed after 1 July 1988 subject to the development conforming with all conditions of any applicable development consent,
- (e) consolidating allotments, if it is development,

Sutherland Local Environmental Plan—Menai Town Centre 1992
(Amendment No 2)

Schedule 1 Amendments

**Development consisting of the
erection or carrying out of the
following:**

**Development standards and other
requirements**

- (f) the creation of an allotment for public reserve purposes but only where the residue lot or lots comply with the minimum size standards of this plan.
-

Tweed Local Environmental Plan 2000 (Amendment No 24)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (G01/00177/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Tweed Local Environmental Plan 2000 (Amendment No 24)

Tweed Local Environmental Plan 2000 (Amendment No 24)

1 Name of plan

This plan is *Tweed Local Environmental Plan 2000 (Amendment No 24)*.

2 Aim of plan

This plan aims to enable development of land to which this plan applies for the purpose of urban residential dwellings.

3 Land to which plan applies

This plan applies to land situated in the area of Tweed, being part of Lot 65, DP 855462, Kellehers Road, Pottsville, as shown edged heavy black on the map marked "Tweed Local Environmental Plan 2000 (Amendment No 24)" deposited in the office of Tweed Shire Council.

4 Amendment of Tweed Local Environmental Plan 2000

Tweed Local Environmental Plan 2000 is amended by inserting in appropriate order in Part 2 of Schedule 6 the following words:

Tweed Local Environmental Plan 2000 (Amendment No 24)

Roads and Traffic Authority

ROADS ACT 1993

Order - Section 67

Coffs Harbour City Council area

Amendment to specified points of access to or from controlled access roads on parts of the Pacific Highway between Moonee and Woolgoolga.

I, the Minister for Roads, pursuant to Section 67 of the Roads Act 1993, by this Order hereby:

1. amend the Proclamation notified in Government Gazette No 176 of 22 December 1978 on page 5270 affecting the Pacific Highway at Moonee and Woolgoolga by:
 - (a) omitting from the specified means of access shown in Schedule 2 of the said Proclamation between the points F and G shown on Sheet 2 of Deposited Plan 245955 and between the points B1 and C1 shown on Sheet 1 of DMR Plan No 0010 110 SS 1855A; and
 - (b) specifying in Schedule 1 hereunder an additional point at which access may be gained to or from another public road; and
2. amend the Proclamation notified in Government Gazette No 77 of 30 May 1975 on pages 2053 and 2054 affecting the Pacific Highway at Woolgoolga by:
 - (a) omitting from the specified means of access shown in Schedule 2 of the said Proclamation between the points E and F shown on Sheet 1 of Deposited Plan 248762; and
 - (b) specifying in Schedule 2 hereunder an additional point at which access may be gained to or from another public road.

CARL SCULLY, MP.,
Minister for Roads

—————
SCHEDULE 1

Between the points A and B shown on RTA Plan 0010 110 AC 2624.

—————
SCHEDULE 2

Between the points C and D shown on RTA Plan 0010 110 AC 2721.

(RTA Papers 10/110.34)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition and Dedication as Public Road of Land at Euston in the Balranald Shire 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 and further dedicates the land as Public Road under Section 10 of the Roads Act 1993.

D J Lorsch
Manager, Statutory Processes
Roads and Traffic Authority of New South Wales

—————
SCHEDULE

All those pieces or parcels of Crown land situated in the Balranald Shire Council area, Parish of Euston and County of Taila, shown as Lots 60 and 61 Deposited Plan 1040658, being parts of the land declared to be Crown land in Government Gazette No 70 of 16 May 1975 on page 1919 and being parts of the land in Certificate of Title Volume 4415 Folio 125.

(RTA Papers FPP 2M2572; RO 25.152)

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road at Seahampton in the Lake Macquarie City Council area

THE Roads and Traffic Authority of New South Wales dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

D J Lorsch
Manager, Statutory Processes,
Roads and Traffic Authority of New South Wales.

—————
SCHEDULE

All those pieces or parcels of land situated in the Lake Macquarie City Council area, Parish of Teralba and County of Northumberland, shown as Lots 11, 12 and 13 Deposited Plan 1007276.

(RTA Papers: FPP 252.1319)

Roads Act 1993

Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation, 1996

Gilgandra 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 Road Trains may be used subject to any requirements or conditions set out in the Schedule.

Paul Mann
General Manager
Gilgandra Shire Council
(by delegation from the Minister for Roads)

Schedule

1. *Citation*

This Notice may be cited as the Gilgandra Shire Council Road Train Notice No 1, 2002.

2. *Commencement*

This Notice takes effect on the date of Gazettal.

3. *Effect*

This Notice remains in force until 31 December 2002 unless it is amended or repealed earlier.

4. *Application*

4.1 This Notice applies to Roads Trains 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

Road train routes within the Gilgandra Shire Council

Type	Road No	Road Name	Conditions
RT	000	Gilgandra Shire Council area.	<p>All local roads within the Gilgandra Shire Council area to the west of the Newell Highway.</p> <p>Travel is not permitted during the following hours on school days: 7:45 am to 9:00 am 3:30 pm to 4:45 pm</p> <p>There is no access from local roads to the Newell Highway north of Gilgandra.</p> <p>Restrictions apply on the Newell Highway south of Gilgandra.</p> <p>Routes will operate from 1 November 2002 to 31 December 2002.</p>

ROADS ACT 1993

Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation 1996

Walcha 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.

Rob Callaghan
General Manager
Walcha Council
 (by delegation from the Minister of Roads)

SCHEDULE

1. Citation

This Notice may be cited as the Walcha Council B-Doubles Notice No 1/2002.

2. Commencement

This notice takes effect on 28 October 2002.

3. Effect

This Notice remains in force until 28 October 2007 unless it is amended or repealed earlier.

4. Application

This Notice applies to B-Doubles which comply with Schedule 1 of 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 Walcha Council

Type	Road No	Area	Route
25	000	Walcha Shire	All regional roads: MR73 – Uralla-Walcha Road 7718 – Topdale Road (from 7719 to Parry Shire Boundary) 7719 – Walcha to Gloucester Shire Boundary All local roads outside the township of Walcha and within the Walcha Shire with the exception of Middle Street, Walcha Road Woolbrook Streets, Woolbrook Ashfield Road Cells River Road Chinnocks Road East Lynne Road Glenroy Road Hartford Road Hognos Woolshed Road Kangaroo Flat Road north of the ramp at "Mountain View" Kilburnie Road Logie Road Mandaloo Road Mooraback Road Niangala Road from the MacDonald River to the Oxley Highway Nine Mile Church Road Nuggety Gully Road Reedy Creek Road Sillwood Close Surveyors Creek Road Tia Falls Road

			Tia Post Office Road Woolbrook Road Yarrobindi Road Yarrowitch Church Road
25	000	Walcha	Within the township of Walcha access is permitted only to the following streets Jameson Street Pakington Street from Jameson Street to Plumtree Street North Street west of Thunderbolts Way Towers Street from Oxley Highway to Towers Street

ROADS ACT 1993

Notice under the Road Transport (Mass, Loading and Access) Regulation, 1996

Walcha Council in pursuance of Divisions 1, 2 and 3 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 those vehicles described in clause 4 may be used subject to any requirements or conditions set out in the Schedule.

Rob Callaghan
General Manager
Walcha Council
(by delegation from the Minister for Roads)

SCHEDULE

PART 1 — GENERAL

1. Citation

This Notice may be cited as the Walcha Council 4.6 Metre High Vehicle Route Notice No.1 2002.

2. Commencement

This Notice takes effect on 28 October 2002.

3. Effect

This Notice remains in force until 28 October 2007 unless it is amended or repealed earlier.

4. Application

This Notice applies to the vehicle classes specified in Part 2 of this Schedule.

5. Limitations

The conditions or requirements set out in clauses 3.3 and 3.4 of Part 3 ('Vehicle Access'), Part 4 ('General Requirements') and Part 5 ('Special Requirements') of the Schedule to the '**4.6 Metre High Vehicle Route Notice 1999**' published in NSW Government Gazette No. 22 of 19 February, 1999, as amended by the Notice published in NSW Government Gazette No. 32 of 3 March, 2000, must be duly complied with.

PART 2 — VEHICLE CLASSES

2.1 Class 1 vehicles

- a) a special purpose vehicle that exceeds 4.3 metres, but does not exceed 4.6 metres, in height;
- b) a vehicle or combination (including a low loader or load platform combination) that is specially designed for the carriage of a large indivisible item, or is carrying a large indivisible item, that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;

2.2 Class 2 vehicles

- a) a combination carrying vehicles on more than one deck that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;
- b) a single motor vehicle, or a combination, that exceeds 4.3 metres but does not exceed 4.6 metres in height and is built to carry cattle, sheep, pigs or horses.

2.3 Class 3 vehicles

- a) a single motor vehicle, or a combination, that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height and is carrying wool, hay bales or other primary produce;
- b) a single motor vehicle carrying vehicles on more than one deck that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height.
- c) a single motor vehicle, or a combination, that is constructed to exceed 4.3 metres in height, but does not exceed 4.6 metres in height and is carrying freight, other than cattle, sheep, pigs, horses, wool, hay bales, or other primary produce.
- d) a single motor vehicle or combination carrying a freight container that together with its load exceeds 4.3 metres in height, but does not exceed 4.6 metres in height

PART 3 - ROUTES**3. Routes****4.6 metre high vehicle routes within the Walcha Council**

Type	Road No	Area	Route
HV46	000	Walcha Shire	All regional roads: MR73 – Uralla-Walcha Road 7718 – Topdale Road (from 7719 to Parry Shire Boundary) 7719 – Walcha to Gloucester Shire Boundary All local roads outside the township of Walcha and within the Walcha Shire.
HV46	000	Walcha	Within the township of Walcha access is permitted only to the following streets Jameson Street Pakington Street from Jameson Street to Plumtree Street North Street west of Thunderbolts Way Towers Street from Oxley Highway to Towers Street

Other Notices

ABORIGINAL LAND RIGHTS ACT 1983

PROCLAMATION

MARIE BASHIR, AC,
Governor

I, PROFESSOR MARIE BASHIR, AC, Governor of the State of New South Wales in the Commonwealth of Australia, on the advice of the Executive Council following consultation between the Minister for Aboriginal Affairs and the New South Wales Aboriginal Land Council, do, by this Proclamation pursuant to section 57(1) of the Aboriginal Land Rights Act 1983 (the Act), appoint Mr Eddie Senatore as Administrator to the Jerrinja Local Aboriginal Land Council for a maximum period of six (6) calendar months. During the period of his appointment, the Administrator will have all of the functions of a Local Aboriginal Land Council as specified in section 12(1) of the Act.

Signed and Sealed this 9th Day of October 2002.

BY HER EXCELLENCY'S COMMAND

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

GODSAVE THE QUEEN!

ABORIGINAL LAND RIGHTS ACT 1983

NOTIFICATION OF THE CONSTITUTION (APPLICATION FOR ALTERATION OF BOUNDARIES) OF A LOCAL ABORIGINAL LAND COUNCIL AREA

NOTICE is hereby given pursuant to clause 7 of the Aboriginal Land Rights Regulation 1996, of an Application to constitute (alter the boundaries of) the Warren Macquarie Local Aboriginal Land Council area. The proposed new boundaries are described as text below as the Warren Macquarie Local Aboriginal Land Council Area.

WARREN MACQUARIE LOCAL ABORIGINAL LAND COUNCIL AREA

Commencing at the junction of the generally north-western boundary of the Parish of Bundemar, County of Ewenmar with Ewenmar Creek: and bounded thence by that creek downwards to the generally eastern boundary of the Parish of Wambianna; by that boundary generally southerly to Macquarie River; by that river downwards to the generally north-western boundary of the County of Narromine; by that boundary generally south-westerly to Bogan River; by that river downwards to the generally north-western boundary of the Parish of Cajildry, County of Oxley; by that boundary generally north-easterly, the northern boundary of that parish easterly, part of the generally western boundary of the Parish of Cremorne northerly, part of the generally southern, the generally south-eastern and the north-easternmost generally north-eastern boundaries of the Parish of Rutledge generally easterly, generally north-easterly and generally north-westerly and the generally north-western boundaries of the Parishes of Trowan and Woolartha generally north-easterly to Beleringar Creek; by that creek and Gunningbar Creek downwards to the generally southern boundary of the County of Gregory; by part of that boundary generally easterly to Marthaguy Creek; by that creek

downwards to the generally southern boundary of the Parish of Gradgery; by that boundary generally easterly to the Bealbah Bullagreen Road; by that road generally easterly to the generally southern boundary of the Parish of Wingebar; by part of that boundary generally easterly and the generally western boundary of the Parish of Mellerstain generally southerly, the generally south-eastern boundary of the County of Gregory generally north-easterly, the north-eastern and part of the generally eastern boundaries of the Parish of Bullagreen County of Ewenmar south-easterly and generally southerly, the generally northern boundary of the Parish of Merrigal and the northern, the generally eastern and the generally southern boundaries of the Parish of Connibong generally easterly, generally southerly and generally westerly, part of the generally eastern and part of the generally southern boundaries of the Parish of Coradgerie generally southerly and generally westerly, the generally western and part of the generally southern boundaries of the Parish of Collie generally southerly and generally easterly, part of the generally western boundary of the Parish of Bundijoe southerly and the generally north-western boundary of the Parish of Bundemar, aforesaid, generally south-westerly to the point of commencement.

Under clause 8 of the Aboriginal Land Rights Regulation 1996, objections may be made to this proposal or any part of the proposal contained in the application. Objections must be in writing and signed by ten (10) or more adult Aborigines who either reside within the Area, or who have an association with the Area. The objections must be made within thirty (30) days of this notice. Objections must set out the grounds for the objection and specify an address for service of notice on the objectors. Objections should be addressed to "The Registrar, Aboriginal Land Rights Act, Level 5, 83 Clarence Street, Sydney NSW 2000".

STEPHEN WRIGHT,
Registrar
Aboriginal Land Rights Act 1983

CO-OPERATIVES ACT 1992

CHANGE OF NAME

It is hereby notified that on 10 April 2002, I registered a change of name for **Moorefield Bowling Club Co-operative Limited** to **Moorefield Bowling & Sports Club Co-operative Limited**.

Dated this tenth day of October 2002.

G. SIMPSON,
Delegate of the Registrar of Co-operatives

DISTRICT COURT OF NEW SOUTH WALES

DIRECTION

PURSUANT to section 173 of the District Court Act 1973, I direct that the District Court shall sit in its criminal jurisdiction at the place and time shown as follows:

Coonamble 10.00 a.m. 3 February 2003 (2 weeks)

Dated this 8th day of October 2002.

R. O. BLANCH,
Chief Judge

DISTRICT COURT RULES 1973

DIRECTION

BY this direction made under Part 51A rule 1(2) of the District Court Rules 1973, I specify the following venues to be a prescribed place for the purpose of section 63A of the District Court Act 1973, for the periods indicated:

Venue	Period (Week Commencing)
Port Macquarie	17 March 2003
Taree	20 January 2003 and 17 March 2003

Dated this 10th day of October 2002

R. O. BLANCH,
Chief Judge

DISTRICT COURT RULES 1973

DIRECTION

BY this direction made under Part 51A rule 1(2) of the District Court Rules 1973, I specify Tamworth to be a prescribed place for the purpose of section 63A of the District Court Act 1973, for the week commencing 25 November 2002.

Dated this 10th day of October 2002

R. O. BLANCH,
Chief Judge

FORESTRY ACT 1916

PROCLAMATION

(L.S.) MARIE BASHIR, Governor

I, PROFESSOR MARIE BASHIR, AC, Governor of the State of New South Wales in pursuance of the provisions of the Forestry Act 1916, and with the advice of the Executive Council, do, by this my Proclamation, declare that the land described in the Schedule hereto is dedicated as a State Forest.

Signed and sealed at Sydney, this second day of October, 2002.

By Her Excellency's Command,

KIM YEADON, M.P.,
Minister for Forestry

—————
GOD SAVE THE QUEEN!

SCHEDULE

EASTERN DIVISION

*Land District of Grafton;
Pristine Waters Council Area;
North East Forestry Region*

Ellis State Forest No. 831, No. 7 Extension. An area of about 870 hectares in the Parishes of Shea and Wiriri, County of Fitzroy, being FIRSTLY, in the Parish of Shea, the land within Portions 5, 6, 7, 9 and 32 delineated on plans catalogued 1916, 2046, 3565, 2047 and 3403-1810 respectively,

in the Department of Information Technology and Management, Sydney, TOGETHER WITH the land within Lot 1 in Deposited Plan 783939 and Lots 1 and 2 in Deposited Plan 113723, EXCLUSIVE OF all public roads including Crown roads within the abovedescribed lands, and the Easement for Transmission Line 45.72 metres wide resumed by notification in the Government Gazette of 23 August 1968, traversing the abovedescribed lands; SECONDLY, in the Parish of Wiriri, the land within Portions 1, 2, 5 and 25 delineated on plans catalogued 627, 1066, 2639 and 4258-1810 respectively, in the Department of Information Technology and Management, TOGETHER WITH the land within Lot 1 in Deposited Plan 784595, inclusive of Lot 1 in Deposited Plan 113683, and Lots 3, 4 and 5 in Deposited Plan 113723, INCLUSIVE OF the Reserves for Water Pump and Shed and the Reserve for Pipeline 2 metres wide, traversing Portion 25, EXCLUSIVE OF all public roads including Crown roads within the abovedescribed lands, and the Easement for Transmission Line 45.72 metres wide resumed by notification in the Government Gazette of 23 August 1968, traversing Portion 5 and Lot 1 in Deposited Plan 784595. (53056)

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 names "**Dawes Point**" and "**Tar-ra**" as dual names for a point of land at the southern end of the Sydney Harbour Bridge formally known as Dawes Point.

Both names will be entered into the Geographical Names Register as dual names and **neither name will have precedence over the other**.

The position and extents for this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Boards Web Site at www.lpi.nsw.gov.au/geog/.

WARWICK WATKINS,
Chairperson

Geographical Names Board
PO Box 143 BATHURST NSW 2795

HEALTH ADMINISTRATION ACT 1982LANDACQUISITION (JUST TERMS COMPENSATION)
ACT 1991

Erratum

IN the notice under section 10 of the Health Administration Act 1982 and section 19 (1) of the Land Acquisition (Just Terms Compensation) Act 1991 in *Government Gazette* No. 154 of 27 September 2002, Folio 8457, under the heading "Notice of Acquisition of Land by Compulsory Process for the purposes of the Health Administration Act 1982", the date of signature is amended to read "25th day of September 2002" and not "18th day of August 2002" as shown.

HERITAGE ACT 1977

DIRECTION PURSUANT TO SECTION 34(1)(a)
TO LIST AN ITEM ON THE STATE HERITAGE
REGISTER

St Thomas' Anglican Church, Port Macquarie**SHR No 1653**

IN pursuance of section 34 (1) (a) of the Heritage Act 1977, I, the Minister for Planning, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of the environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B".

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Sydney, 9th October 2002.

SCHEDULE "A"

The property known as St Thomas' Anglican Church, Port Macquarie, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Lot A & B DP 420667, Lot 2 DP 507730, Lot 1 DP 662989, Lot 1 Sec 7 DP 758852 and Lot 1 Sec 7A DP 758852.

LOCAL GOVERNMENT ACT 1993**Coffs Harbour Northern Areas Sewerage****Vesting of Easements in Coffs Harbour City 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 Coffs Harbour Northern Areas Sewerage Scheme are vested in Coffs Harbour City Council.

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

SCHEDULE*Interest in Land*

Easement rights as described under the heading Sewer Pipeline in Memorandum E931212 filed in the Land Titles Office over the site shown in:-

Deposited Plan 1006775 (SB55047) as:

'(C) PROPOSED EASEMENT FOR SEWER PIPELINE 5 WIDE & VARIABLE' within lots 1 and 2 Deposited Plan 725785

Deposited Plan 1015768 (SB55100) as:

'(D) PROPOSED EASEMENT FOR SEWER PIPELINE 5 WIDE & VARIABLE'

Within Lot 1 in Deposited Plan 725785 and Lot 5 in Deposited Plan 252223

DPWS Reference 109

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 33 (3) of the National Parks and Wildlife Act 1974, do by this my Proclamation, reserve such of the lands described hereunder as are prescribed lands within the meaning of section 33 (1) of the National Parks and Wildlife Act 1974, as part of Blue Mountains National Park.

SIGNED and SEALED at Sydney this 25th day of September, 2002.

Marie Bashir,
Governor.

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

Land District – Penrith; LGA – Hawkesbury

County Cook, Parish Nepean, about 34 hectares, being that part of lot 30 DP751660 (Portion 30) generally west of Public Road (Main Road 570); NPWS/1992/P/8973.

Land District – Penrith; LGA – Blue Mountains

1. County Cook, Parish Magdala, about 325 hectares, being the area bounded by the westerly prolongation of the northern boundary of Portion 50, Portions 50, 48 & 50, the easterly prolongation of the northern boundary of Portion 50, Portions 34, 38, 34, 31 & 35, end of road, Portions 9, 59, 58 & 9 and Blue Mountains National Park; exclusive of lot 1 DP601841 and lot 3 DP602290.
2. County Cook, Parish Strathdon, 52.61 hectares, being Portion 45; NPWS/1992/P/3438.

Land District – Windsor; LGA – Hawkesbury

County Cook, Parish Kurrajong, about 1,600 hectares, being the area shown in miscellaneous plan R00102 held in the Head Office of the National Parks & Wildlife Service; NPWS/1992/P/3492.

Notes: a) The affected parts or the whole of the following reserves are hereby revoked by virtue of this proclamation:

R 70349 for Public Recreation, notified 24. 10. 1941,
R 13268 for Public Recreation, notified 10. 01. 1891,
R 60499 for Public Recreation, notified 15. 06. 1928,
R 91031 for Sport & Recreation, notified 17. 02. 1978,
R 68842 for Public Recreation, notified 17. 02. 1978,
R 52666 for Public Recreation, notified 08. 03. 1918,
R 52668 for Public Recreation, notified 08. 03. 1918.

b) The above reservations are restricted to a depth of 100 metres below the surface.

NATIONAL PARKS AND WILDLIFE ACT 1974

BOOROOLONG NATURE RESERVE
LINTON NATURE RESERVE
STONY BATTER CREEK NATURE RESERVE
PLAN OF MANAGEMENT

IN pursuance of Section 76 of the National Parks and Wildlife Act 1974 it is hereby notified that Plans of Management for Booroolong, Linton and Stony Batter Creek Nature Reserves have been prepared.

The plans will be on public display from 18 October 2002 to 3 February 2003.

Copies of the plans may be viewed during office hours at:

NPWS Northern Tablelands Office
87 Faulkner Street
ARMIDALE

Manilla Library
210 Manilla Street
MANILLA

Uralla Library
Bridge Street
URALLA

The National Parks Centre
102 George Street
THE ROCKS

NPWS Head Office Library
Level 7, 43 Bridge Street
HURSTVILLE

Copies of the plans may be obtained, free of charge, from the above NPWS offices and the National Parks Centre. The plans will also be available on the NPWS website at www.npws.nsw.gov.au.

Written representations in connection with the plans should be forwarded by close of business on 3 February 2003 to:

National Parks and Wildlife Service
PO Box 42
ARMIDALE NSW 2350

Following the exhibition period the plans of management, together with all representations received, will be submitted to the National Parks and Wildlife Advisory Council for its comments and advice to the Minister for the Environment.

Your comments on these draft plans of management may contain information that is defined as "personal information" under the NSW *Privacy and Personal Information Protection Act 1998* and identifies you. Following adoption of the plans by the Minister, all submissions will be available by arrangement for inspection at the NPWS Head Office library. If you do not want your personal details to become public, please mark on your submission that you want your details to remain confidential.

BRIAN GILLIGAN,
Director-General

NSW NATIONAL PARKS AND WILDLIFE SERVICE

Notice of Exhibition of the draft Yellow-bellied Glider Recovery Plan

THE National Parks and Wildlife Service (NPWS), hereby gives notice of the exhibition of the draft Yellow-bellied

Glider Recovery Plan. Exhibition details will be published on 24 October in the Sydney Morning Herald. The NPWS web site <www.npws.nsw.gov.au> will also have exhibition information including a full version of the recovery plan.

GARY DAVEY,
Manager
Conservation Programs and Planning Division
Northern Directorate

NATIONAL PARKS AND WILDLIFE ACT 1974

FIFES KNOB NATURE RESERVE
RAWDON CREEK NATURE RESERVE
PLANS OF MANAGEMENT

IN pursuance of Section 76 of the National Parks and Wildlife Act 1974 it is hereby notified that Plans of Management for Fifes Knob Nature Reserve and Rawdon Creek Nature Reserve have been prepared.

The plans will be on public display from 18 October 2002 to 3 February 2003.

Copies of the plans may be viewed during office hours at:

NPWS Mid North Coast Office
152 Horton Street
PORT MACQUARIE

Kempsey Council Library
Elbow Street
WEST KEMPSEY

NPWS Head Office Library
Level 7, 43 Bridge Street
HURSTVILLE

The National Parks Centre
102 George Street
THE ROCKS

Copies of the plans may be obtained, free of charge, from the above NPWS offices and the National Parks Centre. The plans will also be available on the NPWS website at www.npws.nsw.gov.au.

Written representations in connection with the plans should be forwarded by close of business on 3 February 2003 to:

The Planner
National Parks and Wildlife Service
PO Box 61
PORT MACQUARIE NSW 2444

Following the exhibition period the plans of management, together with all representations received, will be submitted to the National Parks and Wildlife Advisory Council for its comments and advice to the Minister for the Environment.

Your comments on these draft plans of management may contain information that is defined as "personal information" under the NSW *Privacy and Personal Information Protection Act 1998* and identifies you. Following adoption of the plans by the Minister, all submissions will be available by arrangement for inspection at the NPWS Head Office library. If you do not want your personal details to become public, please mark on your submission that you want your details to remain confidential.

BRIAN GILLIGAN,
Director-General

POISONS AND THERAPEUTIC GOODS ACT 1966

ORDER UNDER CLAUSE 171(1), POISONS AND THERAPEUTIC GOODS REGULATION 2002

WITHDRAWAL OF DRUG AUTHORITY

IN accordance with the provisions of clause 171(1) of the Poisons and Therapeutic Goods Regulation 2002 an order has been made on David Anthony Matthews of 26/215 Bridge Road, Glebe 2037 prohibiting him, until further notice, as a nurse from having possession of and supplying drugs of addiction as authorised by clauses 101 and 103 of the Regulation. This order is to take effect on and from Wednesday 16 October 2002.

ROBYN KRUK,
Director-General

Department of Health, New South Wales.
Sydney, Monday 14 October 2002.

POISONS AND THERAPEUTIC GOODS ACT 1966

ORDER UNDER CLAUSE 171(1), POISONS AND THERAPEUTIC GOODS REGULATION 2002.

WITHDRAWAL OF DRUG AUTHORITY

IN accordance with the provisions of clause 171(1) of the Poisons and Therapeutic Goods Regulation 2002 an order has been made on Dr Gregory Leonard Robinson of 4/325 Edward Street, WAGGA WAGGA 2650 prohibiting him, until further notice, as a medical practitioner from having possession of and supplying drugs of addiction as authorised by clause 101 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 76 of the Regulation.

This order is to take effect on and from Tuesday 15 October 2002.

ROBYN KRUK,
Director-General

Department of Health, New South Wales.
Sydney, Thursday 10 October 2002.

POISONS AND THERAPEUTIC GOODS ACT 1966

ORDER UNDER CLAUSE 171(1), POISONS AND THERAPEUTIC GOODS REGULATION 2002.

WITHDRAWAL OF DRUG AUTHORITY

IN accordance with the provisions of clause 171(1) of the Poisons and Therapeutic Goods Regulation 2002 an order has been made on Helen Mary Burns of Roxin Farm, PEAKVIEW 2630, prohibiting her, until further notice, as a nurse from having possession of and supplying drugs of addiction as authorised by clauses 101 and 103 of the Regulation. This order is to take effect on and from Friday 18 October 2002.

ROBYN KRUK,
Director-General

Department of Health, New South Wales.
Sydney, Tuesday 15 October 2002.

POISONS & THERAPEUTIC GOODS ACT 1966

ORDER UNDER CLAUSE 151(1), POISONS & THERAPEUTIC GOODS REGULATION 2002.

WITHDRAWAL OF DRUG AUTHORITY

IN accordance with the provisions of clause 171(1) of the Poisons & Therapeutic Goods Regulation 2002 an order has been made on Dr Juliet Toni Bochan of 32 Shepherds Drive, Cherrybrook, 2126 prohibiting her until further notice, as a medical practitioner from supplying or having possession of drugs of addiction as authorised by clause 101 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 76 of the Regulation.

This order is to take effect on and from Friday 18 October 2002

ROBYN KRUK,
Director-General

Department of Health, New South Wales,
Sydney, 15 October 2002

PUBLIC WORKS ACT 1912

Notice of handing over of a national work to a Council

I, MORRIS IEMMA, M.P., Minister for Public Works and Services, pursuant to section 153 of the Public Works Act 1912, and with the agreement of Coffs Harbour City Council, declare that the national work described in the Schedule below is handed over permanently to Coffs Harbour City Council.

MORRIS IEMMA, M.P.,
Minister for Public Works and Services

SCHEDULE

COFFS HARBOUR JETTY located in the Parish of Coff, County of Fitzroy and City of Coffs Harbour, and proclaimed as a national work in the *Government Gazette* of 31 December 1906 page 7013.

SPORTING INJURIES INSURANCE ACT 1978

Order of Declaration under Section 5

IN pursuance of Section 5 of the Sporting Injuries Insurance Act 1978, I declare by this order the

PORT MACQUARIE JUNIOR CRICKET CLUB

to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activity of Cricket.

Date: 14th October 2002

JOHN GARBUTT,
Acting Chairperson

OCCUPATIONAL HEALTH AND SAFETY ACT 2000

NOTICE

REVOCATION OF CODES OF PRACTICE

THE WorkCover Authority, pursuant to Section 45 of the Occupational Health and Safety Act 2000, advises by this Notice that the following two Codes of Practice relating to the forestry industry are to be revoked on **1 January 2003**.

- *Code of practice for loading, unloading and securing of logs to log haulage vehicles*
- *Code of Practice, Snigging logs.*

These Codes will be replaced by the new *Code of Practice for Safety in Forestry Harvesting Operations* which commences on 1 January 2003.

KATE McKENZIE,
General Manager
WorkCover Authority

**Code of Practice:
Safety in Forest Harvesting Operations**



What is an Approved Industry Code of Practice?

This publication *Code of Practice: Safety in Forestry Harvesting Operations* is an approved industry code of practice. An approved industry code of practice is a practical guide to achieving the standard of safety required by the *Occupational Health and Safety Act 2000* (OHS Act) and *OHS Regulation 2001* (OHS Regulation) for a particular area of work. It should be followed unless an alternative course of action has been applied to achieve the same or a better standard of health, safety and welfare in the workplace.

A code of practice is approved by the Minister under Section 43 of the OHS Act. It is designed to be used in conjunction with the OHS Act and OHS Regulation but does not have the same legal force. A person or organisation cannot be prosecuted for failing to comply with an approved industry code of practice.

However, in proceedings under the OHS Act or OHS Regulation, failure to observe a relevant approved industry code of practice can be used as evidence that a person or organisation has contravened or failed to comply with the provisions of the OHS Act or OHS Regulation.

A WorkCover Authority inspector can cite an approved industry code of practice in an improvement or prohibition notice. The notice may direct what measures should be undertaken to remedy an alleged contravention or non-compliance. Failure to comply with a requirement in an improvement or prohibition notice is an offence.

In summary an approved industry Code of Practice:

- ✓ gives practical guidance on how the required standard of health, safety and welfare can be achieved in an area of work
- ✓ should be followed, unless there is an alternative course of action which achieves the same or better standard of health and safety in the workplace
- ✓ can be used in support of the enforcement provisions of the OHS Act
- ✓ can be used as evidence to support a prosecution for failing to comply with or contravening the OHS Act or OHS Regulation.

Preface

This code of practice is to assist people engaged in forest harvesting achieve the highest possible standards of health, safety and welfare in the work they do. Its particular objective is to help people working in forestry operations to apply the risk management and consultation principles contained in the OHS Regulation in their working environment. The Code was developed in close consultation with the forestry industry and has its widespread support.

Using this code of practice

- ***What is the aim of this code of practice?***
The code gives practical advice on how to decide on appropriate measures to eliminate or control the OHS risks caused by forest harvesting operations. In doing this it provides guidance to employers in the forest harvesting industry on implementing the requirements of the OHS Act and the OHS Regulation. It should be read in conjunction with this legislation.
- ***What is this code of practice about?***
The code explains the processes involved in the systematic management of OHS risk and how to apply a risk management approach to the hazards characteristic of forest harvesting. It provides advice on specific hazards associated with the harvesting, extraction, loading, securing, transport and unloading of timber logs. It also provides advice on common hazards that can be found in all forest operations such as noise, manual handling, heat and fatigue. It is intended to help in identifying the hazards, determining how serious the risks from those hazards are, and implementing the most effective means of eliminating or controlling those risks.
- ***Who is this code of practice for?***
The code is mainly for employers, but also for employees and other parties involved in forest harvesting operations. Employers include, but are not limited to, land owners and managers, contractors, owners and operators of saw mills and paper mills, and occupiers and controllers of premises used as a place of work under the OHS Act.
- ***When to use this information***
Use this code of practice to assess the effectiveness of your present arrangements for timber harvesting operations and to check that all sources of risk have been identified and dealt with. If you are setting up a new forest harvesting business, this code of practice can serve as a step-by-step guide to establishing a program to manage the hazards arising from harvesting and related activities.

What do the symbols in the code of practice mean?

The following symbols are used in the text to highlight things you need to take into account and help you work out what to do and the tools you require to do the job.



Assess the risks in your workplace



Consult and communicate with employees



Tools that can help you work out your plan



Legal obligations that must be followed



The process of finding things that cause harm, working out how big a problem they are and then fixing them

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Chapter 1 Establishment

1.1 Title

This is the *Code of Practice for Safety in Forest Harvesting Operations*.

1.2 Purpose

This code of practice provides guidance to prevent injury to persons engaged in the manual or mechanical felling of trees and related activities.

1.3 Scope

This code of practice applies to all locations in NSW where timber is harvested for commercial purposes or commercial firewood gathering is undertaken. This code of practice includes Crown, public and private lands, and covers the activities of manual or mechanical felling of trees, extraction, and the loading, securing, transport and unloading of timber logs.

This code of practice does not cover the amenity tree industry as covered by the *Code of Practice for the Amenity Tree Industry*.

1.4 Authority

This is an industry code of practice approved by the Special Minister of State under section 43 of the *Occupational Health and Safety Act 2000*.

1.5 Commencement

This code commences on 1 January 2003.

1.6 Repeal

This code of practice repeals and replaces the following codes of practice: *Code of Practice, Snigging logs* which was Gazetted on 29 October 1993 and *Code of practice for loading, unloading and securing of logs to log haulage vehicles* which was Gazetted on 14 October 1994.

1.7 Interpretation

Legal requirements

Words such as “must”, “require”, and “mandatory” indicate statutory requirements with which the relevant person, usually the employer, has a legal obligation to comply.

Recommended practices

Words such as “should”, “may” or “consider” indicate courses of action which, while not prescribed by legislation, the code is recommending to the duty holder. The duty holder may choose an alternative method of achieving a safe

system of work, but needs to be able to justify this choice as achieving the same or a better standard of health, safety or welfare.

Chapter 2 Consultation at the workplace

The information in this code of practice should be used when consulting with employees about the hazards encountered in forest harvesting operations and related activities. The OHS Act and the OHS Regulation require employers to consult with employees and take into account their views when making decisions that affect their health, safety and welfare. Involving employees in identifying hazards and solving health and safety problems is an essential step in making your workplace safe and healthy.



Employers are required to consult with employees when taking steps to assess and control workplace risks.

What is meant by consultation?

Consultation involves sharing information with employees, giving them the opportunity to express their views before decisions are made, valuing their views and taking them into account. The purpose of consultation is to ensure that matters that may affect employees' health and safety are addressed effectively and in a meaningful way.

Consultation is based on a recognition that employees' knowledge about the processes and environment of work is an important resource and therefore their input and participation improves decision-making about health and safety matters. Consulting with employees will assist in identifying the hazards that may be present in their workplace, assessing the level of risk these hazards might give rise to and developing safe systems of work accordingly.

Although the responsibility for health and safety decisions rests with the employer, consultation provides support for decision makers in resolving health and safety problems.

When must consultation occur?

Consultation must occur in the following circumstances:

- ✓ When changes that may affect health, safety or welfare are proposed to the:
 - work premises;
 - systems or methods of work; or
 - plant or substances used for work.
- ✓ When risks to health and safety arising from work are assessed.
- ✓ When decisions are made about how to eliminate or control those risks.
- ✓ When introducing or altering the procedures for monitoring those risks.
- ✓ When decisions are made about the adequacy of facilities for employee welfare.
- ✓ When decisions are made about the procedures for consultation.

How to implement consultation

Employers must establish an OHS consultation mechanism and need to consult employees about what the consultation arrangements are going to be.

The legislation provides for OHS committees, OHS representatives or other consultative arrangements, depending on the number of employees involved and what consultative mechanism employees opt for.

Employers must also record the consultation arrangements and publicise them to all existing and new employees.

You should refer to WorkCover's *Code of Practice: Occupational Health and Safety Consultation* for detailed guidance regarding employer obligations related to consultation and how to establish workplace OHS consultative arrangements to achieve this.

What consultation should address

The following are indicative of the sorts of issues consultation should address:

- identifying hazards and assessing risks associated with forest harvesting operations
- providing advice on particular hazards and risks covered in this code
- deciding on how suitable control measures are selected; verifying their appropriate use; and ongoing maintenance
- planning the introduction of new equipment, a new work method or process, or modifying an existing process
- provision of OHS training
- deciding on the adequacy of facilities for the welfare of employees
- communication with contractors and self-employed persons, and their employees, involved in a forestry harvesting operation
- selecting and wearing PPE (personal protective equipment)
- administrative procedures adopted in your workplace (eg including accident reporting, OHS consultative arrangements)
- the role of procedures and various personnel in monitoring and controlling risks
- safe access to and from the work location
- availability and location of suitable first aid facilities
- procedures for the safety of visitors to the work site or other public safety issues
- monitoring and reviewing the implementation of this code of practice and the risk management strategies in place
- how all the above are communicated to relevant employees, employers, supervisors, contractors, visitors, etc.

Chapter 3 Risk Management: Establishing the special needs of your workplace



Employers must identify any foreseeable hazards, assess their risks and take action to eliminate or control them. Employees must be consulted as part of this process.

3.1 Managing risks in the workplace

Under the OHS Regulation all employers must use a “risk management” approach to address workplace health and safety issues. This requires employers to:

- Identify the hazards
- Assess the risks to the health and safety of persons arising from the hazards.
- Use appropriate control measures to eliminate or control the risk.
- Monitor and review the control measures to ensure on-going safety.

These are the key elements of a risk management process and should be done *in consultation* with the people most likely to be affected, such as employees and contractors. Consultation is basic to effective safety management and is required for all workplaces. It makes sense to consult with workers, because these people are likely to be aware of the particular risks at their workplace and may have good ideas about how to eliminate or control them.

Employers should also adopt a systematic approach to managing safety by developing and implementing written policies, documenting safe work procedures, undertaking risk assessments, establishing reporting arrangements, and assigning formal responsibilities for all these functions. A system approach is essential for managing safety effectively and enables employers to demonstrate how they are meeting their duty of care under the OHS Act.

3.2 Identifying the hazards

An employer must identify any foreseeable health or safety hazards, which could harm their employees or other persons in the workplace. The hazards may arise from the work process, the equipment and materials in use, the work environment or the people involved. These hazards may occur particularly when organisations are introducing new equipment or substances, developing or changing work systems, and designing or re-modelling the workplace.

Some ways to identify hazards include:

- A walk-through of the workplace. This is a simple visual check which may be assisted with the use of a site plan or map.
- Looking at the type of work being performed, way work is done and the work practices in use.
- Looking at the type of plant, machinery and equipment used and its condition, as well as the premises and working environment including their layout.
- Consultation with workers is one of the easiest and most effective ways to identify hazards.
- Looking at the workplace records on “near misses”, incidents, accidents and injuries.
- Information supplied by manufacturers and suppliers about the proper use of hazardous substances and plant (for example: Material Safety Data Sheets, product labels and manuals) is also a helpful source of information.
- An outside expert may also help.

You should list the hazards, identifying the form in which each hazard occurs, where it occurs, factors that contribute to the hazard, and the persons likely to be exposed to the hazard. This list is the first step in the development of a safety plan and safe work procedures. It leads to the next stage, which is to assess the level of risk posed by those hazards.

3.3 Assessing the risks

Each identified hazard has the potential to cause harm to health and safety. Risk assessment involves estimating the likelihood of an injury or illness occurring and the likely severity of any injury or illness that may occur. Likelihood and severity combine to produce an estimated level of risk.

Risk assessment must be done in consultation with employees. You should also read any available health and safety information related to each hazard. In making an assessment of the level of risk consider such factors as:

- the kind of injury or illness that the hazards you have identified can cause to an employee or other person in the workplace – for instance loss of control over a log during cross cutting may result in crush injuries, while operating chain saws may result in cuts or manual handling injuries
- the sort of factors that increase the likelihood that such an incident will occur – for instance the unevenness and slipperiness of the terrain and the presence of tree stumps could increase the probabilities of an accident during snagging
- the number of people who might be affected
- the sort of factors that are likely to increase the severity of an injury or illness such as the physical capabilities and condition of the people involved - their age, size, mobility, skill, experience and other factors which might influence their susceptibility to harm - and the magnitude and duration of their exposure to a hazard.

The outcome of a risk assessment is a prioritized list of risks which then provides a basis for you to plan what sorts of prevention measures you need to take. One way to rank or prioritise the risks in your workplace is to use a matrix or table like the one that follows. Make a list of the potential injuries and illnesses that can occur, ranking them from most to least serious - for example "death by crushing due to falling widow makers" to "minor abrasion from contact with moving logs or equipment". Now rate each according to their likelihood of happening and locate the relevant cells of the matrix in which each falls. The most serious risks are the ones that should be dealt with first (designated by the 1 & 2 in the matrix), though all risks must ultimately be addressed.

Assessing the Risk



For each hazard you have identified you could rank it according to the likelihood that it will occur and how serious the result could be. Thus an event that is very likely to occur and could kill or seriously injure someone would be a top (#1) priority. It should be addressed first. One that is unlikely to happen, and would only need minor first aid treatment if it did happen, would be a low (#6) priority, and could be taken care of after more serious risks have been addressed.

How likely is it to hurt someone?	How severely could it hurt someone?			
	Kill or disable	Serious injury or long term illness	Medical treatment and several days off work	Minor first aid treatment
Very likely-could happen any time	1	1	2	3
Likely-could happen sometime	1	2	3	4
Unlikely –could rarely happen	2	3	4	5
Very unlikely-could happen, but probably never will	3	4	5	6

3.4 Eliminate or control the risks

This step involves working out how to eliminate or control the risks. The employer must first attempt to eliminate any risk to health and safety in the workplace. For example discontinue an unsafe activity; look for design solutions to plant and equipment which remove hazards associated with their

operation; eliminate a manual handling risk by the use of mechanical lifting devices.

Where elimination is not achievable the employer must minimise the risk to the lowest level reasonably practicable. In the OHS Regulation this requirement is spelt out as a process of applying a “hierarchy of controls” in which the higher levels of controls, where possible, are preferred over those at a lower level because of their greater ability to reduce risk and their greater reliability.



Hierarchy of Controls

Your first obligation is to eliminate risk. Where this is not achievable you must minimize risk to the lowest level practical by applying controls in the following order of preference:

- *Substitute the hazard giving rise to the risk with a hazard that gives rise to a lesser risks.* For example redesign the work process so that less hazardous equipment, material or quantities are used; use less toxic chemicals or less flammable substances; have chemicals supplied in smaller quantities if decanting them poses risks.
- *Isolate the hazard from the person put at risk.* For example introduce a restricted work area; reduce emissions and noise from machinery through venting and containment or isolation barriers.
- *Minimise the risk by engineering means.* For example ensure that exposed moving parts on equipment are adequately guarded and lockout devices are fitted; reduce noise levels from machinery by installing dampening methods like mufflers; look for better safety design features on equipment.
- *Minimise the risk by administrative means.* For example organising the way tasks are done can sometimes reduce exposure to risks; job rotation and task variety can reduce the risks associated with repetitive manual handling tasks; provide appropriate safety training, instruction or information; use written safe work procedures; develop preventative maintenance schedules to identify and fix faulty machinery
- *Use personal protective equipment (PPE).* For example, use safety eyewear, hearing protective earplugs or muffs, safety helmets, cut resistant leg protection and reinforced footwear, respirators. PPE is the least preferred solution to OHS problems because it does not really address the hazard but merely provides a shield to protect the worker. While it generally should only be used to supplement other risk reduction strategies or when it is not reasonably practicable to address the risk in any other way, where PPE is a chosen method of risk control for certain tasks or situations, it must be worn at all times when working in those circumstances.

This hierarchy provides you with a guideline for deciding on the most appropriate control measures when discussing and developing your safety plans. You should select controls from the highest level possible depending on the circumstances of the hazard. There may also be cases where no single control measure is sufficient and a combination of measures need to be taken to minimise the risk.

The outcome of going through this stage of the risk management steps will help you know what you need to include in your site safety plan (discussed further in Section 5.4) and how it should be set out to ensure that the risk control measures you have decided upon are actually carried out during harvesting operations. It will also help you develop Safe Work Procedures to work in with the Site Safety Plan. A Safe Work Procedure should for example be developed to ensure fallers assess each tree prior to felling to ensure the crown is not entangled with another tree and to plan escape routes. A tool to help you develop Safe Work Procedures is included at Appendix 1.



Controlling risks

The control measures at higher levels of the “hierarchy of controls” give the best result and should be adopted where practicable. The measures at the lower levels are less effective and they require more frequent reviews of the hazards and the systems of work. In some situations a combination of control measures may need to be used.

You may consider the following when deciding what control measures to use:

- the nature of the forest, the trees comprising the forest, and the physical environment of the forest
- the nature of the work, the work process and working conditions
- the nature and severity of any potential injury or disease
- understanding of the relationship of the injury or disease to the work or process
- information available to employees about methods of preventing injury or disease associated with a particular hazard or risk
- the availability and suitability of methods to prevent, remove or control causes of injuries or diseases associated with a hazard or risk

Any new control measures should be evaluated to ensure that they are effective and safe and that they create no new hazards. Also, develop clear work procedures to ensure the control measures are properly integrated into the work process and make sure these are written down and available to employees.

3.5 Keeping your workplace safe – monitor and review

The employer is responsible for ensuring that any method chosen to control risk is working. Monitoring and review is a very important aspect of OHS management and should be included in regular performance reporting to management. OHS risk management is an ongoing process in this way. In addition, to make sure that a workplace stays safe and keeps abreast of change, an employer must redo the risk assessment and review any control measures whenever:

- there is evidence that the risk assessment is no longer applicable

- an injury or illness occurs because of a hazard that the risk assessment addressed, or failed to address
- a change is planned to the place of work, work practices, or work procedures that the risk assessment addressed.

Whenever circumstances change, the process of identification, assessment and deciding control measures must be repeated. Where a safety plan is updated, workers affected by the change must be consulted and informed about any new requirements. This is part of a process of continuous improvement, which is a basic strategy in assuring health and safety is maintained.



You must follow the three steps of *identification, assessment and elimination or control* for every health and safety issue that requires attention. For forest harvesting operations, this method provides a systematic way of working out effective action to control risks.

Chapter 4 Training



The OHS Act requires employers to provide such information, instruction, training and supervision as may be necessary to ensure the health, safety and welfare of their employees while at work.

Training is one of the most important ways to ensure workers are capable and effective in maintaining a safe and healthy work environment.

The OHS Act and the OHS Regulation set out specific requirements for training in OHS and training related record keeping that employers must comply with. For example, employers are required to provide induction training for all new employees. They must also ensure that members of OHS committees and OHS representatives receive OHS Consultation training.

Workers should be trained to apply systems of work and work practices that are safe and without risks to health. An employer must make sure that all employees have been adequately trained and instructed to perform their work safely before allowing them to work in harvesting operations. Workers must be made aware of any dangers involved with their work and of any safety precautions that should be taken to avoid accident or injury.

Make sure that every employee who uses plant — any machinery, equipment, or appliance such as a chainsaw, forwarder, mechanical tree harvester, grapple skidder — has had adequate information and training to use it safely. Employees must be provided with competent supervision while they use this equipment unless they have attained a level of competency in operating it safely without supervision. It is important to document workers' certification and accreditation, as well as any training provided to them including the nature of the training, the date the training was given, and the names of the persons who were trained.



Consider assessing the particular OHS training needs of employees on the basis of the kind of work being done, the equipment being used, the nature of the site and the hazards that may be encountered, and the experience and skill of the workers. For example, fallers should be trained in assessing each tree and possible escape routes prior to felling. Training in emergency and evacuation procedures should also not be overlooked.

The table that follows indicates the types of OHS training required by the OHS Act and OHS Regulation for various categories of workers. Employers should refer to the Act and Regulation for specific requirements.



Training Required by the OHS Regulation

NOTE: The various chapters of the OHS Regulation identify specific training obligations employers must meet. The table below identifies the primary requirements, and is not intended to be an exhaustive listing. Employers should refer to the Regulation itself to ensure they are familiar with all their requirements.

Training Areas	Who	Examples
Induction training for new employees, covering: <ul style="list-style-type: none"> • Workplace arrangements for managing OHS and reporting hazards to management • Health and safety procedures, including the use and maintenance of risk control measures • How employees can access any health and safety information that the employer is required by the OHS Regulation to provide • Any other matters relevant to the workplace, given the competence, experience and age of the employee (OHS Reg Clause 13(1), Chapter 2)	All new employees	<ul style="list-style-type: none"> • Agreed means for consultation to identify hazards, and assess, and eliminate or control risks. Identify who to report hazards to. • Systems of work, safe work procedures, communication methods, emergency and first aid responsibilities and procedures. Effective use and maintenance of personal protective equipment (PPE) • Where to find Material Safety Data Sheets (MSDS), emergency procedures related to plant, eg forwarders, loaders, etc.
Any information, training and instruction about risks at the place of work, necessary to ensure their safety (OHS Reg Clause 13(2), Chapter 2)	All persons who may be exposed to a risk	Identified hazards and agreed methods of control; communication requirements; weather conditions; terrain.
At a minimum, trained first aid personnel are required where more than 25 people are at a place of work. However employers must take into account the location of the workplace, number of workers there, and the type of work undertaken to determine the number of trained first aid personnel required. (OHS Reg Clause 20, Chapter 2)	Relevant crew members	<ul style="list-style-type: none"> • First aid certificate from a WorkCover approved first aid course • Occupational first aid certificate from a WorkCover approved occupational first aid course • Specific training to deal with medical emergencies that may arise in the course of forest harvesting activities.
Training for OHS committee members and representatives, provided by a WorkCover accredited trainer or appropriate registered provider. Records must be kept for this training (OHS Reg Clause 31, Chapter 3)	OHS committee members and OHS representatives	<ul style="list-style-type: none"> • Importance of OHS consultation and systematically managing OHS • Consultation requirements under the OHS Act • Effective communication techniques • Requirements for OHS Management Systems • Practical application of risk management • Continuous improvement of OHS systems
Training in manual handling techniques, correct use of mechanical aids and team lifting for work activities where it is not reasonably practicable to eliminate the risks arising from manual handling (OHS Reg Clause 80, Chapter 4)	All workers whose activities expose them to risks from manual handling	Logs, chainsaws, moving of large branches
Training in use of plant, and supervision to the extent necessary to minimise the risks to health and safety (OHS Reg Clause 136, Chapter 5)	All users of plant	All operators should provide evidence of competency attainment



Other Essential Training

Training Areas	Who	Examples
Site-specific induction training	All supervisors and workers when entering a new work site	Site-specific hazards (eg widow-makers, stags, exposure to pesticides), terrain (steep slopes), escape routes and health and safety requirements of the employer and owner of the site.
Training in safe use and storage of hazardous substances	All crew members who may be exposed to hazardous substances	Reading and following first aid advice on MSDS; use of PPE;
First aid training	All crew members	Given the frequent isolation of workers and individual nature of the work performed, first aid training for all crew members.
Any additional training necessary to ensure that fallers are competent to safely fell the types and sizes of trees they will be cutting in the forest.	Fallers	Training in accordance with Industry Competency Standards

Chapter 5 Coordination, planning and preparation

Safe and successful completion of any work involved with tree felling and the extraction, loading and transport of logs will depend on adequate planning and preparation, even before work within the forest begins. This chapter discusses the means by which this may be done and the need for coordination among the various parties involved in this activity.



The OHS Regulation requires that if more than one person has responsibility with respect to a particular OHS matter, each person retains responsibility for the matter, and that the responsibility is to be discharged in a coordinated manner.

5.1 Concurrent responsibilities

It is essential that all persons involved in harvesting operations understand their health and safety responsibilities.

Because OHS legislation places responsibilities for health and safety on a range of persons involved with work and the working environment, responsibilities for health and safety in the workplace may be thought of as “concurrent responsibilities”.

The OHS Act places a duty of care on employers for the safety of their employees and other persons in the workplace. Employees themselves have a responsibility to follow safe working procedures and they must take care not to endanger other persons in the workplace.

Controllers of work premises, plant or substances also have health and safety responsibilities under NSW OHS legislation. They must make sure that the premises used as a place of work (which under the legislation includes land) and the plant and substances used in the work process are safe and without risks to health when properly used. The OHS Act imposes this requirement even on persons who have only limited control of the premises, plant or substances, in that their responsibilities apply only to the matters over which they have control.

Within the NSW timber harvesting industry, employment relationships are often complex. Sometimes a landowner (or land manager or agent for the owner) may have a contract with a sawmill for harvest and delivery of timber logs, and the sawmill may contract with harvesting crews and haulage contractors for felling and delivery. In other cases a land owner (or land manager or agent for the owner) may enter individual contracts with the sawmill, the harvesting contractor and the haulage contractor.

The complexity of such relationships may appear to blur the lines of responsibility for matters affecting health and safety within the forest.

However, it is important to remember that responsibility for health and safety *cannot be contracted out*. It is shared among all the parties involved in the harvesting operation. A few points might help make this clear:

- The person in control of the place of work has obligations, not only to his direct employees, but also to the contractors and their employees.
- The level of responsibility for health and safety matters is based on the amount of control the person has over those matters, regardless of the number of contractors and subcontractors involved.
- Information about health and safety matters, including hazards like dangerous trees or terrain, must be passed along to persons who may be affected by these matters.
- Persons who may be affected by hazards must be consulted when deciding how to eliminate or control the risks the hazards might give rise to.

5.2 Co-ordination

Never assume that someone else is taking care of a health and safety matter.

NSW legislation requires that where more than one person has responsibility for a health and safety matter, each party retains responsibility for the matter, and that the responsibility must be discharged in a coordinated manner. There are several ways to do this.

One way is for the person in control to consult with their own employees and any contractors involved in the operation. They should use this as an opportunity to indicate their safety requirements and policies, review the job to be undertaken, safety issues that may arise and other matters.

The idea is that all persons involved with harvesting and hauling should be clear on their responsibilities and expectations, and that they have taken all reasonable steps to meet their health and safety obligations.

The example that follows shows how this might be done.



How coordination can work

Suppose a person (principal contractor) has been engaged to set up and manage a timber harvesting operation. He might determine which trees would be harvested, where the cut logs would be put for loading on the truck, the best means of entering and leaving the harvesting site, and other matters related to the job. He might engage harvesting and haulage contractors to fell, extract and deliver the cut logs to the mill.

The principal contractor is aware that he is basically in control of this operation and the work site, and he wants to make sure that no one gets injured. He meets with the harvesting and hauling contractors and discusses safety issues with them. He wants to find out how the contractors manage the risks in the work the crews do, and wants to make it clear that they are expected to understand and follow safety procedures. In fact, he has even put a clause into the contract that requires the contractor to comply with health and safety requirements and to ensure that the work will be done safely.

The principal contractor asks them to produce written copies of their safe work procedures and asks them about their supervisory arrangements to see that the safe work procedures are followed and that workers use appropriate PPE. He asks how the contractors ensure that the crew members are competent to operate the equipment they are using safely. He asks about any OHS training and first aid training the crews have had. In the end he is confident that the contractors have done what they can to make sure the workers are competent at their jobs and aware of the steps they need to take to prevent accidents and injuries.

Finally, the principal contractor and the harvesting and haulage contractors agree to meet at the work site to look over the site, assess the conditions there and plan how the job will be done. They will go over the equipment, methods and signage to be used, identify any foreseeable hazards and how to deal with them. They will talk about the best ways to bring down certain trees safely. And they will discuss emergency procedures and ways to ensure unauthorised persons might be kept out of the area or kept from harm if they do enter the forest.

5.3 Harvesting plan

A harvesting plan details and maps out harvest area boundaries, terrain, roads, log landings, snig tracks and other important site features. A harvesting plan should be developed prior to starting any harvesting work, in order to get a fuller picture of the environment where the work will be done and any conditions that should be taken into account when planning the job. Consultation on safety matters can also be done effectively during the development of a harvesting plan. Consideration should be given to providing the harvesting plan in draft form to any contractors for review prior to finalisation and approval.

5.4 Site safety plan

A *Site Safety Plan* should be developed. This can be done either in the process of developing the harvesting plan or from a completed harvesting plan, but a site safety plan should be developed even if there is no harvesting plan. The site safety plan should be based on the identification of hazards in the harvesting site and an assessment of the risks they present and the best

ways of eliminating or controlling them. Planning should also ensure that safe systems of work are carried out in the event that supervisory staff are momentarily unavailable.



The plan should be developed through consultation involving the person in control, any contractors and their employees. For example, haulage contractors could be involved in the consultation to ensure they follow safe systems of work and use appropriate log trucks and other equipment. Consultation on the site safety plan should also outline the roles and responsibilities of crew members in ensuring the plan is carried out and that the work environment is kept safe at all times.

The site safety plan may address the following factors and any other site or operational conditions that may affect safety:

- Workplace location/terrain/conditions/slope etc.
- Plant and equipment
- Experience and competence of workers to carry out assigned tasks (eg, types of tree being felled)
- Communication systems and methods
- Presence of hazardous trees, limbs (widow makers), mining excavations, sinkholes and caves, cliff lines, power lines, underground cables/pipelines and roads
- Presence of multiple contractors operating in the workplace
- The possible presence of unauthorised persons in the harvesting area and the means to ensure their safety
- Emergency planning including evacuation routes and a site medical emergency evacuation plan
- Procedures to be followed for hung up trees and trees that sit back
- Review mechanism to reflect changing conditions in the workplace

The site safety plan should be monitored to ensure that work is carried out according to that plan and that the plan is effective. The plan should be maintained and changed as required during the course of the harvesting work, and the changes should be reviewed with all persons involved with the harvesting operation.

5.5 Communication Planning

One aspect of planning for work in the forest that should not be overlooked is the necessity for effective communication systems. This is especially important in situations where workers work in isolation or in enclosed machinery where viewing of other workers may be difficult.

Some things that should be considered are:

- Notifying the base (home, sawmill, police station or local State Forests office) that work is commencing
- Regular check-ins by the crew during the day to say that all is okay
- Notifying the base that the worker(s) is (are) leaving the site.
- Use of hand-held radio communication systems between employees in the work area.

Chapter 6 Manual felling

Safety in manual tree felling operations can be affected by many factors including environmental factors like terrain, weather and wind conditions, noise levels; the skill and experience of harvesting operators; the nature of the trees and the adjacent areas; equipment condition and capability; and a host of other matters. While harvesting activities themselves can be dangerous, the dangers can become even greater and more difficult to manage when extraction and loading activities are taking place nearby.





This means that all aspects of the harvesting operation should be looked at very carefully: the people involved, the equipment being used, the environment, how communication will take place, how emergencies will be managed and any other matters that may affect the safety of workers and others in the forest.

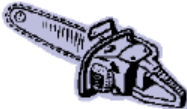


Workers and others in the area of harvesting operations must be kept free from risks to their health and safety and therefore, before harvesting starts, employers must apply the risk management steps to all these factors having a bearing on harvesting activities.

The table that follows gives examples of the areas where hazards might be identified and factors which need to be assessed as possibly contributing to the degree of risk, and suggests ways to control these risks.



Risk Management Approach to Manual Felling

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
<p>Working environment and conditions</p> 	<ul style="list-style-type: none"> • Changing wind speed and direction • Dangerous trees <ul style="list-style-type: none"> ▪ Hung up branches (widow makers) ▪ Excessive rot content ▪ Burnt out sections ▪ Storm damage ▪ Trees with excessive lean ▪ Dead trees (stags) ▪ Hung up trees • Multiple contractors working in area • Work is close to access routes 	<ul style="list-style-type: none"> • Determine whether it is safe to fell the tree Safe work procedures to address wind conditions • Identification of dangerous trees at site prior to commencement of work and on ongoing basis Assessment of whether tree can be felled safely manually Use of felling method appropriate to the dangerous tree Safe work procedures requiring the immediate removal of hung up trees • Establishment of exclusion zones to maintain safe separation distances from other work areas. • Appropriate design, wording and placement of warning signs, barriers and/or traffic control in accordance with Australian Standards, eg. <div style="text-align: center;">  </div> • Safety induction for visitors
<p>Felling methods</p>	<p>Consideration of such factors as:</p> <ul style="list-style-type: none"> • Nature/ type of tree • Terrain • Surrounding area • Required direction of fall/direction of lean • Competence of faller • Avoidance of marked habitat trees and filter strips 	<p>Adequate training</p> <p>Adequate supervision and consultation, especially in unusual circumstances where it may be appropriate to decide not to fell the tree</p> <p>Safe work procedures</p> <p>Scarf cuts, back cuts and cutting sequence used to suit conditions as assessed.</p>
<p>Escape Routes</p>	<p>Consideration of such factors as:</p> <ul style="list-style-type: none"> • Potential for overhead material falling 	<p>Identification and checking of suitable escape routes</p> <p>Ensuring stump height does not impede</p>

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
	<ul style="list-style-type: none"> • Environmental obstacles • Stump height • Tools and equipment in the path of escape routes 	<p>quick escape</p> <p>Route should be diagonal, to the rear and side of the direction of fall</p>
<p>Selection of suitable equipment, proper use of appropriate equipment and personal protection</p> 	<ul style="list-style-type: none"> • Training and experience of operators for tasks • Choice and availability of equipment for the job • Condition of equipment, including operation of safety features • Appropriate use of personal protective equipment (PPE) including high visibility clothing 	<ul style="list-style-type: none"> • Supervision and assessment of competence • Use of proper technique • Inspection of tree to avoid kickback, recoil or other problems • Provision of supervision, training, safe work procedures • Provision and use of appropriate equipment eg. low vibration chain saws • Ensure all tools required are available in the immediate work area • Routine checks and maintenance • Provision, supervision, and maintenance of PPE (see also section 13.8 on choosing the right PPE) 
<p>Proper use of hazardous substances (eg unleaded petrol)</p>	<ul style="list-style-type: none"> • Exposure to hazardous substances 	<ul style="list-style-type: none"> • Follow recommended procedures in Material Safety Data Sheets • Use of suitable and labelled containers
<p>Communication with other workers</p> 	<p>Consideration of such factors as:</p> <ul style="list-style-type: none"> • Coordination of ground workers with machine operators • Methods of communication between ground workers • Workers in isolated areas • Levels of noise affecting communication • Terrain • Possible interference with electronic communication 	<p>Effective use of equipment and methods of communication including radio, oral and visual</p> <p>Safe work procedures</p> <p>Appropriate training</p> <ul style="list-style-type: none"> • Agreed alternative communication measures

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
Emergency procedures and evacuation	Consideration of such factors as: <ul style="list-style-type: none">• Methods of communication• Access to and egress from the site• Isolation of workers• Timeframes for medical assistance	Safe work procedures Appropriate training including first aid training Consultation with providers of emergency assistance, including designation of emergency meeting point

Chapter 7 Mechanical felling and processing

Many of the risks associated with working in the forest environment may be controlled by the use of mechanical harvesters. However as in manual tree felling, mechanical harvesting operations can be affected by many factors - weather and wind conditions; environmental factors; the skill and experience of harvesting operators; equipment condition and capability and other matters. Extraction and loading activities taking place nearby can sometimes add to the difficulty of planning and carrying out a safe harvesting operation.





This means that all aspects of the harvesting operation should be looked at very carefully: the people involved, the equipment being used, the environment, how communication will take place, how emergencies will be managed and any other matters that may affect the safety of workers and others in the forest.


Workers and others in the area of harvesting operations must be kept free from risks to their health and safety and therefore, before harvesting starts, employers must apply the risk management steps to all these factors having a bearing on harvesting activities.

The table that follows gives examples of the areas where hazards might be identified and of factors which need to be assessed as possibly contributing to the degree of risk, and suggests ways to control these risks.



Risk Management Approach to Mechanical Felling and Processing

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
<p>Working environment and conditions</p> 	<ul style="list-style-type: none"> • Wind speed and direction • Identification and assessment of dangerous trees (eg hung up branches, unreliable fall direction, etc.) • Methods of felling to suit conditions • Ability of harvester to operate safely on the terrain • Slope and terrain variation for safe entry and exit of operator from cabin • Visibility and lighting 	<ul style="list-style-type: none"> • Safe work procedures covering conditions when it is safe or unsafe to continue • Identify unsuitable trees for mechanical felling prior to operation and on ongoing basis, and determine course of action • Appropriate training and supervision • Operation according to instructions from manufacturer and supplier • Appropriate training <p>Visual check of ground before exiting cabin</p> <p>Use of handrails/hand holds</p> <p>Use three points of contact</p> <ul style="list-style-type: none"> • Adequate lighting for all work locations at all hours of work
<p>Workers and plant in vicinity of mechanical harvester</p>	<ul style="list-style-type: none"> • Possibility of tree falling in work area of other crews • Work area close to access routes • Coordination of activities with ground workers and with other plant operators 	<ul style="list-style-type: none"> • Establishment of exclusion zones appropriate to tree density and terrain • Safety induction for visitors • Use of warning signs • Systems and methods for oral, visual and/or radio communication <p>High visibility clothing</p>
<p>Communication with other workers</p> 	<ul style="list-style-type: none"> • Coordination of ground workers with machine operators • Methods of communication between ground workers • Workers in isolated areas • Levels of noise affecting communication • Terrain • Possible interference with electronic communication 	<p>Effective use of equipment and methods of communication including radio, oral and visual</p> <p>Safe work procedures</p> <p>Appropriate training</p> <ul style="list-style-type: none"> • Agreed alternative communication measures

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
Plant and equipment	<ul style="list-style-type: none"> • Competence of operators • Safety during operation, including safety devices, condition of equipment, etc. • Operational capability of equipment • Exposure to hazardous substances • Static electricity discharge during fuelling 	<ul style="list-style-type: none"> • Appropriate training and supervision • Fitted ROPS & FOPS, operator protective guards, seat restraints (eg set belts, harness, etc.) • Inspection and maintenance • Suitable hand rails/hand holds • Follow manufacturer/supplier information; appropriate training • Follow recommended procedures in Material Safety Data Sheets • Follow recommended procedures in Material Safety Data Sheets
<p>Operator Safety</p> 	<p>You should consider the possible effects of such things as:</p> <ul style="list-style-type: none"> • Slips trips and falls • Environmental hazards eg poor visibility and noise • Unrestrained objects in cabin • Operator fitness/fatigue 	<ul style="list-style-type: none"> • Suitable footwear • Use of handrails/hand holds • Use of seat belts/restraints • 3 points of contact • Wearing of PPE including hearing protection and high visibility clothing • Ensuring all objects in the cabin are securely stored or fastened • Rotation of tasks • Rest breaks • Physical exercise eg stretching and/or warm ups
Emergency procedures and evacuation	<p>Consideration of such factors as:</p> <ul style="list-style-type: none"> • Methods of communication • Access to and egress from the site • Isolation of workers • Timeframes for medical assistance 	<p>Safe work procedures</p> <p>Appropriate training including first aid training</p> <p>Consultation with providers of emergency assistance, including designation of emergency meeting point</p>

Chapter 8 Forwarding and snigging

Two of the main ways logs are moved from the place where the trees are felled to the log landing are by the techniques of snigging and forwarding. *Snigging* refers to the pulling of logs, either partially or completely on the ground. *Forwarding* refers to the use of a vehicle to carry the logs completely off the ground. Both processes require the use of heavy vehicles such as rubber tyred skidders, crawler tractors, or forwarders with tracks or wheels.



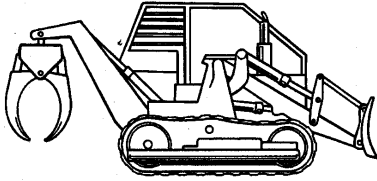
Prior to undertaking the extraction work employers must identify any hazards that may arise because of the activities, assess the risks that these hazards might bring about, and implement appropriate controls.


As in other forest harvesting operations these extraction methods require careful planning and coordination in order to avoid exposing workers or other persons in the work area to risks to their health and safety. Consideration of such factors as weather and environmental conditions, the skill and experience of the operators, the condition and appropriate use of the plant and equipment, and a range of other things should be taken into account when planning the extraction work.



The table that follows gives examples of the areas where hazards might be identified and of factors which need to be assessed as possibly contributing to the degree of risk, and suggests ways to control these risks.



Risk Management Approach To Forwarding and Snigging

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
<p>Working environment and conditions</p> 	<ul style="list-style-type: none"> • Slopes and grades of terrain and tracks • Condition of snigging track <ul style="list-style-type: none"> ▪ Debris ▪ Deep ruts ▪ Excessive ground moisture ▪ Rocks • Dangerous trees, eg dry snags, hung up trees • Falling objects from overhead tree canopies • Presence of other persons in the extraction area • Choice of equipment to suit weather and environmental conditions • Exposure to noise and other environmental conditions 	<ul style="list-style-type: none"> • Use of equipment in accord with the limitations specified by manufacturer Safe work procedures to address terrain and environment conditions Side cutting on steep slopes • Clear track as needed and maintain Appropriate plant and equipment for track conditions • Removal of trees as required • Position plant to avoid being struck on entry or exit where overhead hazards have been identified • Exclusion zones Warning signs • Use of plant and equipment according to manufacturers specification • Use and maintenance of PPE
<p>Work Methods</p>	<p>Consideration of such factors as:</p> <ul style="list-style-type: none"> • Order in which trees will be felled and extracted • Visibility of fallers • Competence of operators • Risk of injury during hooking and unhooking 	<ul style="list-style-type: none"> • Consultation between faller(s) and skidder/forwarder operator • Ensuring faller is sighted before moving in Use of high visibility clothing • Ensuring workers have appropriate skills, experience, training and supervision • Ensuring stability of skidder before dismounting Keeping hands and legs clear of possible log movement

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
	<ul style="list-style-type: none"> Speed and stability of plant 	<p>Where possible, winching in direct line with winch's centre line</p> <p>Use of appropriate equipment, eg grapples</p> <ul style="list-style-type: none"> Driving safely, and at speed appropriate for terrain <p>Using crawler tractor rather than rubber tyred skidder on steep grades</p> <p>Safe work procedures to ensure loading to the safe capacity of plant, to suit environment, slope, etc.</p> <p>Avoiding steep slopes</p> <p>Keeping blades low to add stability, as appropriate</p> <p>When traversing unfamiliar slopes, dismounting, walking and assessing prior to driving</p> <p><i>The use of safe work procedures covering all tasks should be considered.</i></p>
<p>Plant and equipment</p> 	<p>Consideration of such factors as:</p> <ul style="list-style-type: none"> Condition of tyres (eg tread, inflation) tractor treads etc. Condition and capacity of equipment, eg chains or ropes Whether controls and safety devices are fully operational Potential for injury from falling objects or roll-over Possible slips, trips or fall of operator Exposure to hazardous substances Static electricity discharge during fuelling 	<ul style="list-style-type: none"> Regular inspection for wear and breakage Use and maintenance in accordance with manufacturer and supplier instructions Regular testing and monitoring of controls and safety devices All plant used conforms with relevant Australian standards, including use of ROPS/FOPS, operator protective guards and seat restraints Provision of hand holds for entry and exit Follow recommended procedures in Material Safety Data Sheets Follow recommended procedures in Material Safety Data Sheets

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
<p>Operator Safety</p> 	<p>You should consider the possible effects of such things as:</p> <ul style="list-style-type: none"> • Slips trips and falls • Environmental hazards eg poor visibility and noise • Unrestrained objects in cabin • Operator fitness/fatigue 	<ul style="list-style-type: none"> • Suitable footwear Use of handrails/hand holds Use of seat belts/restraints 3 points of contact • Wearing of PPE including hearing protection and high visibility clothing • Ensuring all objects in the cabin are securely stored or fastened • Rotation of tasks Rest breaks Physical exercise eg stretching and/or warm ups
<p>Communication</p> 	<ul style="list-style-type: none"> • Plant operators to ground workers & other plant operators • Workers in isolated areas • Levels of noise affecting communication • Terrain • Possible interference with electronic communication 	<ul style="list-style-type: none"> • Effective use of equipment and methods of communication including radio, oral and visual Safe work procedures Appropriate training • Agreed alternative communication measures
<p>Emergency procedures and evacuation</p>	<p>Consideration of such factors as:</p> <ul style="list-style-type: none"> • Methods of communication • Access to and egress from the site • Isolation of workers • Timeframes for medical assistance 	<p>Safe work procedures</p> <p>Appropriate training including first aid training</p> <p>Consultation with providers of emergency assistance, including designation of emergency meeting point</p>

Chapter 9 Cable logging

Skyline or cable logging has potential safety risks due to the physical size and layout of this type of operation, as well as the nature of the plant and equipment used. Parts of the system may not be visible to the operator, for example, and ropes and pulleys may pose a serious risk of injuries when they fail.



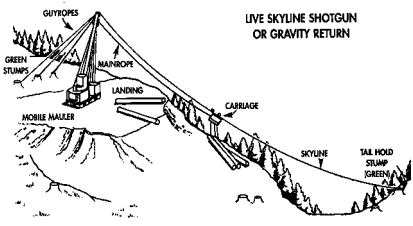
Before starting cable logging, employers must identify any hazards that may arise because of the activities, assess the risks that these hazards might bring about, and implement appropriate controls.



Many factors contribute to the safety of cable logging operations. As in other forest harvesting operations, cable logging requires careful planning and coordination in order to avoid exposing workers or other persons in the work area to risks to their health and safety. Choice of an appropriate site with suitable anchor points is critical to a safe operation. The weather and other environmental conditions, the skill and experience of the operators, the condition and safe use of the plant and equipment, and a range of other factors should be taken into account when planning the work.

The table that follows gives examples of the areas where hazards might be identified and of factors which need to be assessed as possibly contributing to the degree of risk, and suggests ways to control these risks.



Risk Management Approach To Cable Logging

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
<p>Working environment and conditions</p> 	<ul style="list-style-type: none"> Slopes and grades of terrain Condition of work environment, including ground foundation Presence of other persons in the work area Exposure to noise and other environmental conditions 	<ul style="list-style-type: none"> Design and layout to suit slope, terrain and weather conditions Safe work procedures to address terrain and environment conditions Safe work procedures requiring assessment of site prior to set-up: stability, size, evenness Removal of unsafe trees or stumps prior to set-up On-going maintenance of site Exclusion zones and warning signs Safety induction for visitors Use and maintenance of PPE
<p>Work Methods</p>	<p>Consideration of such factors as:</p> <ul style="list-style-type: none"> Design and layout Competence of operators Set-up of plant and equipment Exclusion/danger zones Operations 	<ul style="list-style-type: none"> Safe work procedures covering: Anchor points, clearance distances, load limits, load size Ensuring workers have appropriate skills, experience, training and supervision Installation and commissioning of plant and equipment done by competent person(s) Ensuring adequate distances from areas of risk Safe work procedures covering: positioning of workers during operations, Signalling systems Dealing with unforeseen circumstances, eg crossed logs <p><i>The use of safe work procedures covering all tasks should be considered.</i></p>

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
Plant and equipment	Consideration of such factors as: <ul style="list-style-type: none"> • Condition and capacity of equipment, eg winches, guylines, etc • All controls and safety devices fully operational 	<ul style="list-style-type: none"> • Regular inspection for wear and breakage Use and maintenance in accordance with manufacturer and supplier instructions and specifications  <ul style="list-style-type: none"> • All plant and equipment conforms with relevant Australian standards
Communication 	<ul style="list-style-type: none"> • Plant operators to ground workers & other plant operators • Workers in isolated areas • Levels of noise affecting communication • Possible interference with electronic communication 	<ul style="list-style-type: none"> • Effective use of equipment and methods of communication including radio, oral and visual (including hand signals) Safe work procedures Appropriate training Agreed alternative communication measures
Emergency procedures and evacuation	Consideration of such factors as: <ul style="list-style-type: none"> • Methods of communication • Access to and egress from the site • Isolation of workers • Timeframes for medical assistance 	Safe work procedures Appropriate training including first aid training Consultation with providers of emergency assistance

Chapter 10 Log Landings and Log Dumps

As with other operations in the forest, work at the log landing (or at the log dump) brings together workers on the ground and in machines. This can create risks that must be anticipated and managed to prevent injury to those workers and others in the workplace. Proper planning and coordination prior to starting work can help make problems less likely to occur.


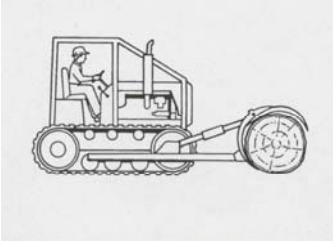




Prior to undertaking work at the landing employers must identify any hazards that may arise at the site and because of the work there, assess the risks that these hazards might bring about, and as much as possible control these risks.

The table that follows gives examples of the areas where hazards might be identified and of factors which need to be assessed as possibly contributing to the degree of risk, and suggests ways to control these risks.



Risk Management Approach to Log Landings and Log Dumps

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
<p>Work environment and conditions</p> 	<ul style="list-style-type: none"> • Slope and terrain • Hazardous trees near log landing site • Access and egress around log landings for workers and plant • Traffic flow, volume and type • Stability and line of sight of log stacks • Uncontrolled movement of logs on the ground • Multiple plant operations • Power lines – direct contact and high voltage arcing • Lighting • Other persons in the work area 	<ul style="list-style-type: none"> • Locate landing as much as possible on level ground • Remove dangerous trees safely • Adequately clear and maintain paths to and from landing • Adequate separation between log stacks and space for manoeuvring • Secure base and appropriate height and angle of stacks • Safe work procedures with proper unhooking of logs and chocking • Designated areas for activity with suitable separation distances • Maintain clearance distances and visual identification of lines Avoid parking or working under power lines in hot weather conditions • Adequate lighting for all work locations at all hours of work • Safety induction for visitors
<p>Plant operation</p> 	<p>Consideration of such factors as:</p> <ul style="list-style-type: none"> • Speed of plant entry and exit • Workers in proximity of plant • Limited visibility in log landing area • Competence of operators 	<ul style="list-style-type: none"> • Speed limits on plant entering & exiting • Operation of plant in agreed safety zones Safe working procedures, with no loads swung above ground workers Truck drivers to be in a designated safe area • High visibility clothing for all workers • Adequate training and supervision

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
	<ul style="list-style-type: none"> • Security of logs in mechanical handling • Condition of plant including safety features 	<ul style="list-style-type: none"> • Use of plant in accord with capacity limits • Regular inspection and maintenance of plant and equipment
<p>Operator Safety</p> 	<p>You should consider the possible effects of such things as:</p> <ul style="list-style-type: none"> • Slips trips and falls • Environmental hazards eg poor visibility and noise • Unrestrained objects in cabin • Operator fitness/fatigue 	<ul style="list-style-type: none"> • Suitable footwear • Use of handrails/hand holds • Use of seat belts/restraints • 3 points of contact • Wearing of PPE including hearing protection and high visibility clothing • Ensuring all objects in the cabin are securely stored or fastened • Rotation of tasks • Rest breaks • Physical exercise eg stretching and/or warm ups
<p>Communication with other workers</p> 	<p>Consideration of such factors as:</p> <ul style="list-style-type: none"> • Co ordination of ground workers with machine operators • Co ordination of machine & plant operators with other machine and plant operators • Level of noise and traffic affecting communication • Terrain • Possible interference with electronic communication 	<p>Effective use of equipment and methods of communication including radio, oral and visual</p> <p>Safe work procedures</p> <p>Appropriate training</p> <ul style="list-style-type: none"> • Agreed alternative communication measures
<p>Emergency procedures and evacuation</p>	<p>Consideration of such factors as:</p> <ul style="list-style-type: none"> • Methods of communication • Access to and egress from the site • Isolation of workers • Timeframes for medical assistance 	<p>Safe work procedures</p> <p>Appropriate training including first aid training</p> <p>Consultation with providers of emergency assistance, including designation of emergency meeting point</p>

Chapter 11 Loading, unloading, securing and transport

The processes of loading logs onto the haulage vehicle, securing, transporting and then unloading them at the log yard bring together vehicles, heavy mobile plant, people in machines and people on the ground. In such situations it is important for work to be adequately planned and coordinated. It is also important to realise that the way in which the logs are loaded and secured has a great affect on safety while the logs are being transported, as well as once they have been delivered and are being unloaded.



Methods to ensure work is carried out safely should be written into safe work procedures that take into account the hazards and risks related to the loading, unloading, securing and transporting processes. Look at all aspects of the work and determine the factors that could put people at risk of injury and the best ways to prevent this from happening. Look at the plant and equipment used, the environments in which the work is done, the work methods and the capabilities of the persons doing the work, how to ensure adequate communication and coordination among the people involved, and any other issues that could affect safety.

Effective coordination and communication between the contractors can ensure that all parties are aware of their OHS responsibilities and will follow safe work procedures. For example, mill owners and other persons who operate yards where logs are delivered and unloaded should develop safe work procedures that ensure the log loads are assessed prior to unloading. Assessment could be done at the weigh bridge or within the log yard, but the assessment should involve consultation between the haulage vehicle driver and the loader operator or other person in the yard. The safest way to ensure the security of the load should be agreed prior to release of the binders.

For loading, particular attention should be given to proper crowning and making sure that the logs are adequately restrained by the stanchions. When dealing with mixed length loads take extra care to ensure shorter logs do not come loose and fall on someone. One way is to load the longer logs to the outside against the stanchions and the shorter ones held in place by the longer logs.

When securing the loads, special care should be taken to use restraints that are appropriate for the type and species of the logs and to use the appropriate number of restraints to keep the load secure. Make sure that the binders and lashings are in good condition and are properly secured to prevent the load from shifting during transport.

Loads should be inspected and restraints adjusted as required when leaving the forest and prior to entering public roads, to ensure that logs have not shifted and that they will not pose a danger to other persons or vehicles on the

road. Vehicles should be driven safely and in accordance with relevant state and local requirements.

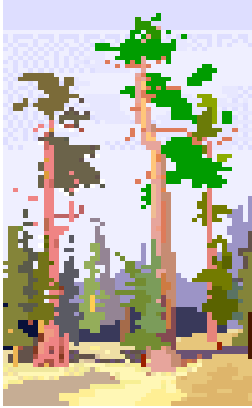





In unloading the logs, risks can arise from shifting or other movement of the logs. The load should be assessed prior to unloading and the logs should be restrained and secured to prevent log movement when the binders are released and the lashings removed. One way to do this is for the loader operator to use the log grab to hold the load in place while the binders are released. Particular attention should be paid to the safety of the driver while he or she is near the loader. A safe location away from any area of risk should also be agreed, where the driver should remain while unloading takes place.


The table that follows looks at several issues involved with loading, unloading, securing and transporting logs. It shows several of areas where hazards might be identified and of factors which need to be assessed as possibly contributing to the degree of risk, and suggests ways to control these risks.



Risk Management Approach to Loading, Unloading, Securing and Transport

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
<p>Working environment and conditions</p> 	<ul style="list-style-type: none"> • Work is close to access routes • Movement of logs • Stability of plant and haulage vehicle • Visibility and lighting 	<ul style="list-style-type: none"> • Appropriate placement of warning signs, barriers and/or traffic control • Safe work procedures for loading operations • Training of employees • Safety induction for visitors • Supervision of loading site • Establishment of exclusion zones for plant and persons appropriate to the working radius of plant used for loading. • Ensuring ground is level and firm to ensure stability of loading machinery and haulage vehicle with changing load conditions • Adequate lighting for all work locations at all hours of work
<p>Plant operation</p> 	<p>Consideration of such factors as:</p> <ul style="list-style-type: none"> • Size and type/species of logs • Plant used for loading and unloading • Condition of plant including operation of safety features • Competence of operator • Location of haulage vehicle driver 	<ul style="list-style-type: none"> • Selection of appropriate plant with hydraulic log grabs or other device to stabilize the log(s) during loading • Safe work procedures • Routine daily checks of plant and scheduled maintenance • Appropriate training and assessment of competency of operators; adequate supervision • High visibility clothing <p>Work procedures to ensure:</p> <ul style="list-style-type: none"> ▪ Driver located in designated safe areas known to the loader operator during loading/unloading operations. ▪ Loading operation has ceased prior to and during any load inspections. ▪ That when recording log

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
	<ul style="list-style-type: none"> Exposure to noise Safe entry and exit of operator from plant 	<p>stamp, driver is in designated safe area and approaches log only when all movement of log and plant has ceased.</p> <ul style="list-style-type: none"> All loading operations have ceased while load inspection is taking place. Selection of appropriate hearing protection Use of handrails/handholds <p>Using three points of contact</p>
<p>Operator Safety</p> 	<p>You should consider the possible effects of such things as:</p> <ul style="list-style-type: none"> Slips trips and falls Environmental hazards eg poor visibility and noise Unrestrained objects in cabin Operator fitness/fatigue 	<ul style="list-style-type: none"> Suitable footwear Use of handrails/handholds Use of seat belts/restraints 3 points of contact Wearing of PPE including hearing protection and high visibility clothing Ensuring all objects in the cabin are securely stored or fastened Rotation of tasks Rest breaks Physical exercise eg stretching and/or warm ups
<p>Tightening and releasing of load restraints on log haulage vehicles</p> 	<p>Consideration of such factors such as:</p> <ul style="list-style-type: none"> Type and number of load restraints Positive securing of logs whilst restraints are placed on, or released from loads 	<ul style="list-style-type: none"> Selection of appropriate restraints suitable for the type and species of logs being transported. Ensuring that appropriate number of load restraints are available on haulage vehicle to suit load requirements. Safe work procedures to ensure: <ul style="list-style-type: none"> Loading has been completed prior to tightening first load binder That where stanchions do not secure the entire load, other methods are used to ensure the logs are secured until the bindings are tightened or

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
	<ul style="list-style-type: none"> • Use of stanchions on transport vehicle 	<p>released, and the driver is in a safe area.</p> <p>Release of binders only after assessment of load for movement.</p> <ul style="list-style-type: none"> • Training and supervision • Safe work procedures that require: <ul style="list-style-type: none"> ▪ Positive securing of stanchions to both sides of the bolsters. ▪ That fixed stanchions or removable stanchions are fitted with chocks <p>Use of stanchions designed to prevent deflection by the load</p> <p>Ensuring that loads comply with relevant guidelines including RTA requirements</p>
Transporting of logs	<ul style="list-style-type: none"> • Competency of operators • Potential for shifting of loads on forest roads • Safety of, and interaction with other road users 	<ul style="list-style-type: none"> • Training, supervision and assessment to National competencies for vehicle drivers <p>Training and assessment in load restraint techniques</p> <ul style="list-style-type: none"> • Inspection and grooming as needed of access roads used for log haulage • Procedures to require that load is checked for security and stability prior to driving on roads • Liaison with local landowners and other road users, eg school bus operators
<p>Communication with other workers</p> 	<p>Consideration of such factors as:</p> <ul style="list-style-type: none"> • Co ordination of ground workers with machine operators • Co ordination of machine & plant operators with other machine and plant operators • Level of noise and traffic affecting communication • Terrain • Possible interference with electronic communication 	<p>Effective use of equipment and methods of communication including radio, oral and visual</p> <p>Safe work procedures</p> <p>Appropriate training</p> <ul style="list-style-type: none"> • Agreed alternative communication measures
Emergency procedures and	Consideration of such factors as:	Safe work procedures

SOME AREAS FOR HAZARD IDENTIFICATION	SOME FACTORS TO CONSIDER IN ASSESSING RISK	EXAMPLES OF CONTROL MEASURES
evacuation	<ul style="list-style-type: none">• Methods of communication• Access and egress from the site• Isolation of workers• Timeframes for medical assistance	Appropriate training including first aid training Consultation with providers of emergency assistance, including designation of emergency meeting point

Chapter 12 First Aid



The OHS Regulation requires employers to provide first aid facilities that are adequate for the immediate treatment of injuries and illnesses that may arise in the workplace.

Harvesting operations are potentially hazardous. Workers may be injured in spite of safety measures that have been put in place. Employers must ensure that workers have access to adequate first aid facilities, kits and trained first aid personnel to treat the types of injuries and illnesses that might occur while they are at work.

When determining the nature, number and location of the first aid facilities, kits and the number of trained first aid personnel required, the employer must take into account where the employees will be working, the number of employees at that location and the type of work employees will be doing.

Due to the isolation of harvesting operations, a first aid kit of the Type B requirements of the OHS Regulation should be provided at a minimum. Employers should provide first aid kits at or near the site of logging work, with the type of the kit depending on the location and number of employees at that site. Employees should have access to the first aid kits so they need to be located close to where people are working.

Given the dangers involved in forest harvesting work and the remote locations in which people generally work, employees must also have access to trained first aid personnel. A qualified first aid person should be immediately available on any forest operation. Qualified first aid personnel provide assistance to the sick and injured and are required to follow first aid procedures when treating injured people.

Since many workers work in isolation or on small crews, employers should consider training every worker in basic first aid. This basic first aid training might cover resuscitation, bleeding control, shock, burns, bites and stings from poisonous snakes and spiders, and fractures. Basic first aid refresher training could be delivered at regular intervals to ensure that knowledge and skill do not become outdated or forgotten.

A vehicle should be available while work is in progress for transportation in an emergency. Since a work vehicle is classified as a place of work there should be a first aid kit in every vehicle used by or on behalf of the employer to transport any person to or from the work site.

During induction, employees should be informed of the location of qualified first aid personnel, the first aid facilities and kits, and the procedures for replacement of stock.

Chapter 13 Other Things You Must Know

13.1 Plant

The OHS Regulation sets out many legal obligations regarding the design, manufacture, registration and use of plant. You need to refer to the OHS Regulation to learn more about these legal requirements.

Employers must identify the hazards that may be caused by the types of plant and equipment in use, assess the risks that the hazards may give rise to, and eliminate or control these risks.

Some things you should know about plant

To make sure plant and equipment does not pose a risk when in use and when left unattended, special consideration should be given to the following:

1. All plant must be used for the purpose it was designed for and within its rated capacity.
2. Some plant requires design registration, item registration, or both before it can be used in NSW.
3. All safety features, guarding and warning devices must be used as intended, tested regularly, and not be made inoperative.
4. Plant must be maintained in safe condition. Inspection, repairs and testing must be carried out by a person whose combination of training, qualifications and experience have given them the skills to do the job.
5. Employers should make sure that all plant is inspected and serviced regularly, and that it is carefully checked daily before it is used. Log books and inspection check sheets should be kept.
6. All users of plant must be adequately trained to use the plant safely, and must be provided with adequate supervision until they are competent to operate it safely without supervision. Some plant may require a Certificate of Competency to be held by the operator.
7. Operators should not be permitted to use plant while they are under the influence of alcohol or any drug or other substance (including prescription or non-prescription medication) that might affect their ability to operate the plant safely.
8. All available health and safety and emergency information about the plant and equipment must be provided to plant users, installers, testers, and other persons who may be exposed to a risk from the plant or equipment. This may need to be obtained from the supplier or developed by a competent person.

All mobile plant used in forest harvesting activities should be fitted with adequate roll-over protective structures (ROPS), falling-object protective structures (FOPS), operator protective guards and seat restraints that comply with relevant Australian Standards. These include AS 1636, Parts 1,2 and 3 - 1996; AS 2294.1 – 1997, AS 2294.2 – 1997, AS 4988 – 2002 and AS 2664 - 1983. *A list of Australian Standards is included in Appendix 3.*

13.2 Manual Handling

Manual handling is any activity that requires a person to use bodily force in order to lift, push, pull, carry or in some other way move or restrain an object. Virtually all jobs in the forest harvesting industry involve some form of manual handling, and employers must identify, assess and eliminate or control these risks. The *site safety plan* and safe work procedures should outline measures to eliminate or control possible manual handling risks.



Looking at Manual Handling

The injuries resulting from manual handling may often be the result of repeated movements and may occur over a long period. In managing risks from manual handling employers should consider such things as:

- Use of equipment or other measures that eliminate or reduce the need for manual handling (including appropriate stump height to reduce unnecessary straining)
- Ensuring plant and equipment is ergonomically designed (that is, designed to suit the size, strength and reach distances of most users).
- Rotation of tasks
- Breaks and rest periods to suit the tasks and duration of work
- The right number of people to do difficult tasks

Specific requirements regarding manual handling are set out in Part 4.4 of the OHS Regulation. More general guidance on identifying, assessing and eliminating or controlling manual handling risks can be found in the *National Code Of Practice For Manual Handling* [NOHSC: 2005 (1990)].

13.3 Noise



The Occupational Health and Safety Regulation requires employers to ensure that no person is exposed to noise levels that exceed an 8 hour equivalent of 85 dB(A) or peak at more than 140 dB(C).

The risk of causing permanent hearing damage is related to both how loud the noise is and the length of time a person is exposed to it. For example, one minute working in high noise levels such as 112 decibels dB(A) may cause the same amount of damage as eight hours working at 85 dB(A). Where exposure to high levels of noise cannot be avoided or prevented through some process of elimination (for example, use of soundproof cabins), appropriate hearing protection equipment must be provided to all persons who may be exposed to the noise.

There are several resources available for information about hearing protection. Australian Standard AS/NZS 1269.1, 1269.2, 1269.3, and 1269.4 on *Occupational Noise Management* provides guidance on measuring and managing possible exposure to noise in the workplace. You can also refer to the WorkCover NSW *Code of practice for noise management and protection of hearing at work* for information on this important matter.



13.4 Hazardous Substances

Workers in forest harvesting operations may use or become exposed to chemicals and other hazardous substances, such as chemicals, fuel and oils. Employers should ensure that people using or who may be exposed to hazardous substances are appropriately trained and informed of the risks and health and safety issues associated with these substances.

Some things you should know about hazardous substances

Employers have many legal obligations regarding hazardous substances. The main ones include:

- a) Providing and maintaining a register of hazardous substances used in the workplace
- b) Provision of Material Safety Data Sheets (MSDS) to employees who could be exposed to the hazardous substance. These are obtainable from suppliers and manufacturers and provide hazard and safety information including safe handling and storage
- c) Using the product as defined in the MSDS
- d) Development of effective measures to manage safe use and possible exposure, eg site control, training, storage, PPE
- e) Protection of the health and safety of all people including visitors and the public not directly working with the hazardous substances



The OHS Regulation provides detailed information regarding an employer's legal obligations with respect to hazardous substances. Employers should refer to this information where there is the possibility that workers or other persons may be exposed to such substances. WorkCover also makes available a range of publications that may be useful.

13.5 Amenities

The OHS Regulation requires employers to make sure that appropriate, hazard-free amenities are available for employees while they are at work. The appropriateness of toilet facilities, shelter sheds, drinking water and washing facilities and other amenities must be decided on the basis of the nature of the work, the size and location of the workplace and the number of persons in the workplace. More detailed guidance may be found in WorkCover's *Code of Practice for Workplace Amenities*.

13.6 Hot and Cold Weather



Employers must ensure they implement risk control measures to safeguard employees from risks arising from exposure to heat or cold. You should refer to WorkCover's *Code of Practice for Work in Hot or Cold Environments* for specific guidance on this important matter.

The effects of cold and wet work environments create particular hazards to logging operations. Wet conditions create slippery conditions underfoot and with mechanical handling of logs. Cold conditions affects the safe use of plant, particularly chainsaws and other vibrating plant.

Work outdoors in hot and humid weather or in other hot environments can lead to the risk of heat stress which can in some cases become potentially life threatening. Factors that can contribute to heat stress include temperature, humidity, excessive or poorly ventilated clothing, and levels of physical activity.

Preventing Heat Stress

Employers can take steps to avoid exposing workers to risks arising from working in hot conditions. Some of these are listed below. More can be found in the above Code of Practice.

- Scheduling work for cooler times of day, eg early morning or late afternoon
- Avoiding the need for continuous heavy work by alternating heavy work with light work
- Providing shade areas
- Shielding workers from sources of radiant heat
- Increasing air movement over workers, eg fans in the cabins of vehicles and mobile plant
- Providing cool drinking water
- Providing cool rest locations
- Providing sunscreen
- Selecting appropriate work clothing (but be careful not to sacrifice the safety offered by PPE just because it is hot)
- Providing frequent rest and cool-off periods
- Providing information and education about safe work procedures, preventive measures and symptoms of heat stress.



13.7 Fatigue

Physical and mental fatigue can give rise to risks to worker health and safety. Muscle fatigue, for example, makes it harder to do physical tasks (like operate a chainsaw) safely. It can be brought on by such things as repeated physical effort and strain, long work periods without proper breaks, and other factors.

Mental fatigue can make it harder for workers to stay alert and concentrate on mental tasks like identifying hazards or following safe work procedures. It can be brought on by many factors, including lack of sleep, working a long time on a task, shift work and night work. Working at night can be a particular problem for some workers, especially when the natural body rhythm is geared to sleeping at night and it is often difficult to sleep during the day.

Fatigue, like other sources of risk, should be effectively managed to avoid exposing workers to potential harm. Employers should consider adopting the use of work practices and equipment that reduce physical strain and effort, and should ensure that workers take adequate rest breaks. Care should be taken in determining work schedules so workers are not exposed to risks through working excessively long daily or weekly schedules.

Where shiftwork is being practiced or considered, scheduling of work should also be carried out to ensure workers are not exposed to risks because of fatigue. The WorkCover publications, *How to devise an effective roster* and *How to manage shiftwork* provide helpful information on safe work scheduling.

13.8 Personal Protective Equipment (PPE)

While personal protective equipment is the least desirable way to deal with hazards within the “hierarchy of controls” approach discussed in Section 3.4, PPE can be identified in the risk management process as a method of risk control for certain tasks or situations.

Where PPE is a chosen method of risk control for certain tasks or situations, it must be worn at all times when working in those circumstances. The OHS Regulation requires that where risk control measures chosen by an employer includes the use of PPE (for example safety boots, helmets or high visibility clothing) the employer must provide such items to each person at risk. Make sure the PPE is appropriate, fitted correctly, maintained in good condition and always used correctly. Workers should be trained not only in how to use it correctly, but also in how to look after it. It should be regularly inspected, and maintained in a clean and fully effective condition. Defective equipment should not be used.

Much information, including Australian Standards, is available concerning PPE. One information source that might be especially useful is *HB 9 – 1994 Occupational personal protection*, available through Standards Australia. This handbook refers to over 50 Australian Standards as well as a large number of international standards. It also has chapters on general principles on personal protective equipment, the identification of common hazards likely to be

encountered in the workplace, and general control measures for reducing the risks they might present.

Choosing the Right PPE

In choosing appropriate PPE there are a number of things you should consider:

- The nature of the risk and how exposed persons are to it
- How effectively the equipment will protect people
- The fit of such equipment for the wearer
- Wearability and comfort
- How long the equipment is to be worn
- How easy it is to maintain and availability of any needed replacement parts

Depending on the work being done, equipment used or other factors, the following items should be used:

- Safety helmets
- Sun protection
- Safety gloves
- Protective footwear
- Eye protection
- Respiratory protection
- Hearing protection
- High visibility clothing
- Cut resistant leg protection
- Wet weather gear



Appendices

Appendix 1 Safe Work Procedures



Safe Work Procedures Tool — Part A

This tool is intended to help you address the health and safety issues that may arise from the jobs and tasks that make up the system of work in your workplace. You should use this tool when you are:

- Designing a new job or task
- Changing a job or task
- Introducing new equipment or substances to the workplace
- Reviewing a procedure when problems have been identified, eg from an accident or incident investigation.

Step 1 Who is involved?

In developing safe procedures for a job you need to identify who will do and who will supervise the work.

Firstly, these people probably have a great deal of experience in doing the types of tasks that the job will involve. Consulting them will make the task of developing safe procedures easier. **Moreover, under health and safety laws you are required to consult with your employees on matters which may affect their health and safety**

Secondly, when you are developing procedures you will need to identify any new skills and knowledge that will be needed to do the job safely. Therefore, you need to know what skills and knowledge supervisors and workers currently have.

Step 2 What sources of hazards does the job involve?

Jobs usually involve one or more of the following:

- The application of physical effort, such as lifting, standing carrying, pulling – this is often called Manual Handling
- Using equipment such as chainsaw, forwarder, grapple skidder, etc.
- Working with chemicals and substances such as solvents, acids, gases, metals etc.

Many jobs involve all three elements. It is important to identify what manual handling tasks, equipment and substances are involved in order to identify the hazards and risks associated with the job (*eg. chainsaws create noise problems and can cause injury through kick back or other problems*).

It is also important to estimate how long and how often various tasks are done as part of the job (*eg. constant lifting of even small loads can increase risks of back injury; or prolonged exposure to noisy equipment increases the risk of hearing loss*).

Therefore, make a list of the manual handling tasks, the equipment and tasks that make up job.

Step 3 What hazards does the work environment involve?

People do their work in a workplace or environment that may present its own OHS problems. For example, tasks may be out in the open so there is

the likelihood of exposure to ultraviolet light and the weather; work may be performed at heights, or in a hot area, or close to dangerous plant.

These hazards need to be identified because they can pose health and safety risks.

Step 4 **Assessing the Health and Safety Risks**

Once the potential hazards have been identified in Step 3, you then need to consider to what extent they pose a risk to health and safety. To do this, you may need to gather a range of information, in addition to your own knowledge and experience, about the potential risks. Good sources of information include:

- **Your own health and safety records**
If the job involves equipment, chemicals or activities that are already part of the various jobs in your workplace you may already have made a record of the risks they pose. Moreover, your injury and illness records may also provide you with information about the risks.
- **Your employees**
Their experience of the workplace and the range of activities that go on are a valuable source of information about potential risks.
- **Material Safety Data Sheets – MSDSs**
For substances, the MSDS will provide information on the health effects of exposure to the substance. It will describe the health and safety risks posed by the substance.
- **User Manuals and Equipment Manuals**
These provide information on the safety issues about plant and equipment. If these are unavailable, you should ask the manufacturer to supply this information to you, especially if you intend to purchase the plant or equipment.
- **Safety Information**
There may be information on the work process from WorkCover, your local industry association, industry training provider or safety group.

The risks identified in this process need to be listed against the particular hazard (*eg. hearing loss from using a chainsaw for significant periods of the day, nausea and dermatitis from exposure to a solvent*).

Step 5 **Finding Solutions to the OHS Risks**

The most important part of the development of safe working procedures is to develop ways to eliminate or control the risks in the work process. All the above information, besides helping you identify and assess the OHS risks will also help you to address them:

- Employees, from their experience often have good ideas on what to do to address OHS problems.
- Material Safety Data Sheets (MSDSs) provide information on:
 1. How to handle and store chemicals safely.
 2. Ways to reduce possible exposure, such as ventilation, and the correct personal protective equipment that should be worn.
- User and Equipment Manuals provide information on what procedures need to be in place to operate the equipment safely.

In this process, you may develop a number of possible solutions to address the various OHS risks. Your first obligation is to attempt to eliminate any risk. For example discontinue an unsafe activity; look for

design solutions to plant and equipment which remove hazards associated with their operation; eliminate a manual handling risk by the use of mechanical lifting devices.

Where elimination is not achievable you must minimise the risk to the lowest level reasonably practicable. You should evaluate the risks based on the hierarchy of controls and select solutions as high up the hierarchy as possible. By doing this, you are ensuring the safest and healthiest workplace possible. In descending order the hierarchy organises risk control strategies into those that:

- *Substitute the hazard giving rise to the risk with a hazard that gives rise to a lesser risks.* For example redesign the work process so that less hazardous equipment, material or quantities are used; use less toxic chemicals or less flammable substances; have chemicals supplied in smaller quantities if decanting them poses risks.
- *Isolate the hazard from the person put at risk.* For example introduce a restricted work area; reduce emissions and noise from machinery through venting and containment or isolation barriers.
- *Minimise the risk by engineering means.* For example ensure that exposed moving parts on equipment are adequately guarded and lockout devices are fitted; reduce noise levels from machinery by installing dampening methods like mufflers; look for better safety design features on equipment.
- *Minimise the risk by administrative means.* For example organising the way tasks are done can sometimes reduce exposure to risks; job rotation and task variety can reduce the risks associated with repetitive manual handling tasks; provide appropriate safety training, instruction or information; use written safe work procedures; develop preventative maintenance schedules to identify and fix faulty machinery
- *Use personal protective equipment (PPE).* For example, use safety eyewear, hearing protective earplugs or muffs, safety helmets, cut resistant leg protection and reinforced footwear, respirators. PPE is the least preferred solution to OHS problems because it does not really address the hazard but merely provides a shield to protect the worker. While it generally should only be used to supplement other risk reduction strategies or when it is not reasonably practicable to address the risk in any other way, where PPE is a chosen method of risk control for certain tasks or situations, it must be worn at all times when working in those circumstances.

Step 6

Write up Safe Working Procedures

The next step is to write the solutions in Step 5 into Safe Working Procedures. The Procedure should identify:

- The Supervisor for the task or job and the employees who will carry out the task
- The tasks that might pose risks
- The equipment and substances that are used in these tasks
- The control measures that have been built into these tasks
- Any training or qualification needed to carry out the task
- The personal protective equipment to be worn
- Action to be taken to address safety issues that may arise while completing the task.

Step 7 Train in the Procedures

Once you have decided the procedures that need to be in place you have to consider what training and information supervisors and employees will need to have to support them.

You should think about the current knowledge and skills they have concerning manual handling, equipment, substances and the work environment.

Training should be designed to bridge the gap between what they can do now, and what they need to do, to do the job safely.

The training should cover:

1. What the job involves
2. The OHS problems associated with the job
3. The procedures that have been developed to ensure the job is done safely

Step 8 Review procedures

The procedures should be reviewed:

- At regular intervals
- When there is an injury or incident
- When there are changes to the work system such as could come about by introducing new equipment or substances, modifying the workplace, using different types of employees to do the job
- If new information is obtained about a previously unidentified hazard or risk.



Safe Work Procedures Tool — PART B

Step 1 Who is involved?		What tasks comprise the job?		How often? How long?	Step 4 Assessing the OHS risks	Step 6 Finding solutions to the OHS risks	How?
process called?	Task	What does the job involve?	What are the safety problems	Can we reduce the safety risks?	Can the job process or equipment be changed to reduce manual handling?	Can we introduce mechanical handling rather than manual handling?	
..... Who supervises the job?	Manual handling				Can a safer chemical or a lesser concentration be used? Can we reduce splashes or spills? Can ventilation be improved? What PPE is needed?		
Who does the job?	Chemicals				Can safer equipment be used? Can equipment be modified and made safer? Can use of equipment be reduced? What PPE is required to work safely?		
..... What is the purpose of the job?	Equipment				Can the job process or equipment be changed to reduce manual handling? Can we introduce mechanical handling rather than manual handling?		
.....	Manual handling				Can a safer chemical or a lesser concentration be used? Can we reduce splashes or spills? Can ventilation be improved? What PPE is needed?		
.....	Chemicals				Can safer equipment be used? Can equipment be modified and made safer? Can use of equipment be reduced? What PPE is required to work safely?		
.....	Equipment				Can the job process or equipment be changed to reduce manual handling? Can we introduce mechanical handling rather than manual handling?		
.....	Manual handling				Can a safer chemical or a lesser concentration be used? Can we reduce splashes or spills? Can ventilation be improved? What PPE is needed?		
.....	Chemicals				Can safer equipment be used? Can equipment be modified and made safer? Can use of equipment be reduced? What PPE is required to work safely?		
.....	Equipment				Can the job process or equipment be changed to reduce manual handling? Can we introduce mechanical handling rather than manual handling?		
		Step 3 What is the work environment?			Can safer equipment be used? Can equipment be modified and made safer? Can use of equipment be reduced? What PPE is required to work safely?		
		Environment		Noise Air Traffic Hazardous activities	Can the temp be more comfortable? Can noise be reduced? Can air quality and ventilation be improved?		

Appendix 2 Definitions

Access	The way or means of approach or entry into an area.
Competent person	<i>Competent person</i> for any task means a person who has acquired through training, qualification or experience, or a combination of them, the knowledge and skills to carry out that task.
Control measure	A method of minimising a risk to health or safety in the event that it is not possible to eliminate the risk.
Egress	The way or means out of an area.
Exclusion zone	An area or zone around an area where work is taking place that is designated as off-limits to unauthorised persons. Exclusion zones should be clearly marked for easy identification.
Extraction	The process of moving cut logs from the place where they were felled to the log landing.
FOPS	Falling Object Protective Structure designed, built and fitted to protect the operator of a machine from a falling object when the operator is wearing a seat belt.
Forwarding	The process of moving logs from the harvesting area by carrying them clear of the ground by use of mobile mechanical plant.
Hazardous Substance	Any substance that is potentially harmful to health.
Log landing	An area where forest products are stored temporarily for processing, sorting and loading onto trucks. Sometimes referred to as "log dump".
MSDS	Material Safety Data Sheet – a document prepared by a manufacturer of a hazardous substance. The MSDS must be prepared before supplying the substance to another person for use at work. It must contain information about its recommended uses, its chemical and physical properties, information about its ingredients, health and hazard information, and information about safe use and handling of the substance.

Personal protective equipment (PPE)	Any clothing, equipment or substance (eg sun protection cream) designed to be worn or otherwise used to protect a person from risks of injury or disease.
Plant	Any machinery, equipment or appliance.
Risk assessment	The process of assessing the risk of harm to the health or safety of a person arising from an identified hazard. Risk assessment looks at the likelihood of an injury or illness occurring and how severe the injury or illness is likely to be. It also includes looking at the factors that contribute to the risk.
Risk management	The processes of identifying any foreseeable hazards that might occur in the course of an employer's undertaking, assessing the risks that may arise from these hazards and implementing measures to eliminate or control the risks.
ROPS	Roll-over protective structure designed, built and fitted to protect the operator of a machine during a roll-over when the operator is wearing a seat belt.
Safe work procedure	A document – based on an identification of the hazards, assessment of the risks of illness and injury arising from those hazards, and decisions about how they will be eliminated or controlled – that is written for a particular work process or task and designed to provide direction on the way the work can be done safely. It identifies the supervisor; the tasks that might pose risks; the equipment and substances used; agreed control measures; required training or qualifications; PPE needed; and any actions that might be taken if safety issues come up when the task is being done.
Site safety plan	A plan for managing the safety issues at a work site. It should be developed through a process of consultation with the contractors and persons involved in the activities at the site, and address hazards and safety issues related to the site, plant and equipment, the experience and competence of the people involved, presence of other operators at the site, emergency planning and any other matters that might affect safety.
Snigging	The process of pulling logs from the harvesting area by use of mobile mechanical plant, and

supporting them entirely or partially on the ground.

Snig track

A track along which snigging equipment travels while snigging logs.

Stanchion

A vertical post, strut or frame for supporting and confining logs on the back of a truck or other transporter.

Appendix 3 Relevant Australian Standards

AS/NZS 1269.1: 1998	<i>Occupational noise management – Measurement and assessment of noise emission and exposure</i>
AS/NZS 1269.2: 1998	<i>Occupational noise management – Noise control management</i>
AS/NZS 1269.3: 1998	<i>Occupational noise management – Hearing protector program</i>
AS/NZS 1269.4: 1998	<i>Occupational noise management Auditory assessment</i>
AS 1318 – 1985	<i>Use of colours for the marking of physical hazards</i>
AS 1319 – 1994	<i>Safety signs for the occupational environment</i>
AS 1470 – 1986	<i>Safety at work – Principles and practices</i>
AS 1636.1 – 1996	<i>Tractors – Roll-over protective structures – Criteria and Tests – Conventional Tractors</i>
AS 1636.2 – 1996	<i>Tractors – Roll-over protective structures – Criteria and Tests – Rear-mounted for narrow-track tractors</i>
AS 1636.3 – 1996	<i>Tractors – Roll-over protective structures – Criteria and Tests – Mid-mounted for narrow-track tractors</i>
AS/NZS 1800: 1998	<i>Occupational protective helmets – Selection, care and use</i>
AS 1885.1 – 1990	<i>Measurement of occupational health and safety performance – Describing and reporting occupational injuries and disease</i>
AS 1885.1Supp 1 – 1991	<i>Measurement of occupational health and safety performance – Describing and reporting occupational injuries and disease – Workplace injury and disease recording form (Supplement)</i>
AS/NZS 2153.1: 1997	<i>Tractors and machinery for forestry – Technical means for ensuring safety – Part 1: General</i>
AS/NZS 2153.3: 1997	<i>Tractors and machinery for forestry – Technical means for ensuring safety – Part 3: Tractors</i>

AS/NZS 2153.4: 1997	<i>Tractors and machinery for forestry – Technical means for ensuring safety – Part 4: Forestry Winches</i>
AS/NZS 2210.1:1994	<i>Occupational protective footwear – part 1: Guide to selection, care and use</i>
AS 2294.1 – 1997	<i>Earth Moving Machinery – Protective Structures – General. See also Supplement 1 : Operator Protective Structures Fitted to Plant used in the Timber Industry (Forest Operations)</i>
AS 2294.2 – 1997	<i>Earth Moving Machinery – Protective Structures – Laboratory tests and performance requirements for roll-over protective structures</i>
AS 2294.3 – 1997	<i>Earth Moving Machinery – Protective Structures – Laboratory tests and performance requirements for falling object protective structures</i>
AS 2294.4 – 1997	<i>Earth Moving Machinery – Protective Structures – Specifications for deflection limiting volume</i>
AS 2549 – 1996	<i>Cranes (including winches and hoists) – Glossary of terms</i>
AS 2550.5 – 1993	<i>Cranes – Safe use – Mobile and vehicle loading cranes</i>
AS 2664 – 1983	<i>Earthmoving machinery – Seat Belts and seat belt anchorages</i>
AS 2726.1 – 1995	<i>Chainsaws – Safety requirements – chainsaws for general use</i>
AS 2726.2 – 1995	<i>Chainsaws – Safety requirements – chainsaws for tree service</i>
AS 2727 – 1997	<i>Chainsaws – Guide to safe working practices</i>
AS 2759 – 1985	<i>Steel wire ropes – Application guide</i>
AS 2957.5 – 1988	<i>Earth moving machinery – Operation and maintenance – Guide to procedure for operator training</i>
AS 3569 – 1989	<i>Steel Wire Ropes</i>
AS 3574 – 1988	<i>Safety in Forestry – SAA Forest Safety Code</i>

AS 3575 – 1995	<i>Clearing saws, brushcutters and grass trimmers – safety requirements</i>
AS/NZS 3576: 1998	<i>Clearing saws, brushcutters and grass trimmers – Guide to safe working practices</i>
AS 4024.1 – 1996	<i>Safeguarding of machinery – General principles</i>
AS/NZS 4453.3:1997	<i>Protective clothing for users of hand-held chainsaws – Protective legwear</i>
AS 4988 – 2002	<i>Earth moving machinery – Hydraulic excavators – Laboratory tests and performance requirements for operator protective guards</i>

Appendix 4 Where to go for more information

WorkCover New South Wales

- NSW Occupational Health and Safety Act 2000
- NSW Occupational Health and Safety Regulation 2001
- *Code of Practice for Workplace Amenities*
- *Code of practice for noise management and protection of hearing at work*
- *Code of Practice for the amenity tree industry*
- *Code of Practice: Occupational Health and Safety induction training for construction work*
- *Code of Practice: Occupational Health and Safety Consultation*
- *Code of Practice for the sawmilling industry*
- *Code of practice for the control of workplace hazardous substances*
- *Managing chemical hazards in the workplace: advice for managers and supervisors*
- *Skin cancer and outdoor workers: a guide for employers*
- *Skin cancer and outdoor workers: a guide for workers*
- *Workplace personal protective equipment (PPE) program*
- *WorkCover Health and Safety Guide: First Aid in the Workplace*
- *WorkCover health and Safety Guide: Work in Hot or Cold Environments*
- *How to devise an effective roster*
- *How to manage shiftwork*
- *Chainsaw Safety*

Other sources of information

- HB 9 – 1994 *Occupational personal protection*, available through Standards Australia
- *National Standard for Manual Handling* [NOHSC: 1001 (1990)] (National Occupational Health and Safety Commission)
- *National Code Of Practice For Manual Handling* [NOHSC: 2005 (1990)] (National Occupational Health and Safety Commission)
- *Chainsaw Operator's Manual* (State Forests of NSW)
- *Forest Practices Code – Timber Harvesting in Native Forests* (State Forests of NSW)
- *Forest Practices Code – Timber Harvesting in State Forests Plantations* (State Forests of NSW)
- *Contractors Safety Pack* (State Forests of NSW)

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, N.S.W. 2000, up til 9.30 am on the dates shown below:

22 October 2002

036/920 STERILISATION CONSUMABLES. DOCUMENTS: \$110.00 PER SET

23 October 2002

025/7299 TYPE 1 PUMPER FIREFIGHTING VEHICLE. DOCUMENTS: \$110.00 PER SET

027/7322 PROCESSING AND PACKAGING OF SCHOOL MAGAZINES . DOCUMENTS: \$110.00 PER SET

022/7293 LARGE FORMAT PRINTING PRESS FOUR COLOUR . DOCUMENTS: \$110.00 PER SET

24 October 2002

IT 02/2935 SUPPLY OF A BUSINESS INTELLIGENCE APPLICATION AND SOLUTION. DOCUMENTS: \$220.00 PER SET

29 October 2002

S02/00235 (1550) CLEANING OF THE NSW GOVERNMENT OFFICES, NEWCASTLE. CATEGORY D. INSPECTION DATE & TIME: 16/10/2002 @ 1:00 PM SHARP. AREA: Appx.890 SQ. METERS. DOCUMENTS: \$27.50 PER SET

30 October 2002

S0233681 SECURITY ALARM RESPONSES & PATROLS FOR (DET) SCHOOLS. DOCUMENTS: \$110.00 PER SET

S0122819 PROV. OF RANGER & SECURITY SERV. FOR THE AUSTTECH PARK PRECINCT MGT LTD. DOCUMENTS: \$165.00 PER SET

31 October 2002

027/7229 FIRE HOSE REELS AND GALVANISED STEEL WATER TANKS. DOCUMENTS: \$110.00 PER SET

037-247 EXECUTIVE FURNITURE. DOCUMENTS: \$110.00 PER SET

0202461 SUPPLY, INSTALLATION AND MAINTENANCE OF SECURE BICYCLE LOCKERS. DOCUMENTS: \$110.00 PER SET

12 November 2002

036/252 DENTAL CONSUMABLES AND SUNDRY ITEMS. DOCUMENTS: \$110.00 PER SET

13 November 2002

026/2033 NSW GOVERNMENT IT MASTER LEASE FACILITY. DOCUMENTS: \$330.00 PER SET

14 November 2002

IT 02/2828 NSW GOVERNMENT COMPUTER REUSE PILOT. DOCUMENTS: \$0.00 PER SET

20 November 2002

025/7252 ELECTRICAL INSPECTION. DOCUMENTS: \$110.00 PER SET

27 November 2002

025/7282 NSW FIRE BRIGADE - TOTAL APPAREL MANAGEMENT. DOCUMENTS: \$110.00 PER SET

28 November 2002

027/7319 LAND VALUATION SERVICES. DOCUMENTS: \$110.00 PER SET

TENDER DOCUMENT FEE

Tender documents for inspection and purchase, and application forms for Expression of Interest are available at the address above. Where charges apply for tender documents, they are not refundable, cheques and credit cards (Bankcard, Mastercard and Visa) only are acceptable, payable to Department of Public Works and Services. NO CASH payments will be accepted. Documents can be Express Posted on request at an extra cost. Non attendance of mandatory site meetings will render tenders informal.

Further Information is available on the Internet (<http://www.dpws.nsw.gov.au/tenders>).

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.

TENDER NO: 23923

ISSUE DATE: Friday the 18th October 2002

SECONDARY NUMERACY ASSESSMENT PROGRAM (SNAP)

Tenders are invited on the behalf of the NSW Department of Education and Training, for the production and implementation of the Secondary Numeracy Assessment Program (SNAP) project. The Tenderer must provide proper security facilities and resources to undertake all tasks as specified in the tender document. The Secondary Numeracy Assessment Program (SNAP) is a written test administered to Year 7 and Year 8 students throughout NSW.

The Tender is broken down into four parts.

These parts are:

- Part A Production of test material and electronic data capture (including scanning and editing)
- Part B Manual marking of extended response tasks
- Part C Report preparation
- Part D Pack and distribution of test material and reports

Tenderers may submit prices for the complete tender or one or more of the Parts.

Tenderers must nominate any subcontractors.

ENQUIRIES: Gavin Potter 9743 8777

Lodgement of Tenders:

Tenders must be in a plain envelope endorsed as follows:

Tender Number: 29489

Closing Date: Monday the 11th November 2002

Mailed or hand delivered to:

**NSW Government Printing Service Tender Box
Unit 5, Block V
Regents Park Estate
391 Park Road
Regents Park NSW 2143**

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

BLAND SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Bland Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of residential development and resale. Dated at West Wyalong this 11th day of October 2002. F. ZAKNICH, General Manager, Bland Shire Council, PO Box 21, West Wyalong, NSW 2671.

SCHEDULE

Lot 911, DP 753135 and Lot 9131, DP 1041292. [0861]

DUBBO CITY COUNCIL

Roads Act 1993, Sections 39 and 40

Closure and Transfer of Temporary Road

THE Council hereby declares, pursuant to sections 39 and 40 of the Roads Act 1993, that the temporary road comprised in the Lot described in the Schedule hereunder is closed and is to be transferred to Central West Homes Pty Limited. DUBBO CITY COUNCIL, PO Box 81, Dubbo, NSW 2830.

SCHEDULE

Lot 415 in DP 1038526 between St Andrews Drive and Turnberry Terrace, Dubbo. [0858]

HASTINGS COUNCIL

Erratum

THE notice of dedication of land as a public road which appeared in *Government Gazette* No. 75 of 19th April, 2002, Folio 2396 is hereby withdrawn. B. SMITH, General Manager, Hastings Council, corner Lord and Burrawan Streets, Port Macquarie, NSW 2444. [0869]

WYONG SHIRE COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is given pursuant to Part 2, section 10 of the Roads Act 1993 that the land in the Schedule below is hereby dedicated as public road. J. S. DAWSON, General Manager, Wyong Shire Council, PO Box 20, Wyong, NSW 2259.

SCHEDULE

Lot 1, DP 1037941, Budgewoi Road, Budgewoi. [0862]

ESTATE NOTICES

NOTICE of intended distribution of estate. Any person having any claim upon the estate of JUNE MARY O'SHEA, late of 3/19 Denham Street, Bondi, in the State of New South Wales, pensioner, who died on 26th February, 2002 must send particulars of his claim to the executors, Michael John Brady and Katherine Mary Khoury, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 8th October, 2002. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0859]

NOTICE of intended distribution of estate. Any person having any claim upon the estate of ALFRED GEORGE WRIGHT, late of 5 Irene Street, Kogarah, in the State of New South Wales, engineer, who died on 26th May, 2002 must send particulars of his claim to the executor, Jack Frederick Richardson, 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 executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 30th September, 2002. HEANEY, RICHARDSON & NEMES, Solicitors for the Executor, AWA Building, Level 10, 45-47 York Street, Sydney, NSW 2000 (DX 367, Sydney), tel.: (02) 9262 3299. [0860]

NOTICE of intended distribution of estate. Any person having any claim upon the estate of JOHN LINDOW SHAYLER, late of East Gosford, in the State of New South Wales, retired, who died on 30th May, 2002 must send particulars of his claim to the executors, David Lindow Nance and Christopher Nance, c.o. John G. Burton & Associates, 16 Adelaide Street, East Gosford, within one (1) calendar month from publication of this notice. After that time the 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 19th October, 2002. JOHN G. BURTON & ASSOCIATES, Solicitors, 16 Adelaide Street, East Gosford, NSW 2250 (DX 7263, Gosford), tel.: (02) 4323 4899. [0863]

NOTICE of intended distribution of estate. Any person having any claim upon the estate of TOMASZ LOSIK, late of 24 Major Road, Merrylands, in the State of New South Wales, sheet metal worker, who died on 11th July, 2002 must send particulars of his claim to the executrix, Leokadia Losik, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 4th October, 2002. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0864]

NOTICE of intended distribution of estate.ñAny person having any claim upon the estate of ANNE MARYSE JASMIN, late of 86 Warwick Road, Merrylands, in the State of New South Wales, dressmaker, who died on 19th August, 2002 must send particulars of his claim to the executors, Allan Megeron and Natacha Herlemann, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 4th October, 2002. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0865]

NOTICE of intended distribution of estate.ñAny person having any claim upon the estate of VERA MARGARET NATHAN, late of Seaside Nursing Home, Mona Vale (formerly of 82 Plateau Road, Avalon), in the State of New South Wales, who died on 22nd January, 2002 must send particulars of his claim to the executors, Marjorie Frances Whitmarsh and Kenneth Walter Whitmarsh, c.o. Denis M. Anderson, Solicitor, 10 Regent Street, Kogarah, 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 13th August, 2002. DENIS M. ANDERSON, Solicitor, 10 Regent Street, Kogarah, NSW 2217. [0868]

COMPANY NOTICES

NOTICE of special general meeting.ñSAINT GEORGE STARR-BOWKETT CO-OPERATIVE SOCIETY No. 18 SECTION LIMITED (In voluntary liquidation).ñRegistered Office: 43 Enmore Road, Newtown, NSW 2042. Notice is hereby given that a special general meeting of the abovementioned Society will be held at the Society's office, 43 Enmore Road, Newtown on Wednesday, 20th November, 2002 at 10.00 a.m., for the purpose of having an account laid before it showing the manner in which the winding up has been conducted and the property of the Society disposed of, and of hearing any explanation which may be given by the liquidator. Dated at Newtown this 15th day of October 2002. A. R. PARKER, Liquidator. [0866]

NOTICE of final meeting of members.ñRAMSEY PROPERTIES PTY LIMITED (In liquidation), ACN 001 240 900.ñNotice is hereby given that the final meeting of members of the abovenamed company will be held at Suite 111, 2 Crofts Avenue, Hurstville on 28th November, 2002 at 10.00 a.m., for the purpose of having laid before it by the liquidator an account showing how the winding up has been conducted and the manner in which the assets of the company have been distributed and the hearing of an explanation of the account by the liquidator. Dated 16th October, 2002. J. L. FRAZER, Liquidator, c.o. Downes Barrington (St. George), Chartered Accountants, Level 1, 2 Crofts Avenue, Hurstville, NSW 2220, tel.: (02) 9579 6866. [0867]

NOTICE of final meeting.ñA.C.N. 073 569 301 PTY LIMITED (In voluntary liquidation), ACN 073 569 301.ñ 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 36 Carrington Street, Sydney on 15th November, 2002 at 10.00 a.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 this eleventh day of October 2002. M. McNAMARA, Liquidator, c.o. Dawson & Partners, Chartered Accountants, Level 8, 36 Carrington Street, Sydney, NSW 2000, tel.: (02) 9299 8638. [0870]

