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OF THE STATE OF
NEW SOUTH WALES

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LEGISLATION

Regulations

Protection of the Environment Operations (General) Amendment (National Pollutant Inventory) Regulation 2002

under the

Protection of the Environment Operations Act 1997

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

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

Explanatory note

The object of this Regulation is to give effect to, and enforce compliance with, the *National Environment Protection (National Pollutant Inventory) Measure* made under section 14 of the *National Environment Protection Council Act 1994* of the Commonwealth.

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

Clause 1 Protection of the Environment Operations (General) Amendment (National Pollutant Inventory) Regulation 2002

Protection of the Environment Operations (General) Amendment (National Pollutant Inventory) Regulation 2002

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (General) Amendment (National Pollutant Inventory) Regulation 2002*.

2 Commencement

This Regulation commences on 1 June 2002.

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

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

Protection of the Environment Operations (General) Amendment (National Pollutant Inventory) Regulation 2002

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 3)

Chapter 3A

Insert after Chapter 3:

Chapter 3A National Pollutant Inventory

Part 3A.1 General

57A Object of Chapter

The object of this Chapter is to give effect to, and enforce compliance with, the *National Environment Protection (National Pollutant Inventory) Measure* made on 27 February 1998 under section 14 of the *National Environment Protection Council Act 1994* of the Commonwealth.

57B Interpretation

(1) In this Chapter:

NPIM means the *National Environment Protection (National Pollutant Inventory) Measure* made on 27 February 1998 under section 14 of the *National Environment Protection Council Act 1994* of the Commonwealth.

occupier means an occupier, within the meaning of the NPIM, to whom this Chapter applies.

reporting threshold for a substance means the reporting threshold for the substance specified in the NPIM.

(2) The following words and expressions have the same meanings as they have in the NPIM:

emission data

estimation technique

Protection of the Environment Operations (General) Amendment (National Pollutant Inventory) Regulation 2002

Schedule 1 Amendment

facility (as defined in clause 3 (3) and modified in clause 9 (5) of the NPIM).

industry handbook

reporting facility

reporting period

substance

substance identity information

supporting data

57C Occupiers to whom this Chapter applies

This Chapter applies to an occupier of a reporting facility for whom an industry handbook:

- (a) has been agreed between the participating jurisdictions referred to in the NIPM, and
- (b) is published by the Commonwealth.

Part 3A.2 Reporting and record keeping requirements

57D Collection of data from reporting facilities

- (1) Subject to Part 3A.4, the occupier of each facility is to provide the EPA with the following information if a reporting threshold for a substance is exceeded in a reporting period:
 - (a) supporting data for the facility,
 - (b) substance identity information and emission data, determined and documented in accordance with clause 57F, for each substance for which the reporting threshold is exceeded in the period,
 - (c) any information that may be required to assess the integrity of the emission data,
 - (d) a statement, signed by the occupier or a person authorised by the occupier for that purpose, that the occupier has exercised due diligence in gathering and providing the information referred to in paragraphs (a)–(c).

Protection of the Environment Operations (General) Amendment (National Pollutant Inventory) Regulation 2002

Amendment

Schedule 1

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- (2) An occupier:
- (a) must provide the information referred to in subclause (1) to the EPA within 3 months after the end of the reporting period to which the information relates, and
 - (b) must not provide any information to the EPA that is false or misleading in a material particular.

Maximum penalty (subclause (2)): 40 penalty units (in the case of a corporation) or 20 penalty units (in the case of an individual).

57E Occupier must keep data for period of 4 years

- (1) The occupier of a reporting facility must keep the data used in deciding if the reporting threshold for a substance is exceeded in the reporting period for the occupier's facility for 4 years after the reporting period ends.

Maximum penalty: 40 penalty units (in the case of a corporation) or 20 penalty units (in the case of an individual).

- (2) The occupier must keep the data used in calculating emission data given to the EPA for 4 years after the emission data is required to be given.

Maximum penalty: 40 penalty units (in the case of a corporation) or 20 penalty units (in the case of an individual).

Part 3A.3 Estimation techniques

57F Emission estimation techniques

In estimating emission data for the purposes of providing information under clause 57D, each occupier of a reporting facility must use one of the following estimation techniques:

- (a) the estimation technique set out in the industry handbook for the facility,
- (b) any of the methods provided in the load calculation protocol for the relevant activity issued by the EPA and in force, as referred to in clause 18 (2),

Protection of the Environment Operations (General) Amendment (National Pollutant Inventory) Regulation 2002

Schedule 1 Amendment

- (c) another estimation technique approved by the EPA for the facility under this Part.

57G Application for approval of estimation technique

- (1) The occupier of a facility may apply to the EPA for approval of an estimation technique for emission data.
- (2) The application must be in writing, setting out the technique for which approval is sought and giving the information necessary to enable the EPA to decide the application.
- (3) The EPA may, by written notice given to the occupier, ask the occupier to give to the EPA, in the reasonable period stated in the notice, further relevant information to enable the EPA to decide the application.

57H Approving estimation technique

- (1) The EPA may approve the estimation technique, or approve it subject to a modification decided by the EPA.
- (2) In deciding whether to approve the estimation technique, or approve it subject to a modification, the EPA must have regard to the accuracy of the technique compared with the accuracy of estimation techniques in the relevant industry handbook.
- (3) The EPA may refuse to approve the technique if the EPA has given the occupier a notice under clause 57G (3) asking for further information and the occupier does not comply with the request in the period stated in the notice.
- (4) Immediately after making a decision under this clause, the EPA must give the occupier written notice of the decision.
- (5) If the EPA decides to approve the technique subject to a modification, the notice must state the modification.
- (6) If the EPA refuses to approve the technique, or approves it subject to a modification, the notice must state that the approval is refused or given subject to a stated modification to the technique and the reasons for the refusal or modification.
- (7) Subclause (8) applies if the EPA fails to give the occupier a notice about the EPA's decision on an application made by the occupier under clause 57G:

Protection of the Environment Operations (General) Amendment (National Pollutant Inventory) Regulation 2002

Amendment

Schedule 1

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- (a) within 60 days after the application is made, or
 - (b) if the occupier gave the EPA further information under clause 57G (3)—within 60 days after receiving the further information.
- (8) The EPA's failure to give the notice is taken to be a decision by the EPA to refuse to approve the technique at the end of the relevant 60 days.

Part 3A.4 Exemptions from reporting requirements

57I Exemption on ground of national security

- (1) This clause applies if the occupier of a facility gives the EPA written evidence that:
 - (a) the occupier has made a claim to the Commonwealth under the NPIM that information required to be given by the occupier under clause 57D (2) (a) should be treated as confidential on the grounds of national security, and
 - (b) the claim:
 - (i) has been granted, or
 - (ii) has not been assessed before the occupier is required to give the information to the EPA.
- (2) Subject to subclause (3), the occupier is exempted from giving the information to the EPA.
- (3) If the exemption is given by reason of a claim referred to in subclause (1) (b) (ii) and the Commonwealth refuses the claim after the occupier is required to give the information to the EPA, the occupier must give the information to the EPA within 60 days after receiving notice of the Commonwealth's decision to refuse the claim.

Protection of the Environment Operations (General) Amendment (National Pollutant Inventory) Regulation 2002

Schedule 1 Amendment

57J Claiming exemption on ground of commercial confidentiality

- (1) The occupier of a facility may, by written notice given to the EPA, claim information required to be given by the occupier under clause 57D (2) (a) should be treated as confidential on the grounds of commercial confidentiality.
- (2) The notice must contain the information necessary to enable the EPA to decide the claim.
- (3) The EPA may, by written notice given to the occupier, ask the occupier to give the EPA, in the reasonable period stated in the notice, further relevant information to enable the EPA to decide the claim.

57K Deciding claim for exemption on ground of commercial confidentiality

- (1) The EPA may grant the claim only if the EPA reasonably believes that a document referring to the information would be an exempt document under clause 7 or 8 of Schedule 1 to the *Freedom of Information Act 1989*.
- (2) If the EPA grants the claim, the occupier is exempted from giving the information to the EPA.
- (3) The EPA may refuse to grant the claim if the EPA has given the occupier a notice under clause 57J (3) asking for further information and the occupier does not comply with the request in the period stated in the notice.
- (4) The EPA must give the occupier written notice of the EPA's decision on the claim.
- (5) If the EPA refuses to grant the claim, the notice must state that the claim is refused and the reasons for the refusal.
- (6) Subclause (7) applies if the EPA fails to give the occupier a notice about the EPA's decision on the claim:
 - (a) within 60 days after the claim is made, or
 - (b) if the occupier gave the EPA further information under clause 57J (3)—within 60 days after receiving the further information.

Protection of the Environment Operations (General) Amendment (National Pollutant Inventory) Regulation 2002

Amendment

Schedule 1

- (7) The EPA's failure to give the notice is taken to be a decision by the EPA to refuse to grant the claim at the end of the relevant 60 days.

Protection of the Environment Operations (Penalty Notices) Amendment (National Pollutant Inventory) Regulation 2002

under the

Protection of the Environment Operations Act 1997

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

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

Explanatory note

The object of this Regulation is to amend the *Protection of the Environment Operations (Penalty Notices) Regulation 1999* to prescribe certain offences to be inserted in the *Protection of the Environment Operations (General) Regulation 1998* by the *Protection of the Environment Operations (General) Amendment (National Pollutant Inventory) Regulation 2002* as penalty notice offences and to specify short descriptions and penalties for those offences.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including Division 3 of Part 8.2 and 323 (the general regulation-making power).

Clause 1 Protection of the Environment Operations (Penalty Notices) Amendment
(National Pollutant Inventory) Regulation 2002

Protection of the Environment Operations (Penalty Notices) Amendment (National Pollutant Inventory) Regulation 2002

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (Penalty Notices) Amendment (National Pollutant Inventory) Regulation 2002*.

2 Commencement

This Regulation commences on 1 June 2002.

3 Amendment of Protection of the Environment Operations (Penalty Notices) 1999

The *Protection of the Environment Operations (Penalty Notices) 1999* is amended as set out in Schedule 1.

Protection of the Environment Operations (Penalty Notices) Amendment
(National Pollutant Inventory) Regulation 2002

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 3)

Schedule 1 Penalty notice offences

Insert after the matter relating to clause 51 (1) of the *Protection of the Environment Operations (General) Regulation 1998*:

Clause 57D (2) (a)	Fail to provide facility information	2	\$500	\$1,000
Clause 57D (2) (b)	Provide false or misleading facility information	2	\$500	\$1,000
Clause 57E (1)	Fail to keep threshold data	2	\$500	\$1,000
Clause 57E (2)	Fail to keep emission data	2	\$500	\$1,000

OFFICIAL NOTICES**Appointments****PUBLIC SECTOR MANAGEMENT ACT 1988**

Appointment of Acting Director-General

Department of Industrial Relations

HER Excellency the Governor, with the advice of the Executive Council, pursuant to section 10B(1) of the Public Sector Management Act 1988, has approved the appointment of Patricia Manser to act in the position of Director-General, Department of Industrial Relations, while the holder of that position is absent for the period commencing on 16 May 2002 and ending on 3 June 2002.

JOHN DELLA BOSCA, M.L.C.,
Minister for Industrial Relations

**SUPERANNUATION ADMINISTRATION
ACT 1996**

APPOINTMENT

THE Hon MR Egan, MLC, Treasurer, Minister for State Development and Vice President of the Executive Council, pursuant to Sections 29(1) and 74(1) of the Superannuation Administration Act 1996, has appointed the officer listed below to the position as specified:

State Authorities Superannuation Trustee
Corporation (STC)

and

First State Superannuation Trustee Corporation (FTC)

Lyn Gearing, Chief Executive [12 May 2002]

The Hon MR EGAN, MLC,
Treasurer,
Minister for State Development
and Vice President of the Executive Council.

NSW Fisheries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 1995

Clause 33(3) – Notice of Granting of Class 1 Aquaculture Lease

THE Minister has granted the following Class One aquaculture lease:

AL00/053 within the estuary of the Crookhaven River having an area of 2.0021 hectares to Mr Christopher James Munn, NSW, for a term of 15 years expiring on 11 March 2017.

Clause 35 (4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following Class 1 aquaculture lease:

OL56/214 within the estuary of the Hastings River having an area of 0.9997 hectares to Clement Marks, Lorna Marks & Kevin Marks of Port Macquarie, NSW, for a term of 15 years expiring on 28 March 2017.

OL57/052 within the estuary of Pambula River having an area of 0.3516 hectares to Terrence Francis Spink & Susan Lois Spink of Eden, NSW, for a term of 15 years expiring on 20 March 2017.

OL86/151 within the estuary of the Hastings River having an area of 0.4198 hectares to Alan Andrew McCracken of Port Macquarie NSW for a term of 15 years expiring on 31 December 2016.

OL87/017 within the estuary of the Clyde River having an area of 0.0969 hectares to Constantinos Yiannaros of Batemans Bay NSW for a term of 15 years expiring on 2 March 2017.

OL87/012 within the estuary of the Hunter River having an area of 0.5794 hectares to Mark Hyde of Stockton NSW for a term of 15 years expiring on 5 March 2017.

OL85/155 within the estuary of the Moruya River having an area of 1.9994 hectares to Graeme John Campbell and Suzanne Margaret Campbell of Narooma, NSW, for a term of 15 years expiring on 14 January 2017.

OL72/239 within the estuary of the Hastings River having an area of 0.4162 hectares to the Port Oyster Company Pty Ltd of Port Macquarie, NSW, for a term of 15 years expiring on 23 August 2017.

OL56/186 within the estuary of Port Stephens – Karuah having an area of 0.4274 hectares to Mark Hunter of Hawkes Nest, NSW, for a term of 15 years expiring on 26 March 2017.

OL86/176 within the estuary of the Crookhaven River having an area of 0.9927 hectares to Reginald Rundle of Greenwell Point, NSW, for term of 15 years expiring on 31 December 2016.

OL87/027 within the estuary of the Clyde River having an area of 0.4573 hectares to Stephen Michael Shea of Braidwood NSW for a term of 15 years expiring on 26 March 2017.

OL72/324 within the estuary of Port Stephens - Karuah having an area of 0.5059 hectares to Colin Charles Hoade of Rankin Park NSW for a term of 15 years expiring on 7 December 2017.

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

Department of Land and Water Conservation

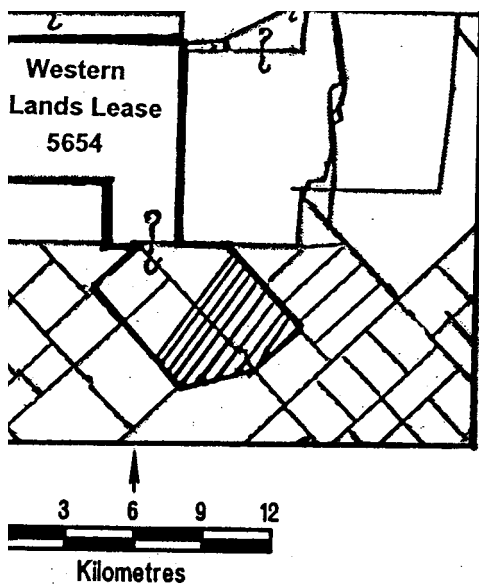
Land Conservation

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

ERRATA

IN the notification appearing in the *Government Gazette* of 3 May 2002, Folio 2614, under the heading Alteration of Conditions of Western Lands Leases, (being Western Lands Lease 5654 and Western Lands Lease 1030) the diagrams referred to in "SPECIAL CONDITION No. 1" appear hereunder. File Nos. WLL 5654 and WLL 1030.

Western Lands Lease 5654



Western Lands Lease 1030



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

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

PURSUANT to Section 117 of the 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
Peter Edward Baumann	Coramba Recreation	Reserve No. 87204 Public Purpose: Public Recreation and Preservation of Native Flora Notified: 6 June 1969 File Reference: GF 81 R 338

For a term commencing this day and expiring 21 November 2002.

**APPOINTMENT OF CORPORATION TO MANAGE
RESERVE TRUST**

PURSUANT to section 95 of the Crown Lands Act 1989, the corporation specified in Column 1 of the Schedule hereunder is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of 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
Baryulgil Charity Sports Club Incorporated	Baryulgil Public Recreation Reserve Trust	Reserve No. 84957 Public Purpose: Public Recreation Notified: 24 July 1964 File Reference: GF81R18

For a term commencing the date of this notice

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

Land District – Lismore; Shire – Byron;

Road closed: Lot 1, DP 1040156, at Byron Bay, Parish Byron, County Rous (not being land under the Real Property Act).

File No.: GF01 H 117.

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

DISSOLUTION OF RESERVE TRUST

PURSUANT to section 92(3) of the Crown Lands Act 1989, the reserve trusts specified in Column 1 of the Schedules hereunder, which were established in respect of the reserves specified opposite thereto in Column 2 of the Schedules, are dissolved.

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

SCHEDULE 1

COLUMN 1	COLUMN 2
Angourie (R68674) Public Recreation Reserve Trust	Reserve No. 68674 Public Purpose: Public Recreation Notified: 29 September 1939 File Reference: GF81R118

SCHEDULE 2

COLUMN 1	COLUMN 2
Brushgrove (R90732) Reserve Trust	Reserve No. 90732
Public Purpose: Public Recreation Notified: 11 March 1977 File Reference: GF02R19	

SCHEDULE 3

COLUMN 1	COLUMN 2
Iluka (R79295) Reserve Trust	Reserve No. 79295
Public Purpose: Public Recreation Resting Place Notified: 25 January 1957 File Reference: GF94R15	

SCHEDULE 4

COLUMN 1	COLUMN 2
Lawrence Boulevard (R40190) Reserve Trust	Reserve No. 40190
Public Purpose: Public Recreation Notified: 3 February 1906 File Reference: GF97R107	

SCHEDULE 5

COLUMN 1

Lawrence Ogilvie Park
(R97621) Reserve Trust

COLUMN 2

Reserve No. 97621
Public Purpose: Public Recreation
Notified: 14 December 1984
File Reference: GF95R63

SCHEDULE 6

COLUMN 1

Wooleweyah Foreshore
Reserve Trust

COLUMN 2

Reserve No. 95841
Public Purpose: Preservation of
Native Flora
Public Recreation
Notified: 5 March 1982
File Reference: GF99R52

SCHEDULE 7

COLUMN 1

Yamba (R82661) South
Head Park Reserve Trust

COLUMN 2

Reserve No. 82661
Public Purpose: Public Recreation
Notified: 8 July 1960
File Reference: GF99R51

SCHEDULE 8

COLUMN 1

Yamba (R85724) Flinders
Park Reserve Trust

COLUMN 2

Reserve No. 85724
Public Purpose: Public Hall
Public Recreation
Notified: 1 April 1966
File Reference: GF96R61

SCHEDULE 9

COLUMN 1

Yamba (R87315) Reserve
Trust

COLUMN 2

Reserve No. 87315
Public Purpose: Public Recreation
Notified: 8 August 1969
File Reference: GF97R93

SCHEDULE 10

COLUMN 1

Yamba Boatharbour Reserve
Trust

COLUMN 2

Reserve No. 140085
Public Purpose: Public Recreation
Notified: 7 October 1994
File Reference: GF02R22

SCHEDULE 11

COLUMN 1

Yamba Reserve (140087)
Oyster Cove Foreshore
Reserve Trust

COLUMN 2

Reserve No. 140087
Public Purpose: Public Recreation
Notified: 7 January 1994
File Reference: GF98R32

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 reserves specified
opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

COLUMN 1

Clarence Coast Reserve Trust

COLUMN 2

Reserve No. 40190
Public Purpose: Public Recreation
Notified: 3 February 1906

Reserve No. 51362
Public Purpose: Public Recreation
Notified: 10 March 1916

Reserve No. 68674
Public Purpose: Public Recreation
Notified: 29 September 1939

Reserve No. 79295
Public Purpose: Public Recreation
Resting Place
Notified: 25 January 1957

Reserve No. 82661
Public Purpose: Public Recreation
Notified: 8 July 1960

Reserve No. 85724
Public Purpose: Public Hall
Public Recreation
Notified: 1 April 1966

Reserve No. 87315
Public Purpose: Public Recreation
Notified: 8 August 1969

Reserve No. 90732
Public Purpose: Public Recreation
Notified: 11 March 1977

Reserve No. 95841
Public Purpose: Preservation Of
Native Flora
Public Recreation
Notified: 5 March 1982

Reserve No. 97621
Public Purpose: Public Recreation
Notified: 14 December 1984

Reserve No. 140085
Public Purpose: Public Recreation
Notified: 7 October 1994

Reserve No. 140087
Public Purpose: Public Recreation
Notified: 7 January 1994

File Reference: GF01R15

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

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance of the provisions of the Roads Act, 1993, the road hereunder described is closed and the land comprised therein ceases to be a 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

Description

Land District – Yanco; Local Government Area – Leeton

Lot 1 DP 1036769, Parish Willimbong, County Cooper

Note: On closing, the land remains vested in the Leeton Shire Council as operational land for the purposes of the Local Government Act 1993.

File: GH 01H 141 Councils Ref: 83.43

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

NOTIFICATION OF CLOSING OF 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 – Kiama; LGA – Wollongong City

Lot 100 DP1038431 at Otford, Parish Bulgo and County Cumberland (being land under the Real Property Act, Certificate of Title, Volume 1349 Folio 6), NA97H190.

Note: On closing, the land remains vested in Wollongong City Council as “Operational land” (SU18334).

Description

Parish – Bimmil; County – Auckland;
Land District – Nowra;
Local Government Area – Bega Valley Shire

Opening of a road at Nethercote, DP823275. File No.:NA94H38

Land acquired for road: Lot 1 DP823275

Title affected and area acquired: C/F 1/34861 being 1860 square metres.

Road closed: Lot 2 DP823275.

Notes:

1. Lot 2 DP823275 is vested in the State of New South Wales as Crown land.
2. Lot 1 DP823275 is declared to be a Crown road.

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

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

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

PROPOSED ADDITION TO CROWN LAND DEDICATED FOR A PUBLIC PURPOSE

IT is intended, following the laying before both Houses of Parliament in the State of New South Wales of an abstract of the proposed addition in accordance with section 82 of the Crown Lands Act 1989, to add the Crown land specified in Column 1 of the Schedule hereunder to the dedicated Crown land specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

COLUMN 1

Land District: Kiama
Local Government Area: Wollongong City Council
Locality: Wollongong
Lot Sec. D.P. No. Parish County
252 1018592 Wollongong Camden
Area: 9.3m2
File Reference: NA 00 R 4

COLUMN 2

Dedication No. 1002934
Public Purpose: General Cemetery
Notified: 10 July 1846

Lot	Sec.	D.P. No.	Parish	County
56		751299	Wollongong	Camden
55		751299	Wollongong	Camden
54		751299	Wollongong	Camden
1	38	759104	Wollongong	Camden
2	38	759104	Wollongong	Camden
3	38	759104	Wollongong	Camden
4	38	759104	Wollongong	Camden
5	38	759104	Wollongong	Camden
7	38	759104	Wollongong	Camden
8	38	759104	Wollongong	Camden
9	38	759104	Wollongong	Camden
10	38	759104	Wollongong	Camden
11	38	759104	Wollongong	Camden
12	38	759104	Wollongong	Camden
13	38	759104	Wollongong	Camden
14	38	759104	Wollongong	Camden
15	38	759104	Wollongong	Camden
16	38	759104	Wollongong	Camden
17	38	759104	Wollongong	Camden
18	38	759104	Wollongong	Camden
19	38	759104	Wollongong	Camden
20	38	759104	Wollongong	Camden
7025		751299 #	Wollongong	Camden

New Area: 6.058ha

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

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, of the Crown Lands Act 1989, the person specified in Column 1 of the Schedule hereunder, is appointed as administrator for the term also specified hereunder, 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

COLUMN 1	COLUMN 2	COLUMN 3
Jamie Lees	Windamere Recreational Park Reserve Trust	Reserve No. 190112 Public Purpose: Environmental Protection and public Recreation Notified: 29 July 1994 File Reference: OE94R13

For a term commencing 21st May 2002 and expiring on 20th August 2002.

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Karen Louise Gay (new member) Allan John Harcombe (new member)	Wyangala Waters State Park Trust	Dedication No. 1001342 Public Purpose: Public Recreation Notified: 1 June 1997 File Reference: OE92R11/7

For a term commencing this day and expiring 11 February 2005.

DRAFT ASSESSMENT OF LAND AT FORBES

Under Part 3 of the Crown Lands Act 1989 and Crown
Lands Regulations 2000

A Draft Land Assessment has been prepared for Crown land situated at Forbes being land described hereunder.

Inspection of this Draft Assessment can be made at the Orange Office of Land NSW, Department of Land and Water Conservation, Cnr Kite and Anson Streets Orange 2800 (P.O. Box 2146) and Forbes Shire Council Chambers, during normal business hours.

Representations are invited from the public on the Draft Assessment. These may be made in writing for a period of 28 days commencing from 24th May 2002, and should be addressed to Louise Harcombe, Resource Compliance Unit, Orange at the above address.

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

DESCRIPTION

*Parish – Wongajong; County – Forbes;
Land District and Shire – Forbes*

Land of approximately 86 hectares, covering Travelling Stock & Camping Reserve 17816, fronting the Newell Highway at Forbes, and locally known as Gum Swamp.

Reference: OE01R6

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

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

A draft assessment has been prepared for Crown land at Buxton, Couridjah and Thirlmere as described hereunder.

Inspection of this draft assessment can be made at the Department of Land and Water Conservation, Sydney Metropolitan Office, Level 12, 10 Valentine Avenue, Parramatta and at the Offices of Wollondilly Shire Council, 62-64 Menangle Street, Picton, during normal business hours.

Representations are invited from the public on the draft assessment. These may be made in writing for a period of twenty-eight (28) days commencing from 17 May, 2002 and should be sent to Martin Sewell, Department of Land and Water Conservation, Sydney Metropolitan Office, PO Box 3935, Parramatta NSW 2124. Contact: Julie Hickman (02) 98956279.

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

Description

*Land District – Picton;
Local Government Area – Wollondilly; Parish – Couridjah;
Town – Thirlmere and Village – Couridjah;
County – Camden*

Crown land comprising various lots as described in the subject land assessment document with an area of about 126 hectares at Buxton, Couridjah and Thirlmere.

File No. MN00H81

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

A draft amendment to the plan of management has been prepared for the Bondi Baths Crown reserves described hereunder which is under the trusteeship of the Bondi Baths (R100245) Reserve Trust.

Inspection of the draft amendment to the plan can be made at the Sydney Metropolitan, District Office, Department of Land and Water Conservation, Parramatta during normal business hours and head office of Surf Life Saving Australia, 1 Notts Avenue, Bondi Beach.

Representations are invited from the public on the draft amendment. The draft amendment will be on exhibition for a period of 28 days commencing from Wednesday, 8 May, 2002. Submissions will be received up until Wednesday, 5 June, 2002 and should be sent to The Land Access Manager, Sydney Metropolitan, PO Box 3935, Parramatta, 2124.

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

Description of Reserves

*Land District – Metropolitan; LGA – Waverley;
Parish – Alexandria; County – Cumberland*

Bondi Baths Reserve

-R 100245 Notified for Public Recreation 19 Nov 1993

-R 1002900 Notified for Community Purposes and
Community and Sporting Club Facilities 11 Feb 2000

Location: Notts Road, Bondi Beach.

File No. MN01R1

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

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

Land District: Taree
Local Government Area:
Great Lakes Council
Parish: Forster
County: Gloucester
Locality: Forster
Lot 2 DP1014466
Area: 3325m2
File No: TE02R44

COLUMN 2

Reserve No: 1003498
Public Purpose: Environmental
Protection

Water Conservation

WATER ACT 1912

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

Applications for a licence under section 10 of Part 2 of the Water Act 1912 have been received as follows:

Murray River Valley

Andrew Richard GORMAN and Christopher Hugh GORMAN for 1 pump on the Murray River, Lot 6900, Parish of Meilman, County of Taila and 1 pump on an unnamed lagoon, Lot 2905, Parish of Meilman, County of Taila, for water supply for the irrigation of 164 hectares (replacement licence – due to separation of an existing authority). (Ref: 60SL085374).

Michael Anthony GORMAN and Kathlenn Margaret GORMAN for 1 pump on the Murray River, Lot 6900, Parish of Meilman, County of Taila, for water supply for the irrigation of 213 hectares (replacement licence – due to separation of an existing authority.) (Ref: 60SL085375) (GA2499519).

Written objections to the applications specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed local area and must be lodged within the Department's Natural Resource Project Officer at Buronga within twenty-eight (28) days as provided by the Act.

P. WINTON,
Natural Resource Project Officer
Murray Region

Department of Land and Water Conservation
PO Box 363, 32 Enterprise Way, BURONGA NSW 2739

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

Grace and James Colin BROWN for a pump and pipeline on Lake Cargelligo, Reserve R3980, Parish of Gurangully, County of Dowling, for water supply for industrial purposes. (Allocation obtained by way of Permanent Transfer) (New Licence) (GA2:494413) (70SL090788).

Paul Jonathon and Bronwyn HALSTEAD for a dam and a pump on an unnamed watercourse on Lot 9/236814, Parish of Neville, County of Bathurst, for conservation of water for water supply for stock and domestic purposes. (New Licence) (GA2:494414) (Ref: 70SL090794).

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.

David THOMAS,
A/Senior Natural Resource Officer,
Central West Region

Department of Land and Water Conservation
P O Box 136, FORBES NSW 2871 (02) 6852 1222

WATER ACT 1912

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

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

Murrumbidgee Valley

SRIDEEN PTY LIMITED for an existing dam on an unnamed watercourse Lot 6, DP 247752, Parish of Bywong, County of Murray for a water supply for stock and domestic purposes. New Licence. (Reference: 40SL70787).

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

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

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

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

GA2:477864

WATER ACT 1912

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

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

Murrumbidgee Valley

Mario and Teresa MIRABELLI, Frances Marrietta MOLLOY and John MIRABELLI for a pump on the Murrumbidgee River, Lot 2 DP 864445, Parish of West Waradgery, County of Waradgery for a water supply for stock purposes and irrigation of 95.3 hectares (cereals and vegetables). Replacement authority – conversion from a license. No increase in allocation. 40SA5592

Ronald Norman and Suzanne Patricia HARRIS and CAIRA STOCK WATER SUPPLY for 3 pumps, a diversion pipe and a diversion channel on the Murrumbidgee River, Lot 45, DP 751210, Parish of Narahquong, and a pump on Lot 4, 7 DP 751204, Parish of Maremley, County of Caira for a water supply for stock and domestic purposes and irrigation of 970.34 hectares, (cereals, oilseed, cotton and

pasture). Replacement authority, no increase in valley allocation. Reference: 40SA5591. This notice is in lieu of that published on 1 May, 2002.

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

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

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

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

Licence – no increase in area) (Ref:10SL56181) (GA2:460647) (Lodged under the NESB Amnesty – Not subject to the Hawkesbury/Nepean Embargo).

Peter Gerrard and Carol Elizabeth TAYLOR for a pump on the Yowrie River 32/752167, Parish Yowrie, County Dampier, for the irrigation of 2.5 hectares (Part replacement licence – no increase in area), (Improved pasture) (Ref:10SL56430) (GA2:509150).

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

Wayne CONNERS,
A/Natural Resource Project Officer
Sydney/South Coast Region

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

WATER ACT 1912

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

Jan and Nancy CHEETHAM for a pump on the Wollondilly River, part road reserve fronting 1/251779, Parish Towrang, County Argyle, for water supply for domestic purposes (new licence) (Ref: 10SL56345) (GA2:460646). (Lodged under the 1998 NSW Water Amnesty – Not subject to the Hawkesbury/Nepean Embargo).

Jan and Nancy CHEETHAM for a pump on the Wollondilly River, 1/778950 50 and 52/750037, Parish Narrangarril, County Argyle, for stock purposes and the irrigation of 20.5 hectare (lucerne, oats, millet) (Replacement licence increase in area) (Ref: 10SL56344) (GA2:460646) (Existing works) (Lodged under the 1998 NSW Water Amnesty – Not subject to the 1995 Hawkesbury/Nepean Embargo).

William Henry WILLIS for a pump on the Mowamba River being Part 4/533787, Parish Abington, County Wallace for stock and domestic purposes (new licence) (Ref:10SL56423) (GA2:493037).

Vincent HEWSON for a pump on Stonequarry Creek, and a bywash dam and pump on an unnamed watercourse, 1/228075, Parish Couridjah, County Camden, for water supply and the conservation of water for the irrigation of 11 hectares (stonefruit and vegetables) (new licence) (Ref:10SL56387) (GA2:462856) (Existing works) (Lodged under the 1998 NSW Water Amnesty – Not subject to the Hawkesbury/Nepean Embargo).

Anthony Cunninghame MAXWELL for a pump on Feagans Creek, 1/1010279 Parish Mongarlowe, County St Vincent for the irrigation of 1.5 hectares (Vines) (New Licence) (Ref:10SL56421) (GA2:493213).

David and Kathleen PARSONS for a pump on the Yowrie River 7/752167, Parish Yowrie, County Dampier, for the irrigation of 14.5 hectares (herbs) (New Licence) (Ref:10SL56418) (GA2:509149).

RAGEWAY PTY LIMITED for a pump on Smalls Creek and a hillside dam and pump, 1 and 2/526294, Parish Castle Hill, County Cumberland for the conservation of water and irrigation of 4.0 hectares (nursery tubestock) (Replacement

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

John and Leonie HALL for a pump on the Lachlan River on Reserve R86181, Lot 1/717081, Parish of Ulambong, County of Dowling for water supply for stock and domestic purposes. (New Licence- existing entitlement –new pumpsite) (GA2:494415) (Ref:70SL090792).

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

David THOMAS,
A/Senior Natural Resource Officer,
Central West Region

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

CORNERSTONE COMMUNITY INCORPORATED for a pump on the Lachlan River on Lot 3/114679, Parish of Bangaroo, County of Bathurst, for irrigation of 66.66 hectares (Turf) (New Licence- splitting existing entitlement.) (GA2:494416) (Ref:70SL090784).

Written Objections specifying grounds thereof, may be made by any statutory authority or local occupier within

the proclaimed local area whose interests may be effected must be lodged with the Department within twenty-eight (28) days of the date of this publication as prescribed by the Act.

David THOMAS,
A/Senior Natural Resource Officer,
Central West Region

Department of Land and Water Conservation
P O Box 136, FORBES NSW 2871 (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

Phillip Colin and Susane Heather MORROW for a pump on Lachlan River on Lot 3/1005192, Parish of Bangaroo, County of Bathurst, for irrigation of 95.33 hectares (Pasture and Vegetables) (New Licence- Splitting existing entitlement, increase in pumping capacity —with additional pump.) (GA2:494416) (Ref:70SL090785).

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.

David THOMAS,
A/Senior Natural Resource Officer,
Central West Region

Department of Land and Water Conservation
P O Box 136, FORBES NSW 2871 (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

LACHLAN FARMING LIMITED for 7 pumps on Lachlan River on Lots 5217/720999, and 3/753002, Parish Wogonga, County Franklin, and Lot 5077/46616, Parish of Wyadra, County of Franklin, for water supply for irrigation 10.00 hectares. (New Licence- High security Allocation obtained by way of Permanent Transfer Scheme from existing entitlements) (GA2:494418) (Ref:70SL090791).

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.

David THOMAS,
A/Senior Natural Resource Officer,
Central West Region

Department of Land and Water Conservation
P O Box 136, FORBES NSW 2871 (02) 6852 1222

WATER ACT 1912

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

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

Lachlan River Valley

KINELLAR PTY LIMITED for 3 pumps on Lachlan River on Lot 163/750175, Parish of Nanami, County of Ashburnham, for water supply for farming (dairy washdown), industrial (dairy) purposes and for irrigation of 73.83 hectares (New Licence – no increase in allocation – splitting of existing entitlement additional purposes.) (GA2:494419) (Ref:70SL090793).

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.

David THOMAS,
A/Senior Natural Resource Officer,
Central West Region

Department of Land and Water Conservation
P O Box 136, FORBES NSW 2871 (02) 6852 1222

WATER ACT 1912

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

AN APPLICATION for a licence under section 10 of Part 2 of the Water Act 1912 has been received as follows:

Barwon/Darling River Valley

Ormond Murdoch McLEOD and Roderick Murray McLEOD for 2 pumps on the Darling River, Lot 6/773189, Parish of Tiltao, County of Wentworth, (Kelso Station) for water supply for irrigation of 203 hectares (replacement licence - due to the amalgamation of three existing licences by way of permanent transfer of water entitlement.) In lieu of notice appearing in the *Government Gazette* No. 196 dated 21 December, 2001. (Ref: 60SL085337) (GA2:499520).

Written objections to the applications specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed local area and must be lodged within the Department's Natural Resource Project Officer at Buronga within twenty-eight (28) days as provided by the Act.

P.WINTON,
Natural Resource Project Officer
Murray Region

Department of Land and Water Conservation
PO Box 363, 32 Enterprise Way, BURONGA NSW 2739
Ph: (03) 5021 9400

Department of Mineral Resources

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T02-0069)

No. 1910, KING EAGLE RESOURCES PTY LIMITED (ACN 094888687), area of 25 units, for Group 2, dated 3 May, 2002. (Coffs Harbour Mining Division).

(T02-0070)

No. 1911, KING EAGLE RESOURCES PTY LIMITED (ACN 094888687), area of 4 units, for Group 2, dated 3 May, 2002. (Coffs Harbour Mining Division).

(T02-0071)

No. 1912, PEREGRINE MINERAL SANDS N.L. (ACN 009 307 591), area of 518 units, for Group 10, dated 8 May, 2002. (Broken Hill Mining Division).

(T02-0072)

No. 1913, BRAESIDE AUSTRALIA LIMITED (ACN 097 650 194), area of 100 units, for Group 1, dated 10 May, 2002. (Cobar Mining Division).

(T02-0073)

No. 1914, TABLELAND TIN PTY LTD (ACN 100512865), area of 16 units, for Group 1, dated 10 May, 2002. (Inverell Mining Division).

MINING LEASE APPLICATIONS

(C02-0228)

No. 204, POWERCOAL PTY LTD (ACN 052 533 070), area of about 400 square metres, for the purpose of any drillhole or shaft for ventilation, drainage, access, dated 30 April, 2002. (Singleton Mining Division).

(C02-0227)

No. 205, POWERCOAL PTY LTD (ACN 052 533 070), area of about 172.5 hectares, to mine for coal, dated 30 April, 2002. (Singleton Mining Division).

(C02-0171)

No. 206, CENTENNIAL SPRINGVALE PTY LIMITED (ACN 052 096 812) and SPRINGVALE SK KORES PTY LIMITED (ACN 051 015 402), area of about 4.13 hectares, for the purpose of any building or mining plant, any bin, magazine or fuel chute, any reservoir, dam, drain or water race, any cable, conveyor, pipeline, telephone line or signal and any drillhole or shaft for ventilation, drainage, access, dated 2 May, 2002. (Orange Mining Division).

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

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(T01-0207)

No. 1824, now Exploration Licence No. 5934, PETER DAVID TIMMS, County of Forbes, Map Sheet (8530), area of 2 units, for Group 1, dated 29 April, 2002, for a term until 28 April, 2004. As a result of the grant of this title, Exploration Licence No. 5875 has ceased to have effect.

(T01-0215)

No. 1830, now Exploration Licence No. 5938, JONATHAN CHARLES DOWNES, Counties of Goulburn, Selwyn and Wynyard, Map Sheet (8426), area of 100 units, for Group 1, dated 30 April, 2002, for a term until 29 April, 2004.

(T01-0220)

No. 1835, now Exploration Licence No. 5937, MOUNT CONQUEROR MINERALS N.L. (ACN 003 312 721), County of Buller, Map Sheet (9340), area of 10 units, for Group 1, dated 30 April, 2002, for a term until 29 April, 2004.

(T01-0232)

No. 1847, now Exploration Licence No. 5939, LYMREND PTY LTD (ACN 003 463 036), County of Beresford, Map Sheet (8725, 8726), area of 24 units, for Group 1, dated 30 April, 2002, for a term until 29 April, 2004.

(T02-0002)

No. 1850, now Exploration Licence No. 5935, GEMSTAR DIAMONDS LIMITED (ACN 097302675), Counties of Phillip and Roxburgh, Map Sheet (8932), area of 100 units, for Group 6, dated 29 April, 2002, for a term until 28 April, 2004.

(T02-0003)

No. 1851, now Exploration Licence No. 5936, GEMSTAR DIAMONDS LIMITED (ACN 097302675), Counties of Hunter, Phillip and Roxburgh, Map Sheet (8932), area of 93 units, for Group 6, dated 29 April, 2002, for a term until 28 April, 2004.

(C02-0137)

No. 1896, now Exploration Licence No. 5932, SANDWORK PTY LTD (ACN 062 072 244), County of Camden, Map Sheet (9029), area of 1.2 hectares, for Group 9, dated 17 April, 2002, for a term until 16 April, 2007.

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

NOTICE is given that the following application has been refused:

MINING LEASE APPLICATION

(T85-0727)

No. 178, CENTFIELD MINING PTY LTD (ACN 010 592 284), Parishes of Clevedon, Wollomombi and Davidson, County of Sandon, Map Sheet (9237-2-S). Refusal takes effect from the date of this notice.

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

NOTICE is given that the following application for renewal has been received:

(T98-1178)

Exploration Licence No. 5726, TRI ORIGIN AUSTRALIA NL (ACN 062 002 475), area of 40 units. Application for renewal received 7 May, 2002.

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

RENEWAL OF A CERTAIN AUTHORITY

NOTICE is given that the following authority has been renewed:

(C98-0281)

Exploration Licence No. 5552, POWERCOAL PTY LTD (ACN 052 533 070), County of Brisbane, Map Sheet (9033), area of 79 square kilometres, for a further term until 31 January, 2004. Renewal effective on and from 10 May, 2002.

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

ERRATUM

THE notice appearing in the *Government Gazette* No. 69, Folio 2169, dated 5 April 2002, relating to the renewal of Exploration Licence No. 5393 by TRIAKO RESOURCES LIMITED (ACN 008 498 119), the notice should have read for a further term until 25 November 2003 instead of 27 March 2002.

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

COAL MINES REGULATION ACT 1982

APPROVAL No. MDA Ex d 17014 (issue 0)
 FILE No. C01/0677
 DATE: 17 December 2001

NOTICE OF PRIMARY APPROVAL

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

This APPROVAL is issued to : **LJH Electrical Mining.**
ABN 11 948 891 072

Address of Approval Holder : **10 Calistemon Close, WARABROOK. NSW. 2304**

Description of Item/s & Variations : **Machine Control Box**

Manufacturer and model/type : **LJH Electrical Mining.**
Type H3223

C.M.R.A. Regulation : **Electrical Underground Clause 140 (I)**

Specific Approval Category : **Explosion Protected – Flameproof (Ex d)**

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 2000.

The Authority issuing this Approval has, for the purposes of the Occupational Health and Safety Act 2000, appended a list of conditions/recommendations, (including drawings, documents, etc.) that are applicable to this Approved Item, as identified during test and/or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act 2000. The onus is on the Supplier and/or User to ensure the Approved Item, and any deviation from the list of conditions / recommendations, in reference to that Item is not inferior in any way to the Item tested and/or assessed, this includes the supply, installation and continuing use of the Approved Item.

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

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

Any Maintenance, Repair or Overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulation Act 1982.

G.L.M. WARING,
 Accredited Assessing Authority (MDA A2516)
 FOR CHIEF INSPECTOR OF COAL MINES

Dept File No : C01/0677	Doc No :d\wes\appmaster\LJH3223\17014priapp.doc	Page 2 of 4
App Holder : L J H Electrical Mining		

Department of Planning

State Environmental Planning Policy No 1—Development Standards (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Planning.

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 State Environmental Planning Policy No 1—Development Standards
(Amendment No 5)

State Environmental Planning Policy No 1— Development Standards (Amendment No 5)

1 Name of Policy

This Policy is *State Environmental Planning Policy No 1—Development Standards (Amendment No 5)*.

2 Aims, objectives etc

This Policy aims to remove certain land within the City of Wollongong from the operation of *State Environmental Planning Policy No 1—Development Standards*.

3 Land to which Policy applies

This Policy applies to the land shown edged heavy black and shaded on the map marked “State Environmental Planning Policy No 1—Development Standards (Amendment No 5)” deposited in the head office of the Department of Planning and copies of which are deposited in the office of Wollongong City Council.

4 Amendment of SEPP 1

State Environmental Planning Policy No 1—Development Standards is amended as set out in Schedule 1.

State Environmental Planning Policy No 1—Development Standards
(Amendment No 5)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 4 Application of Policy

Insert “, except as provided by this clause” after “State”.

[2] Clause 4 (2)

Insert at the end of clause 4:

- (2) This Policy does not apply to the land shown edged heavy black and shaded on the map marked “State Environmental Planning Policy No 1—Development Standards (Amendment No 5)” deposited in the head office of the Department of Planning and copies of which are deposited in the office of Wollongong City Council.

Bankstown Local Environmental Plan 2001

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. (P00/00350/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Bankstown Local Environmental Plan 2001

Contents

Contents

		Page
Part 1	Preliminary	
	1 Name of plan	5
	2 Objectives of this plan	5
	3 Land where this plan applies	5
	4 Effect of this plan on other environmental planning instruments	5
	5 Consent authority	6
	6 Definitions	6
	7 Covenants	7
Part 2	General zoning controls	
	8 Zones in this plan	8
	9 Exempt development	8
	10 Complying development	10
	11 Development which is allowed or prohibited within a zone	12
	12 Additional discretion to grant consent	17
Part 3	Special provisions	
	13 Other development which requires consent	18
	14 Development by public authorities	20
	15 Roads, drainage, open space etc	20
Part 4	Other special provisions	
	16 General objectives of these special provisions	22
	17 General environmental considerations	22
	18 Environmentally significant land	23
	19 Ecologically sustainable development	23
	20 Trees	24
	21 Development adjacent to water bodies	24
	22 Acid sulfate soils	25
	23 Development adjacent to residential zones	27
	24 Airports	28
	25 Outdoor advertising	29

Page 2

Bankstown Local Environmental Plan 2001

Contents

		Page
	26 Flood liable land	30
	27 Landfill	30
	28 Temporary development	30
	29 Land classified or reclassified as operational land	31
	30 Floor space ratios	32
	31 Pet boarding	32
	32 Access for people with disabilities	32
	33 Brothels	33
	34 Land acquisition	33
	35 Use of land before or after it is acquired	34
	36 Use of land within Zone 7 before it is acquired	36
Part 5	Heritage	
	37 Heritage items	37
	38 Development in the vicinity of heritage items	38
	39 Heritage advertisements and notifications	38
	40 Notification of demolition to Heritage Council	39
	41 Heritage conservation incentives	39
	42 Development of known or potential archaeological sites	39
Part 6	Rural zone	
	43 Objectives of the Rural zone	41
Part 7	Residential zones	
	44 Objectives of the residential zones	42
	45 General restrictions on development	43
	46 Core residential development standards	43
	47 Isolation of allotments	45
Part 8	Business zones	
	48 Objectives of the Business zones	46
	49 Restricted premises	47
	50 Restrictions on certain development	47
Part 9	Industrial zones	
	51 Objectives of the Industrial zones	49
	52 Development in the Industrial zones	50
	53 Bulky goods salesrooms or showrooms	51
	54 Development of certain land at Greenacre	52

Bankstown Local Environmental Plan 2001

Contents

		Page
Part 10	Special Uses zone	
	55 Objectives of the Special Uses zone	53
	56 Railway land	53
Part 11	Open Space zones	
	57 Objectives of the Open Space zones	54
	58 Floodway	54
Part 12	Environment Protection zone	
	59 Objectives of the Environment Protection zone	55
Part 13	National Parks and Nature Reserves zone	
	60 Objectives of the National Parks and Nature Reserves zone	56
Schedules		
	1 Dictionary	57
	2 Additional uses	76
	3 Development by public authorities	80
	4 Classification or reclassification of public land	84
	5 Land to be acquired by the corporation	85
	6 Heritage items	87
	7 Exemption criteria for minor works to dwelling houses	92
	8 Land referred to in clause 45 (2)	93

Bankstown Local Environmental Plan 2001

Clause 1

Preliminary

Part 1

Bankstown Local Environmental Plan 2001

Part 1 Preliminary

1 Name of plan

This plan is *Bankstown Local Environmental Plan 2001*.

2 Objectives of this plan

The objectives of this plan are:

- (a) to regulate development in accordance with the following principles:
 - (i) new buildings should be designed to achieve:
 - (A) good urban design, and
 - (B) public and private safety, and
 - (C) energy and resource efficiency, and
 - (ii) remnant bushland, natural watercourses and threatened species should be protected, and
 - (iii) intensive trip generating activities should be concentrated in locations most accessible to rail transport, and
 - (iv) new development should not diminish the role of the Bankstown central business district (CBD) as a sub-regional centre, and
 - (v) new development in or affecting residential areas should be compatible with the prevailing suburban character and amenity of the locality of the development site, and
- (b) to provide a framework within which the Council may prepare development control plans to make more detailed provisions.

3 Land where this plan applies

This plan applies to all land within the City of Bankstown.

4 Effect of this plan on other environmental planning instruments

- (1) This plan repeals all deemed environmental planning instruments and local environmental plans applying to land within the City of Bankstown immediately before the appointed day.

Clause 4 Bankstown Local Environmental Plan 2001

Part 1 Preliminary

- (2) However, environmental planning instruments as in force immediately before the appointed day continue to apply to a development application if:
- (a) the application was made but had not been finally determined before the appointed day, and
 - (b) the proposed development is prohibited by provisions of this plan but could, with consent, have been carried out in accordance with those instruments as so in force.

Note. Clause 4 (3), as exhibited, is *deferred matter*.

- (3) *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Complying Development* is amended by inserting at the end of Schedule 1:

Clause 22 of *Bankstown Local Environmental Plan 2001*

5 Consent authority

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

6 Definitions

- (1) Except insofar as the context or subject-matter otherwise indicates or requires, the expressions used in this plan (or in a particular provision of this plan) which are defined in the Dictionary in Schedule 1 to this plan have the meanings set out in that Dictionary.
- (2) In this plan:
- (a) a reference to a building, work or place used for a purpose includes a reference to a building, work or place proposed to be used for the purpose, and
 - (b) a reference to a map is a reference to a map kept in the office of the Council.
- (3) The table of contents of this plan and any explanatory notes do not form part of this plan.

Bankstown Local Environmental Plan 2001

Clause 7

Preliminary

Part 1

7 Covenants

- (1) For the purpose of enabling development to be carried out in accordance with this plan (as in force at the time the development is carried out) or in accordance with a consent granted under the Act, the operation of any covenant, agreement or similar instrument that purports to restrict or prohibit the carrying out of development on land to which this plan applies, to the extent necessary to serve that purpose, does not apply to any such development.
- (2) Nothing in subclause (1) affects the rights or interests of any public authority under any registered instrument.
- (3) In accordance with section 28 of the Act, the Governor approved of subclauses (1) and (2) before this plan was made.

Clause 8 Bankstown Local Environmental Plan 2001

Part 2 General zoning controls

Part 2 General zoning controls

8 Zones in this plan

- (1) The following lists each zone within which land to which this plan applies may be situated:

Zone

- 1—Rural
- 2 (a)—Residential A
- 2 (b)—Residential B
- 3 (a)—Business—CBD
- 3 (b)—Business—Other Centres
- 4 (a)—General Industrial
- 4 (b)—Light Industrial
- 5—Special Uses
- 6 (a)—Open Space
- 6 (b)—Private Recreation
- 7—Environment Protection (Conservation)
- 8—National Parks and Nature Reserves

- (2) Land is within a zone if it is indicated on the map:

- (a) in the case of a coloured map, by the colour indicated on the map as relating to that zone, or
- (b) in the case of a black and white representation of the map, by the number of the zone.

9 Exempt development

Development of minimal environmental impact is exempt development if it is included in Schedule 1 to DCP 35 and:

- (a) it is development that may otherwise be carried out with development consent under this plan, and
- (b) it complies with the development standards and other requirements specified for it in DCP 35, and

Bankstown Local Environmental Plan 2001

Clause 9

General zoning controls

Part 2

-
- (c) it is not located on or within a heritage item or within the curtilage of a heritage item identified in this or any other environmental planning instrument or in a development control plan applying to the land, and
 - (d) it is not in an area identified in this or any other environmental planning instrument or in a development control plan applying to the land as land that is bushfire prone, flood liable, contaminated, subject to subsidence, slip, erosion or acid sulfate soil, and
 - (e) it has the relevant approval, where it will be carried out within a zone of influence for a public sewer main, and
 - (f) it has the relevant approval, where it will be carried out on the site of an easement, and
 - (g) it has the relevant approval, where it will involve removal of any native or exotic trees in excess of 3 metres in height, and
 - (h) it is not to be carried out on land in Zone 6 (a) that is designated as a floodway on the map, and
 - (i) it will not be carried out on land that is critical habitat (as defined in the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*) or land that is or is part of a wilderness area (within the meaning of the *Wilderness Act 1987*), and
 - (j) it is not State significant development, designated development or integrated development. Further, it is not development consent that requires the concurrence of the Director-General of National Parks and Wildlife, and
 - (k) it will not be carried out on land to which an order under the *Heritage Act 1977* applies, and
 - (l) it is not to be carried out in Zone 7 or on land otherwise identified in a development control plan as environmentally significant land, and
 - (m) it does not cause interference with the amenity of the neighbourhood because of the emission of noise, vibration or smell, and
 - (n) it does not contravene a condition of a development consent which still applies to the land on which it will be carried out, and

Clause 9 Bankstown Local Environmental Plan 2001

Part 2 General zoning controls

- (o) it complies with any deemed-to-satisfy provisions of the *Building Code of Australia* relevant to the development, and
- (p) it is not to be carried out on land identified on maps held by the Council and entitled *Habitat for Threatened Species*, and
- (q) it is not to be carried out in or within 40 metres of a natural water body or wildlife corridor, and
- (r) it will not result in significant alterations to the existing drainage regime, and
- (s) it is not a “potentially hazardous industry” or “potentially offensive industry” under *State Environmental Planning Policy No 33—Hazardous and Offensive Development*, and
- (t) it does not require development consent under a regional environmental plan or a State environmental planning policy.

10 Complying development

- (1) Development is complying development if it is included in Schedule 2 to DCP 35 and:
 - (a) it is development that may otherwise be carried out with development consent on the land, and
 - (b) it complies with the development standards and other requirements specified for it in DCP 35, and
 - (c) it is not carried out in an area identified in this or any other environmental planning instrument or in a development control plan applying to the land as land that is bushfire prone, flood liable, contaminated, subject to subsidence, slip, erosion or acid sulfate soil, and
 - (d) it is not located on or within a heritage item or within the curtilage of a heritage item identified in this or any other environmental planning instrument or in a development control plan applying to the land, and
 - (e) it has the relevant approval, where it will be carried out within a zone of influence for a public sewer main, and
 - (f) it has the relevant approval, where it will be carried out on the site of an easement, and
 - (g) it has the relevant approval, where it will involve removal of any tree, and

Bankstown Local Environmental Plan 2001

Clause 10

General zoning controls

Part 2

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- (h) it is not on land that is critical habitat (as defined in the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*) or land that is or is part of a wilderness area (within the meaning of the *Wilderness Act 1987*), and
 - (i) it is not State significant development or designated development or development for which consent cannot be granted except with the concurrence of a person other than the Council or the Director-General of National Parks and Wildlife, and
 - (j) it will not be carried out on land to which an order under the *Heritage Act 1977* applies, and
 - (k) it is not to be carried out on land in Zone 7, or on land otherwise identified in a development control plan as environmentally significant land, or on land zoned for open space or arterial roads, and
 - (l) it does not contravene a condition of a previous development consent which still applies to the land on which it will be carried out, and
 - (m) it complies with any deemed-to-satisfy provisions of the *Building Code of Australia* relevant to the development, and
 - (n) it is not to be carried out on land identified on maps held by the Council and entitled *Habitat for Threatened Species*, and
 - (o) it is not to be carried out within a natural water body or wildlife corridor, and
 - (p) it will not result in significant alterations to the existing drainage regime, and
 - (q) it is not a “potentially hazardous industry” or “potentially offensive industry” under *State Environmental Planning Policy No 33—Hazardous and Offensive Development*, and
 - (r) it does not require development consent under a regional environmental plan or a State environmental planning policy.
- (2) A complying development certificate issued for any such development is to be subject to the conditions for the development specified in Schedule 3 to DCP 35.

Clause 11 Bankstown Local Environmental Plan 2001

Part 2 General zoning controls

11 Development which is allowed or prohibited within a zone

- (1) Unless otherwise provided by this plan (such as by the exempt development provisions in clause 9), the Table to this clause specifies for each zone the development that may be carried out only with consent, where “✓” is shown corresponding to that development.
- (2) Subject to other provisions of this plan (and clause 12 in particular), development referred to in the Table to this clause is prohibited in a zone if “✓” is not shown corresponding to that development.
- (3) The consent authority may grant consent to development only if it has had regard to:
 - (a) the general objectives of this plan, and
 - (b) the objectives of the zone in which it is proposed to be carried out, and
 - (c) the other provisions of this plan.
- (4) Development may be carried out on land within Zone 7 only with development consent and only if the development is in accordance with a plan of management for the land adopted by the Council.
- (5) Any development authorised by or under the *National Parks and Wildlife Act 1974* may be carried out on land within Zone 8 without development consent.

Table

Development for the purpose of:	Zone									
	Rural	Residential		Business		Industrial		Special Uses	Open Space	
	1	2 (a)	2 (b)	3 (a)	3 (b)	4 (a)	4 (b)	5	6 (a)	6 (b)
Agriculture	✓								✓	
Amusement centres				✓	✓					
Animal boarding or training establishments	✓									

Bankstown Local Environmental Plan 2001

Clause 11

General zoning controls

Part 2

Development for the purpose of:	Zone									
	Rural	Residential		Business		Industrial		Special Uses	Open Space	
	1	2 (a)	2 (b)	3 (a)	3 (b)	4 (a)	4 (b)	5	6 (a)	6 (b)
Bed and breakfast establishments		✓	✓							
Boarding-houses			✓	✓	✓					
Brothels						✓	✓			
Bulky goods salesrooms or showrooms				✓	✓	✓	✓			
Business premises				✓	✓					
Car parks		✓	✓	✓	✓	✓	✓	✓	✓	✓
Caravan parks									✓	
Centre based child care centres		✓	✓	✓	✓	✓	✓	✓		
Communications facilities	✓			✓	✓	✓	✓	✓	✓	✓
Community facilities		✓	✓	✓	✓	✓	✓	✓	✓	✓
Convenience stores				✓	✓	✓	✓			
Dams	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Depots						✓	✓			
Dual occupancies		✓	✓	✓	✓					
Dwelling houses	✓	✓	✓	✓	✓					
Educational establishments		✓	✓	✓	✓			✓		
Entertainment establishments				✓	✓					

Clause 11 Bankstown Local Environmental Plan 2001

Part 2 General zoning controls

Development for the purpose of:	Zone									
	Rural	Residential		Business		Industrial		Special Uses	Open Space	
	1	2 (a)	2 (b)	3 (a)	3 (b)	4 (a)	4 (b)	5	6 (a)	6 (b)
Entertainment facilities				✓	✓	✓				
Extractive industries	✓									
Family day care centres		✓	✓	✓	✓					
Family housing		✓	✓							
Generating works						✓	✓			
Hazardous industries										
Hazardous storage establishments										
Health consulting rooms		✓	✓	✓	✓	✓	✓			
Helicopter landing sites				✓		✓		✓	✓	✓
Heliports										
Highway service centres					✓	✓				
Home based child care centres		✓	✓							
Home businesses	✓	✓	✓	✓	✓					
Home offices	✓	✓	✓	✓	✓					
Hospitals		✓	✓	✓	✓	✓	✓	✓		
Hotels				✓	✓	✓				

Bankstown Local Environmental Plan 2001

Clause 11

General zoning controls

Part 2

Development for the purpose of:	Zone									
	Rural	Residential		Business		Industrial		Special Uses	Open Space	
	1	2 (a)	2 (b)	3 (a)	3 (b)	4 (a)	4 (b)	5	6 (a)	6 (b)
Housing for older people or people with a disability		✓	✓	✓	✓			✓		
Industries						✓				
Institutions						✓				
Junk yards						✓				
Landfilling	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Light industries						✓	✓			
Marinas		✓	✓						✓	✓
Materials recycling yards						✓				
Medical centres				✓	✓	✓	✓			
Mines										
Motels			✓	✓	✓	✓	✓			
Motor showrooms				✓	✓	✓	✓			
Offensive industries										
Offensive storage establishments										
Office premises				✓	✓	✓	✓			
Passenger transport terminals				✓	✓	✓	✓			
Places of public worship		✓	✓	✓	✓	✓	✓			
Plant hire						✓	✓			
Public buildings		✓	✓	✓	✓	✓	✓	✓		
Recreation areas	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Clause 11 Bankstown Local Environmental Plan 2001

Part 2 General zoning controls

Development for the purpose of:	Zone									
	Rural	Residential		Business		Industrial		Special Uses	Open Space	
	1	2 (a)	2 (b)	3 (a)	3 (b)	4 (a)	4 (b)	5	6 (a)	6 (b)
Recreation facilities	✓			✓	✓	✓	✓		✓	✓
Registered clubs				✓	✓	✓	✓			✓
Research facilities				✓	✓	✓	✓			
Residential flat buildings			✓	✓	✓					
Restaurants				✓	✓	✓	✓			
Restricted premises				✓						
Retail plant nurseries				✓	✓	✓	✓			
Roadside stalls										
Road transport terminals						✓				
Rowhouses		✓	✓	✓	✓					
Sanctuaries	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Serviced apartments			✓	✓	✓					
Service stations				✓	✓	✓	✓			
Shops				✓	✓					
Transport depots						✓				
Utility installations	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Vehicle body repair workshops						✓	✓			
Vehicle repair stations				✓	✓	✓	✓			
Villas		✓	✓	✓	✓					

Bankstown Local Environmental Plan 2001

Clause 11

General zoning controls

Part 2

Development for the purpose of:	Zone									
	Rural	Residential		Business		Industrial		Special Uses	Open Space	
	1	2 (a)	2 (b)	3 (a)	3 (b)	4 (a)	4 (b)	5	6 (a)	6 (b)
Warehouses or distribution centres					✓	✓	✓			
Waste disposal										

12 Additional discretion to grant consent

- (1) Despite clause 11, but otherwise subject to this plan, the consent authority may grant consent to development that:
 - (a) is not included in the Table to clause 11, or
 - (b) would be prohibited by the Table to clause 11 in the absence of this clause.
- (2) The consent authority may grant consent pursuant to this clause only where it is satisfied that the proposed development:
 - (a) is of a nature (whether by reason of its design, scale, manner of operation or otherwise) that would, in the absence of this clause, justify an amendment to this plan in order to permit the particular development, and
 - (b) is not inconsistent with the objectives of the zone in which the development site is situated, and
 - (c) is not inconsistent with the provisions of any other environmental planning instrument, and
 - (d) will not have an adverse effect on other land in the vicinity.
- (3) Development under this clause is advertised development within the meaning of the Act.

Clause 13 Bankstown Local Environmental Plan 2001

Part 3 Special provisions

Part 3 Special provisions

13 Other development which requires consent

(1) **Subdivision**

Land to which this plan applies may be subdivided, but only with consent. However, unless required by Part 5, consent is not required for a subdivision for the purpose of:

- (a) widening a public road, or
- (b) making a minor adjustment to a boundary between allotments, being an adjustment that does not involve the creation of an additional allotment, or
- (c) rectifying an encroachment on an allotment, or
- (d) creating a public reserve, or
- (e) excising from an allotment land which is, or is intended to be, used for public purposes, including drainage purposes, bushfire brigade or other rescue service purposes or public conveniences.

(2) **Flood liable land**

Development may be carried out on flood liable land only with consent.

(3) **Domestic satellite dishes**

Domestic satellite dishes may be erected in Zone 2 (a) or 2 (b) only with consent.

(4) **Development on unzoned land**

Development on land not included in a zone on the map may be carried out only with consent. Consent may be granted only for the carrying out of development that may be carried out in a zone adjoining the land concerned.

(5) **Special Uses zone**

Development (including ordinarily ancillary or incidental development) may be carried out only with consent on land within Zone 5 for the purpose of the land use indicated for the land by lettering on the map. If there is no lettering shown on the map for land within Zone 5, the only development that may be carried out on such land is the development identified for that zone in the Table to clause 11 as being allowed with consent.

Bankstown Local Environmental Plan 2001

Clause 13

Special provisions

Part 3

(6) **Sandwich shops in Zones 4 (a) and 4 (b)**

Development for the purpose of a sandwich shop may be carried out only with consent on land within Zone 4 (a) or 4 (b) that is not within 90 metres of an arterial road.

(7) **Demolition**

Except as otherwise provided by this plan, a building or work must not be demolished without consent.

Consent for demolition of a building or work is not required where that demolition is necessary to carry out development which is allowed by a development consent.

(8) **Additional uses**

Despite any other provision of this plan, with the consent of the consent authority:

(a) development may be carried out on land specified in Schedule 2 for the purpose of a building, work, place or land use specified in that Schedule in relation to that land, and

(b) land specified in Schedule 2 may be subdivided, if subdivision is specified in that Schedule in relation to that land,

subject to such conditions, if any, as may be so specified.

(9) **Stables**

Development for the purpose of stables may be carried out with development consent on land at Condell Park within Zone 2 (a) that is bounded by Railway Parade, Edgar Street, Yanderra Street, and the prolongation of the rear boundaries of land on the western side of Ellis Street.

(10) **Wharves**

Development for the purpose of pontoons, jetties, piers, berths or moorings may be carried out on land adjoining a waterway, but only with consent.

(11) **Council land**

Despite any other provision of this plan, the consent authority may grant consent to development on land within Zone 5 or 6 (a) that is owned by the Council if the development is nominated for that land in a plan of management prepared by the Council.

Clause 13 Bankstown Local Environmental Plan 2001

Part 3 Special provisions

(12) **Existing shops in residential zones**

Where a building on land within Zone 2 (a) or 2 (b) has been constructed as a shop prior to the appointed day and, in the opinion of the consent authority:

- (a) it is not suitable on physical or economic grounds for conversion to or replacement by a residential use, and
- (b) the proposed use will not adversely affect the amenity of the locality,

the consent authority may consent to the use of the building or part of the building for a shop or similar land use.

Nothing in this clause allows additions or extensions to the non-residential part of a building referred to in this clause.

(13) **Recycling**

Where demolition of a building or work is being carried out on land pursuant to a consent, the recycling of the demolished materials may be carried out on the land but only if development consent for the purpose of recycling such material on the land is first obtained.

(14) **Gaming machines**

Note. This provision is *deferred matter* under the Act.

14 Development by public authorities

The following are allowed on land without consent:

- (a) the use of existing buildings of the Crown by the Crown, and
- (b) development or activities specified in Schedule 3.

15 Roads, drainage, open space etc

- (1) Development by the Council for the purpose of roads, drainage, open space, landscaping, gardening, bushfire hazard reduction, flood mitigation, car parking, pollution control devices or cycleways, including ordinarily ancillary or incidental development, may be carried out on any land (other than land within Zone 7) without development consent.
- (2) Development referred to in subclause (1) by a person other than the Council or on land within Zone 7 requires development consent, unless it is exempt development.

Bankstown Local Environmental Plan 2001

Clause 15

Special provisions

Part 3

-
- (3) Despite subclause (2), development for the purpose of bushfire hazard reduction may be carried out on land within Zone 8 by or on behalf of the National Parks and Wildlife Service without development consent.

Clause 16 Bankstown Local Environmental Plan 2001

Part 4 Other special provisions

Part 4 Other special provisions

16 General objectives of these special provisions

The general objectives of this Part are:

- (a) to minimise the impact of development on the environment, and
- (b) to preserve trees and remnant bushland and to protect ecosystems, and
- (c) to ensure that development is carried out in a manner that reflects constraints associated with flooding, acid sulfate soils, aircraft noise and the like, and
- (d) to provide for the acquisition and use of land reserved for a public purpose, and
- (e) to improve water quality in the Georges River Catchment area by better managing the quality and quantity of stormwater run-off, and
- (f) to regulate specific types of development.

17 General environmental considerations

- (1) This clause applies to development which is likely to have a significant environmental impact by way of clearing of vegetation, alteration of the natural land form or the potential for air, water or ground pollution.
- (2) Before granting consent for development to which this clause applies, the consent authority must take into consideration such of the following matters as are relevant to the circumstances of the proposed development:
 - (a) the impact of that development on:
 - (i) flora and fauna, including threatened species, and
 - (ii) water quality of surface water bodies and ground water, and
 - (iii) any catchment management strategy applying to the land, and
 - (b) the reduction of stormwater run-off by minimising the area of impervious surfaces, increasing infiltration and the use of rainwater tanks.

Bankstown Local Environmental Plan 2001

Clause 18

Other special provisions

Part 4

18 Environmentally significant land

- (1) This clause applies to land identified in a development control plan as “Environmentally Significant Land—Bushland, Waterways and Corridors” which is referred to in this clause as *environmentally significant land*.
- (2) The objectives for environmentally significant land are:
 - (a) to generally minimise the impact of development on this land, and
 - (b) to protect and preserve important areas of fauna habitat or remnant bushland, and
 - (c) to minimise fragmentation and disturbance to remnant bushland, and
 - (d) to protect and improve watercourses, including their riparian buffer area, and
 - (e) to minimise loss of water quality, bank disturbance and loss of riparian vegetation, and
 - (f) to maintain, and enhance where possible, the interconnections between areas of native vegetation which act as corridors for native fauna, and
 - (g) to rehabilitate areas of potential corridor value.
- (3) Before granting consent for development on land to which this clause applies, the consent authority must be satisfied that the proposed development is consistent with such of the objectives set out in subclause (2) as are relevant to the circumstances of the application.
- (4) When granting such a consent, the consent authority may impose conditions on the extent or scale of a proposed development so that it better satisfies the objectives set out in subclause (2).

19 Ecologically sustainable development

Before granting consent for development, the consent authority must have regard to the following principles of ecologically sustainable development, to the extent it considers them relevant to the proposed development:

- (a) the conservation of energy and natural resources, particularly water and soil, and
- (b) the avoidance of environmentally damaging materials, and

Clause 19 Bankstown Local Environmental Plan 2001

Part 4 Other special provisions

- (c) the avoidance of significant adverse impact on the natural environment, particularly areas of remnant vegetation, watercourses and native flora and fauna, and
- (d) waste avoidance and waste minimisation, and
- (e) encouraging the use of public transport.

20 Trees

- (1) The Council may, by resolution, make, revoke or amend a tree preservation order.
- (2) A person must not carry out or permit or direct or cause any ringbarking, cutting down, topping, lopping, poisoning, removing or wilful destruction of any tree or trees to which a tree preservation order applies except in accordance with development consent, a permit issued by the Council or otherwise in accordance with the tree preservation order.
- (3) This clause does not apply in respect of:
 - (a) trees within a State forest, or within a timber or forest reserve, within the meaning of the *Forestry Act 1916*, or
 - (b) trees in a national park, within the meaning of the *National Parks and Wildlife Act 1974*, or
 - (c) action required or authorised by or under any Act, or
 - (d) plants declared to be noxious weeds under the *Noxious Weeds Act 1993*.
- (4) A tree preservation order and any revocation or amendment of such an order does not have effect until it has been published in a newspaper circulating in the Bankstown City local government area.

21 Development adjacent to water bodies

- (1) The Council may determine a foreshore building line on land adjoining a water body.
- (2) The erection of a building other than:
 - (a) a marina, or
 - (b) single storey boat sheds, or
 - (c) below ground swimming pools, or
 - (d) structures at or below ground level, or

Bankstown Local Environmental Plan 2001

Clause 21

Other special provisions

Part 4

-
- (e) wharves or jetties,
is prohibited between a foreshore building line and the adjacent water body.
- (3) Development must not be carried out within 40 metres of a water body except with development consent.
- (4) In determining a development application permitted by subclause (2) or required by subclause (3), the consent authority must take into consideration the likely impact of that development on the waterway, including the impact on:
- (a) water quality, and
 - (b) bank stability, and
 - (c) quantity and quality of water flows, and
 - (d) aquatic biota, and
 - (e) riparian vegetation.

22 Acid sulfate soils

(1) Consent usually required

A person must not, without development consent, carry out works described in the following Table on land of the class specified for those works, except as provided by subclause (3).

Table

Class of land as shown on Acid Sulfate Soils Planning Maps	Works
1	Any works
2	Works below the natural ground surface Works by which the watertable is likely to be lowered
3	Works beyond 1 metre below the natural ground surface Works by which the watertable is likely to be lowered beyond 1 metre below natural ground surface

Clause 22 Bankstown Local Environmental Plan 2001

Part 4 Other special provisions

Class of land as shown on Acid Sulfate Soils Planning Maps **Works**

4	Works beyond 2 metres below the natural ground surface Works by which the watertable is likely to be lowered beyond 2 metres below natural ground surface
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land which are likely to lower the watertable below 1 metre AHD on adjacent Class 1, 2, 3 or 4 land

- (2) For the purposes of the Table to subclause (1), **works** includes:
- (a) any disturbance of soil of a minor nature (such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations, or flood mitigation works), or
 - (b) any other works that are likely to lower the watertable.
- (3) **Exception following preliminary assessment**
This clause does not require consent for the carrying out of those works if:
- (a) a copy of a preliminary assessment of the proposed works undertaken in accordance with the *Acid Sulfate Soils Assessment Guidelines* has been given to the consent authority, and
 - (b) the consent authority has also been given written advice from the Department of Land and Water Conservation confirming that results of the preliminary assessment indicated the proposed works need not be carried out pursuant to an acid sulfate soils management plan prepared in accordance with the *Acid Sulfate Soils Assessment Guidelines*.
- (4) **Considerations for consent authority**
The consent authority must not grant a consent required by this clause unless it has considered:
- (a) the adequacy of an acid sulfate soils management plan prepared for the proposed development in accordance with the *Acid Sulfate Soils Assessment Guidelines*, and

Bankstown Local Environmental Plan 2001

Clause 22

Other special provisions

Part 4

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- (b) the likelihood of the proposed development resulting in the discharge of acid water, and
 - (c) any comments received from the Department of Land and Water Conservation within 21 days of the consent authority having sent that Department a copy of the development application and of the related acid sulfate soils management plan.
- (5) **Public authorities not excepted**
 This clause requires consent for development to be carried out by councils, county councils or drainage unions despite:
- (a) clauses 14 and 15 of, and item 2 of Schedule 3 to, this plan,
 - (b) clause 10 of *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Complying Development*.

23 Development adjacent to residential zones

In determining a development application that relates to land in a zone other than Zone 2 (a) or 2 (b) adjoining land in Zone 2 (a) or 2 (b), the consent authority must take into consideration the following matters:

- (a) whether any proposed building is compatible with the height, scale, siting and character of existing residential development within the adjoining residential zone,
- (b) whether any goods, plant, equipment and other material used in carrying out the proposed development will be stored or suitably screened from residential development,
- (c) whether the proposed development will maintain reasonable solar access to residential development between the hours of 9 am and 3 pm during the winter solstice,
- (d) whether noise generation from fixed sources or motor vehicles associated with the proposed development will be effectively insulated or otherwise minimised,
- (e) whether the proposed development will otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting, fumes, gases, smoke, dust or odours, or the like,
- (f) whether any windows or balconies facing residential areas will be treated to avoid overlooking of private yard space or windows in residences.

Clause 24 Bankstown Local Environmental Plan 2001

Part 4 Other special provisions

24 Airports

- (1) In determining an application for consent to development on land in the vicinity of Bankstown Airport, the consent authority must consider:
 - (a) the impact of the airport on the development to which the application relates in terms of Australian noise exposure forecasts, and
 - (b) the obstacle limitation surface plan for the airport completed by the operator of the airport.
- (2) In regard to Bankstown Airport:
 - (a) a dwelling (other than a dwelling house) may be erected on land in the vicinity of the airport where the Australian Noise Exposure Forecast (ANEF), as published by the then Civil Aviation Authority in 1990, is between 20 and 25 only if the dwelling meets Australian Standard AS 2021—2000, *Acoustics—Aircraft noise intrusion—Building siting and construction* regarding interior noise levels, and
 - (b) a dwelling house or housing for older people or people with a disability must not be erected on land in the vicinity of the airport where the Australian Noise Exposure Forecast (ANEF) as published by the then Civil Aviation Authority in 1990 exceeds 25 unless the Council is satisfied that the nature of occupation or internal noise attenuation measures enable reasonable amenity for the occupants, and
 - (c) development for the purpose of dual occupancy, villas or rowhouses is prohibited on land in the vicinity of the airport where the Australian Noise Exposure Forecast (ANEF) as published by the then Civil Aviation Authority in 1990 exceeds 25, and
 - (d) a hotel, motel, office premises or a public building may be erected on land where the Australian Noise Exposure Forecast (ANEF) for the airport, as published by the then Civil Aviation Authority, is above 25 only if the building meets Australian Standard AS 2021—2000 regarding interior noise levels.

Bankstown Local Environmental Plan 2001

Clause 25

Other special provisions

Part 4

25 Outdoor advertising

- (1) Despite clause 11 but subject to this clause, development for the purpose of an advertisement may be carried out on land within any zone, other than Zone 7, with the consent of the consent authority, unless it is exempt development.
- (2) Consent may be granted pursuant to subclause (1) only if the advertisement is:
 - (a) a business identification sign, or
 - (b) for the purpose of directing the travelling public to a specific tourist facility or place of scientific, historic or scenic interest in the Bankstown City local government area, or
 - (c) advertising on a sportsground that is consistent with a plan of management.
- (3) The consent authority may adopt a development control plan for the purpose of recommending the type and size of an advertisement that may be erected or displayed under this clause.
- (4) The display of an advertisement on a stationary motor vehicle, trailer or the like, on land other than a public road, is prohibited.
- (5) In this clause, ***business identification sign*** means an advertisement that displays any or all of the following information relating to the place or premises to which it is fixed:
 - (a) the identity or a description of the place or premises,
 - (b) the identity or a description of any person residing or carrying on an occupation at the place or premises,
 - (c) particulars of any occupation carried on at the place or premises,
 - (d) such directions or cautions as are usual or necessary relating to the place or premises or any occupation carried on there,
 - (e) particulars or notifications required or permitted to be displayed by or under any State or Commonwealth Act,
 - (f) particulars relating to the goods, commodities or services dealt with or provided at the place or premises,
 - (g) particulars of any activities held or to be held at the place or premises,

Clause 25 Bankstown Local Environmental Plan 2001

Part 4 Other special provisions

- (h) a reference to an affiliation with a trade, professional or other association relevant to the business conducted at the place or premises.

26 Flood liable land

Before determining an application for consent to carry out development on flood liable land, the consent authority must consider the provisions of any relevant development control plan and the requirements of any floodplain development manual published by a public authority that the Council considers relevant to the assessment of the development.

27 Landfill

Consent for the placing of landfill may be granted only if the consent authority is satisfied that:

- (a) the landfill is required for the reasonable economic use of the land on which it takes place or for the provision of utility services, and
- (b) there would be no adverse impact by the landfill on:
 - (i) a water body, or
 - (ii) private or public property, or
 - (iii) ground water quality and resources, or
 - (iv) stormwater drainage, or
 - (v) flooding.

28 Temporary development

- (1) Any development, not being designated development, may, despite any other provision of this plan, be carried out on any land (other than land comprising or containing a heritage item) with consent, for such period of not more than 6 months as may be determined by the consent authority.
- (2) Development referred to in subclause (1) may be carried out only if, in the opinion of the consent authority:
 - (a) it is not inconsistent with the objectives of this plan or the objectives of the zone in which the land concerned is situated, and
 - (b) it would not generate an excessive demand for public services, and

Bankstown Local Environmental Plan 2001

Clause 28

Other special provisions

Part 4

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- (c) it would be compatible with the character and amenity of the locality in which it would be carried out in terms of:
 - (i) its design, height and siting, and
 - (ii) its operation, and
 - (iii) traffic generation and car parking, and
 - (iv) noise, light, dust and odour nuisance, and
 - (v) privacy, and
 - (vi) stormwater drainage, and
 - (vii) hours of operation, and
 - (viii) overshadowing, and
 - (d) it would not be inconsistent with any current consent applying to the land, and
 - (e) in the case of land within Zone 7, or environmentally significant land, it would not detrimentally impact on the environmental values of the land.

29 Land classified or reclassified as operational land

- (1) The public land described in Schedule 4 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.
- (2) In accordance with section 30 of the *Local Government Act 1993*, a parcel of land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from any trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except for:
 - (a) any reservations that except land out of a Crown grant relating to the land, and
 - (b) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).
- (3) Before the relevant amending plan that inserted the description of a parcel of land into Part 2 of Schedule 4 was made, the Governor approved of subclause (2) applying to the land.
- (4) In this clause, ***the relevant amending plan***, in relation to a parcel of land described in Part 2 of Schedule 4, is the local environmental plan cited at the end of the description of the parcel.

Clause 29 Bankstown Local Environmental Plan 2001

Part 4 Other special provisions

- (5) Land described in Part 1 of Schedule 4 is not affected by the amendments made by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993*.

30 Floor space ratios

- (1) The objectives of the floor space ratios adopted by this plan are as follows:
- (a) to generally regulate the scale and bulk of development consistently with the capacity and character of the area of the development site,
 - (b) to ensure non-residential development in residential zones is of a similar scale to that of permitted residential development,
 - (c) to regulate the intensity of development in business zones consistently with the role and function of the particular business centre, the capacity of the road network to accommodate business-related traffic, and the availability of public transport,
 - (d) to provide an incentive for redevelopment of key sites in the Bankstown CBD,
 - (e) to ensure that business and retail development in industrial zones is of a scale comparable to mainstream industrial zone activity and does not attract development more appropriately located in business zones.
- (2) The consent authority must not grant consent to development if it has a floor space ratio in excess of that indicated for the development site on the Floor Space Ratio Map.

31 Pet boarding

Despite clause 11, the consent authority may consent to development for the purpose of boarding of domestic pets on land within Zone 3 (b), 4 (a) or 4 (b), but only if it is satisfied that the use will not create a nuisance that will affect the amenity of any land in the vicinity used for residential purposes.

32 Access for people with disabilities

- (1) A new building must not be erected unless it complies with the requirements of the *Building Code of Australia* in relation to access and facilities for people with disabilities.

Bankstown Local Environmental Plan 2001

Clause 32

Other special provisions

Part 4

- (2) In the case of proposed development involving:
- (a) an existing building, or
 - (b) a new building of a type that is not subject to any requirement of the *Building Code of Australia* in relation to access and facilities for people with disabilities,
- the consent authority must take into consideration whether adequate provision is, or is able to be, made for such access and facilities.

33 Brothels

Development for the purpose of a brothel may be carried out only on certain land within Zone 4 (a) or 4 (b) in Villawood, Greenacre, Milperra and South Bankstown as identified on the map.

34 Land acquisition

- (1) The owner of any land within Zone 5, 6 (a) or 7 may, in writing, request the public authority corresponding to the category of the land as indicated on the map and as shown in the Table below, to acquire the land.

Table

Zone	Public authority
5	Roads and Traffic Authority, if "RTA" is specified on the map to indicate the relevant land use
6 (a)	(a) in the case of land included in Schedule 5—the corporation, or (b) in any other case—the Council
7	the Council

- (2) Subject to subclauses (3)–(5), on receipt of the request, the public authority concerned must make arrangements to acquire the land, unless the land might reasonably be required to be dedicated to the Council as a condition of consent to the carrying out of development.
- (3) However, the Council must make arrangements to acquire the land only if:
- (a) the land is included in a 5-year works program of the Council current at the time of receipt of the request, or

Clause 34 Bankstown Local Environmental Plan 2001

Part 4 Other special provisions

- (b) the Council is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable time.
- (4) The Roads and Traffic Authority must make arrangements to acquire the land only if:
 - (a) the land is included in a 5-year works program of the Roads and Traffic Authority current at the time of receipt of the request, or
 - (b) the Roads and Traffic Authority has refused concurrence to a consent for a proposed use of the land, or
 - (c) the Roads and Traffic Authority is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable time.
- (5) The corporation must make arrangements to acquire the land only if:
 - (a) the land is included in a priority program of the corporation current at the time of receipt of the request, or
 - (b) the corporation is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable time.
- (6) If Schedule 5 indicates that only part of an allotment is included in that Schedule, the relevant part is identified on the map.

35 Use of land before or after it is acquired

- (1) A person may, with consent but subject to subclause (2), carry out development on land within Zone 5 or 6 (a):
 - (a) if the development may be carried out on land in an adjoining zone, or
 - (b) if the development is compatible with development which may be carried out on land in an adjoining zone.
- (2) Consent may be granted to the development of land before it is acquired:
 - (a) if the land is within Zone 5 and "RTA" is specified on the map to indicate the relevant land use, only with the concurrence of the Roads and Traffic Authority, or
 - (b) if the land is within Zone 6 (a) and the land is included in Schedule 5, only with the concurrence of the Director-General.

Bankstown Local Environmental Plan 2001

Clause 35

Other special provisions

Part 4

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- (3) In determining whether or not to grant that concurrence, the Roads and Traffic Authority or the Director-General must consider the following:
- (a) the need to carry out development on the land for the purpose for which it is zoned,
 - (b) the imminence of acquisition,
 - (c) the likely additional cost resulting from the carrying out of the proposed development.
- (4) Before granting consent to development on land within Zone 5 or 6 (a) before it is acquired, the consent authority must consider the following:
- (a) the need for the proposed development on the land,
 - (b) the impact of the proposed development on the existing or likely future use of the land,
 - (c) the need to retain the land for its existing or likely future use,
 - (d) the effect of the proposed development on the costs of acquisition,
 - (e) the imminence of acquisition,
 - (f) the costs of reinstatement of the land for the land use for which the land may be required to be acquired.
- (5) Land acquired under clause 34 may be developed, with the consent of the consent authority, for any purpose until such time as it is required for use for the purpose for which it was acquired.
- (6) Consent for development on land within Zone 5 or 6 (a) after it has been acquired pursuant to this plan may be granted only if the consent authority has considered whether the proposed development would be compatible with the existing and likely future character and amenity of adjoining land in terms of:
- (a) its scale, bulk, design, siting and landscaping, and
 - (b) its operation, and
 - (c) traffic generation and car parking, and
 - (d) noise, light, dust and odour nuisance, and
 - (e) privacy, and
 - (f) stormwater drainage and flooding, and
 - (g) hours of operation, and
 - (h) overshadowing.

Clause 36 Bankstown Local Environmental Plan 2001

Part 4 Other special provisions

36 Use of land within Zone 7 before it is acquired

The consent authority may grant consent to development on land in Zone 7 before it is acquired, but only if it is satisfied that the proposed development will not detract from the conservation value of the land.

Bankstown Local Environmental Plan 2001

Clause 37

Heritage

Part 5

Part 5 Heritage

37 Heritage items

- (1) A person must not, in respect of a heritage item or relic, do any of the following except with the consent of the consent authority:
 - (a) demolish, deface, damage, despoil or move the heritage item, or
 - (b) alter the heritage item, or
 - (c) move the relic or excavate land for the purpose of discovering, exposing or moving a relic, or
 - (d) erect a building on, or subdivide, land on which the heritage item or relic is situated, or that comprises the heritage item or relic, or
 - (e) damage or despoil any tree or land on which the heritage item or relic is situated, or that comprises the heritage item or relic, or
 - (f) alter the interior of a building or work that is the heritage item, or
 - (g) use the heritage item for a purpose that is different from its current use.
- (2) Nothing in this clause operates so as to require consent for development, on land to which this clause applies, that is referred to in Schedule 7 if the Council is satisfied that the development is of a minor nature and does not have an adverse impact on the heritage significance of the heritage item.
- (3) The consent authority must not grant consent to the carrying out of development related to heritage items unless it considers the proposal is consistent with the following aims and objectives:
 - (a) to conserve the environmental heritage of the land to which this plan applies, and
 - (b) to integrate heritage conservation into the planning and development control processes, and
 - (c) where appropriate, to require the investigation and recording of sites which have archaeological potential, and
 - (d) to provide for public involvement in matters relating to the conservation of environmental heritage, and

Clause 37 Bankstown Local Environmental Plan 2001

Part 5 Heritage

- (e) to ensure that any development is undertaken in a manner that is sympathetic to, and does not detract from, the heritage significance of heritage items and both their curtilage and setting, and
 - (f) to require, when considered necessary, the consideration of a statement of heritage impact or a conservation management plan before consent is granted for development relating to a heritage item, and
 - (g) to ensure the sympathetic use of sites containing buildings or facades of historic or streetscape importance which contribute to the character of the locality.
- (4) The consent authority must not grant consent to a development application required by subclause (1) that relates to a heritage item unless it has taken into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the item.
- (5) Where a development application is required by this clause, the consent authority may decline to grant consent until it has considered a statement of heritage impact or a conservation management plan so as to enable the consent authority to fully consider the heritage significance of the item and the impact of the proposed development on the significance of the item, including its interior, curtilage and setting. The statement of heritage impact or conservation management plan is to be prepared by a suitably trained heritage professional according to the guidelines nominated by the consent authority.

38 Development in the vicinity of heritage items

The consent authority must take into consideration the likely effect of the proposed development on a heritage item, archaeological site or potential archaeological site, and on its setting, when determining an application for consent to carry out development of land in its vicinity.

39 Heritage advertisements and notifications

The following development is advertised development for the purposes of the Act:

- (a) the complete or substantial demolition of a heritage item, or
- (b) the complete or substantial demolition of any significant feature of a heritage item, or

Bankstown Local Environmental Plan 2001

Clause 39

Heritage

Part 5

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- (c) the carrying out of any development allowed by clause 41.

40 Notification of demolition to Heritage Council

Any application for consent to the demolition, defacing or damaging of a heritage item of State significance (being an item listed on the State Heritage Register) must be notified to the Heritage Council and any comments received from that Council within 28 days of its being so notified must be taken into account before the application is granted.

41 Heritage conservation incentives

Despite any other provision of this plan, the consent authority may grant consent for any development on land that is the site of a heritage item or a potential heritage item if it is satisfied that:

- (a) the proposed development would not adversely affect the amenity of the surrounding area, and
- (b) the proposed development is in accordance with a conservation management plan which has been endorsed by the consent authority, and
- (c) the granting of consent to the proposed development would ensure that all necessary conservation work identified in the conservation management plan is carried out.

42 Development of known or potential archaeological sites

- (1) The consent authority may grant consent to the carrying out of development on an archaeological site which has Aboriginal cultural heritage significance or a potential archaeological site that is reasonably likely to have Aboriginal cultural heritage significance only if:
 - (a) it has considered a statement of heritage impact of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site, and
 - (b) it has notified the Director-General of National Parks and Wildlife of its intention to do so and taken into consideration any comments received from that Director-General within 28 days of the notice being sent, and
 - (c) it is satisfied that any necessary consent or permission under the *National Parks and Wildlife Act 1974* has been granted.

Clause 42 Bankstown Local Environmental Plan 2001

Part 5 Heritage

- (2) The consent authority may grant consent to the carrying out of development on any other archaeological site or a potential archaeological site only if:
- (a) it has considered a statement of heritage impact of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site, and
 - (b) it has notified the Heritage Council of its intention to do so and taken into consideration any comments received from the Heritage Council within 28 days of the notice being sent.
- (3) Subclause (2) does not apply if the proposed development does not involve disturbance of below ground deposits and the consent authority is of the opinion that the heritage significance of any above ground deposits would not be adversely affected by the proposed development.

Bankstown Local Environmental Plan 2001

Clause 43

Rural zone

Part 6

Part 6 Rural zone

43 Objectives of the Rural zone

The objectives of Zone 1 are:

- (a) to recognise the agricultural production potential of rural land, and
- (b) to permit only those uses which are compatible with the amenity of adjoining areas.

Clause 44 Bankstown Local Environmental Plan 2001

Part 7 Residential zones

Part 7 Residential zones

44 Objectives of the residential zones

- (1) The objectives of Zone 2 (a) are:
 - (a) to complement the single dwelling suburban character of the residential areas of Bankstown City, and
 - (b) to enable dual occupancy, rowhouse and villa development that is otherwise consistent with the objectives of the zone, and
 - (c) to ensure that sites are of sufficient size to provide for buildings, vehicular and pedestrian access, landscaping and retention of natural topographical features, and
 - (d) to ensure that development is of a height and scale which complements existing buildings and streetscapes (noting that 2 storey dwellings may occur throughout residential areas), and
 - (e) to allow for some non-residential use that would not adversely affect the living environment or amenity of the area, and
 - (f) to encourage energy efficiency and resource conservation measures in the design, construction and occupation of residential buildings, and other buildings permitted in this zone, and
 - (g) to ensure adequate public and private open space is available to residents, and
 - (h) to require satisfactory drainage, and
 - (i) to require landscaping of development sites.
- (2) The objectives of Zone 2 (b) are:
 - (a) to encourage a variety of housing types in Bankstown City, including residential flat buildings, and
 - (b) to promote landscaping as a major element in the residential environment, and
 - (c) to provide for housing which is compatible with surrounding buildings in terms of bulk, height and scale, and
 - (d) to allow for some non-residential uses that provide services to residents which would not adversely affect the living environment of the area, and

Bankstown Local Environmental Plan 2001

Clause 44

Residential zones

Part 7

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- (e) to ensure that buildings include adaptable and accessible housing, and
 - (f) to encourage residential development which has regard to local amenity and public and private views, and
 - (g) to encourage energy efficiency and resource conservation measures in the design, construction and occupation of residential buildings, and other buildings permitted in this zone, and
 - (h) to ensure adequate public and private open space is available to residents, and
 - (i) to require satisfactory drainage, and
 - (j) to require landscaping of development sites.

45 General restrictions on development

- (1) Consent may be granted for a building on land within Zone 2 (a) or 2 (b) only if it would be compatible with the character and amenity of existing and likely future buildings on adjoining land in terms of:
 - (a) its scale, bulk, design, height, siting and landscaping, and
 - (b) its operation, and
 - (c) traffic generation and carparking, and
 - (d) noise, dust, light and odour nuisance, and
 - (e) privacy, and
 - (f) stormwater drainage, and
 - (g) hours of operation, and
 - (h) overshadowing.
- (2) Development for the purpose of dual occupancies, villas or rowhouses is prohibited on land within Zone 2 (a) that is referred to in Schedule 8.

46 Core residential development standards

- (1) The objectives of the standards in this clause are:
 - (a) where an existing allotment is inadequate in terms of its area or width, to require the consolidation of 2 or more single residential allotments for villa development or residential flat buildings, to achieve the other objectives in this subclause, and

Clause 46 Bankstown Local Environmental Plan 2001

Part 7 Residential zones

- (b) to ensure that allotments are of sufficient size to accommodate proposed dwellings, setbacks to adjoining residential land, private open space and courtyards, driveways, vehicle manoeuvring areas and the like, and
 - (c) to ensure that the site of a proposed villa development is of adequate area and width to enable that development to be arranged without long lengths of walls in a straight line, and
 - (d) to limit the potential for villa, rowhouse and dual occupancy development in Zone 2 (a), and
 - (e) to ensure that dual occupancy, rowhouse or villa development in Zone 2 (a) retains the general low-density scale and character of existing single dwelling development.
- (2) The consent authority may grant consent to the subdivision of a single allotment of land within Zone 2 (a) or 2 (b) to create not more than 2 allotments for the purpose of the erection of a dwelling house on each allotment, provided that the average area of the allotments, exclusive of any access corridor, is not less than 450 square metres, and each allotment contains a rectangle with sides of 10 metres and 15 metres behind the setbacks and the building line of the proposed dwelling house.
- (3) The consent authority is not to grant consent to development for the purpose of villas on an allotment of land within Zone 2 (a) or 2 (b) unless:
- (a) the allotment has an area of 1,200 square metres or more, and
 - (b) the allotment is at least 20 metres wide at the front building line, and
 - (c) the site area per villa (excluding the area of access handles or rights of way for access) is not less than 300 square metres.
- (4) The consent authority is not to grant consent to development for the purpose of a detached dual occupancy on an allotment of land within Zone 2 (a) or 2 (b) if the allotment has an area less than 700 square metres or a width of less than 20 metres at the front building line.
- (5) The consent authority is not to grant consent to development for the purpose of an attached dual occupancy on an allotment of land within Zone 2 (a) or 2 (b) if the allotment has an area less than 500 square metres or a width of less than 15 metres at the front building line.

Bankstown Local Environmental Plan 2001

Clause 46

Residential zones

Part 7

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- (6) The consent authority is not to grant consent to development for the purpose of rowhouses on an allotment of land within Zone 2 (a) or 2 (b) unless the allotment:
- (a) is rectangular in shape, and
 - (b) is located on a corner with two street frontages, and
 - (c) has an area of not less than 750 square metres, and
 - (d) has a width of not less than 20 metres at the front building line.
- (7) The consent authority is not to grant consent to development for the purpose of a residential flat building on an allotment of land within Zone 2 (b) if the allotment has an area of less than 1,500 square metres or a width of less than 30 metres at the front building line.

Note. Clause 46 (8), as exhibited, is *deferred matter*.

47 Isolation of allotments

The consent authority must not grant consent to any development on land within Zone 2 (b) if the proposed development will have the effect of isolating land with an area of less than 1,200 square metres and a width of less than 20 metres at the front building line so as to preclude the reasonable development of that land.

Clause 48 Bankstown Local Environmental Plan 2001

Part 8 Business zones

Part 8 Business zones

48 Objectives of the Business zones

- (1) The objectives of Zone 3 (a) are:
 - (a) to reinforce the status of Bankstown CBD as a metropolitan regional centre, and
 - (b) to define the scale and type of development in Bankstown CBD, and
 - (c) to link the three key retail precincts—Bankstown Square, the Compass Centre block, and the Town Centre Plaza—and ensure a broad range of consumer choice, and
 - (d) to establish a clear structure of land uses within Bankstown CBD to help focus the desired future character of the different activity precincts in the centre, and
 - (e) to permit a diversity of uses to reinforce the multi-use character of Bankstown CBD, and
 - (f) to encourage mixed-use development within the zone to create a living centre with a 24-hour life, and
 - (g) to ensure the scale and density of development complements the desired future character of each precinct and its location in the centre, and
 - (h) to introduce floor space incentives to encourage the redevelopment of key sites, and
 - (i) to define the parameters for retail activities within the centre, and
 - (j) to encourage the development of offices and other commercial activities in the CBD and promote the centre as a place for employment.
- (2) The objectives of Zone 3 (b) are:
 - (a) to encourage the provision of retail, business, community, service and entertainment facilities to serve residential areas in the catchment of the zone, without detracting from the primary role of the Bankstown CBD, and
 - (b) to promote the redevelopment of older centres and those in decay, and

Bankstown Local Environmental Plan 2001

Clause 48

Business zones

Part 8

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- (c) to enable residential development in business zones, whether or not in conjunction with commercial activity, to promote activity and services in those zones.

49 Restricted premises

- (1) Development for the purpose of restricted premises is prohibited on land that is within 200 metres of land within Zone 2 (a) or 2 (b).
- (2) The consent authority may consent to the carrying out of development for the purpose of restricted premises only where conditions are imposed (in addition to any other conditions which may be imposed by the Council) which require that:
 - (a) no part of the premises, other than an access corridor, will be located within 1,500 millimetres (measured vertically) from any adjoining footpath, roadway, arcade or other public thoroughfare, and
 - (b) any signage related to the premises will be of a size, shape and content that does not interfere with the amenity of the locality, and
 - (c) no other objects, products or goods related to the restricted premises will be visible from outside the premises.

50 Restrictions on certain development

- (1) The objectives of this clause are:
 - (a) to restrict centre-type development to existing shopping centres, and
 - (b) to ensure that existing shopping centres are not adversely affected by the out-of-centre location of centre-type development, or development commonly found in local or regional shopping centres.
- (2) This clause applies to land within Zone 3 (b) which is identified on the map by dark blue cross-hatching.
- (3) Despite clause 11, development for the purpose of the following is prohibited on land to which this clause applies:
 - business premises having a gross floor area greater than 1,000 square metres, or
 - amusement centres, or
 - hypermarkets, or

Clause 50 Bankstown Local Environmental Plan 2001

Part 8 Business zones

supermarkets, or
department stores, or
discount department stores, or
clothing shops, or
footwear shops, or
grocery shops having a gross floor area greater than 250 square metres,
or
fruit and vegetable shops having a gross floor area greater than 250
square metres, or
small electrical appliance shops, or
entertainment establishments, or
entertainment facilities.

Bankstown Local Environmental Plan 2001

Clause 51

Industrial zones

Part 9

Part 9 Industrial zones

51 Objectives of the Industrial zones

- (1) The objectives of Zone 4 (a) are:
 - (a) to permit primarily industrial uses or uses which are inappropriate in other zones, and
 - (b) to limit retail development, except where:
 - (i) it is ancillary to an industrial use of land, or
 - (ii) it services the daily convenience needs of the local workforce and does not have an adverse impact on the viability of the business areas of the City of Bankstown, and
 - (c) to promote a high standard of:
 - (i) building design (particularly along arterial roads), and
 - (ii) environmental management, energy efficiency and resource conservation, and
 - (d) to allow bulky goods salesrooms or showrooms only where they will not have an adverse impact on the viability of the business areas of the City of Bankstown.
- (2) The objectives of Zone 4 (b) are:
 - (a) to only permit development that will operate in a manner consistent with maintaining or improving the existing amenity of adjoining residential areas, and
 - (b) to limit retail development except where:
 - (i) it is ancillary to an industrial use of land, or
 - (ii) it services the daily convenience needs of the local workforce, and
 - (c) to promote a high standard of:
 - (i) building design (particularly along arterial roads), and
 - (ii) environmental management, energy efficiency and resource conservation, and
 - (d) to allow bulky goods salesrooms or showrooms only where they will not have an adverse impact on the viability of the business areas of the City of Bankstown.

Clause 52 Bankstown Local Environmental Plan 2001

Part 9 Industrial zones

52 Development in the Industrial zones

- (1) This clause applies to land within Zone 4 (a) or 4 (b).
- (2) Before granting consent for development on land to which this clause applies, the consent authority must take into consideration the following matters:
 - (a) whether the proposed development will provide adequate off-street parking, relative to the demand for parking likely to be generated,
 - (b) whether the site of the proposed development will be suitably landscaped, particularly between any buildings and the street alignment,
 - (c) whether the proposed development will contribute to the maintenance or improvement of the character and appearance of the locality,
 - (d) whether access to the proposed development will be available by means other than a residential street but, if no other means of practical access is available, the consent authority must have regard to a written statement that:
 - (i) illustrates that no alternative access is available otherwise than by means of a residential street, and
 - (ii) demonstrates that consideration has been given to the effect of traffic generated from the site and the likely impact on surrounding residential areas, and
 - (iii) identifies appropriate traffic management schemes which would mitigate potential impacts of the traffic generated from the development on any residential environment,
 - (e) whether goods, plant, equipment and other material used in carrying out the proposed development will be suitably stored or screened,
 - (f) whether the proposed development will detract from the amenity of any residential area in the vicinity,
 - (g) whether the proposed development adopts energy efficiency and resource conservation measures related to its design, construction and operation.
- (3) The consent authority must not grant consent to development for the purpose of office premises on land to which this clause applies, unless it is satisfied that:

Bankstown Local Environmental Plan 2001

Clause 52

Industrial zones

Part 9

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- (a) the development will not detrimentally affect the viability of any business centre in the locality, and
 - (b) where the development may otherwise have occurred within a business centre in the locality, suitable land for the development is not available in that business centre, and
 - (c) the development is of a type appropriate to an industrial zone, or to the general character of existing development within the industrial zone.
- (4) The consent authority must not grant consent to development for the purpose of a panel beating workshop on land to which this clause applies if the land adjoins land within a residential zone, unless appropriate arrangements are made to store all vehicles awaiting or undergoing repair, awaiting collection, or otherwise involved with the development on the site of the proposed development, and they will be stored either:
- (a) within a building, or
 - (b) within a suitably screened area.
- (5) Despite clause 11, the consent authority may consent to development on land within Zone 4 (a) or 4 (b) for the purpose of the sale of motor vehicles or furniture by auction.
- (6) The consent authority may grant consent to development for the purpose of a convenience store on land within Zone 4 (a) or 4 (b) only if it has a gross floor area of not more than 250 square metres and is proposed to be used in conjunction with a service station.
- (7) The consent authority may grant consent to development on land within Zone 4 (a) or 4 (b) for the purpose of an educational establishment other than an infants', primary or secondary school.

53 Bulky goods salesrooms or showrooms

- (1) The consent authority must not grant consent to development for the purpose of bulky goods salesrooms or showrooms on land within Zone 4 (a) or 4 (b) unless it is satisfied that:
- (a) suitable land for the development is not available in any nearby business centre, and
 - (b) to grant consent would not, by reason of the number of retail outlets which exist or are proposed on land to which this clause applies, defeat the predominantly industrial nature of the zone concerned, and

Clause 53 Bankstown Local Environmental Plan 2001

Part 9 Industrial zones

- (c) the proposed development will not detrimentally affect the viability of any business centre.
- (2) The consent authority may adopt a development control plan which has the effect of identifying those parts of Zone 4 (a) or 4 (b) in which bulky goods salesrooms or showrooms should or should not be carried out.

54 Development of certain land at Greenacre

- (1) This clause applies to the part of Lot 13, DP 1004336 indicated on the map as a restricted development area, and is part of the land known as 235 Roberts Road, Greenacre.
- (2) Development for the purpose of landscaping, drainage or utility installations may be carried out on land to which this clause applies with development consent, but for no other purpose.

Bankstown Local Environmental Plan 2001

Clause 55

Special Uses zone

Part 10

Part 10 Special Uses zone

55 Objectives of the Special Uses zone

The objectives of Zone 5 are:

- (a) to identify land owned, used or required to be used by, or under the authority of, a public authority or for other semi-public purposes, and
- (b) to permit a range of uses which are compatible with the locality.

56 Railway land

Land within Zone 5 shown on the map with the annotation “railways” may, with the consent of the consent authority, be used for any purpose authorised under the *Transport Administration Act 1988*.

Clause 57 Bankstown Local Environmental Plan 2001

Part 11 Open Space zones

Part 11 Open Space zones

57 Objectives of the Open Space zones

- (1) The objectives of Zone 6 (a) are:
 - (a) to ensure that there is a sufficient and equitable distribution of open space to meet the recreational needs of residents and to enhance the environment of Bankstown City, and
 - (b) to ensure preservation of significant landscape elements.
- (2) The objectives of Zone 6 (b) are:
 - (a) to identify major parcels of land where private recreation is provided, and
 - (b) to permit a range of related facilities.

58 Floodway

- (1) This clause applies to land within Zone 6 (a) that has the annotation “floodway” on the map.
- (2) A building must not be erected or an existing building extended on the land to which this clause applies.

Bankstown Local Environmental Plan 2001

Clause 59

Environment Protection zone

Part 12

Part 12 Environment Protection zone

59 Objectives of the Environment Protection zone

The objectives of Zone 7 are:

- (a) to protect environmentally sensitive natural bushland and wildlife corridors of high conservation value, and
- (b) to protect threatened vegetation communities and their associated native fauna, and
- (c) to conserve watercourses and their associated riparian vegetation, and
- (d) to protect sites identified in plans of management as being environmentally sensitive natural bushland or wildlife corridors of high conservation value.

Clause 60 Bankstown Local Environmental Plan 2001

Part 13 National Parks and Nature Reserves zone

Part 13 National Parks and Nature Reserves zone

60 Objectives of the National Parks and Nature Reserves zone

The objectives of Zone 8 are:

- (a) to identify existing national parks and nature reserves, and
- (b) to recognise the administration of this land under the *National Parks and Wildlife Act 1974*.

Bankstown Local Environmental Plan 2001

Dictionary

Schedule 1

Schedule 1 Dictionary

(Clause 6 (1))

Aboriginal cultural heritage significance means cultural significance to indigenous inhabitants of New South Wales and can apply to any item, site, place, area or object.

Aboriginal place means a natural sacred site. It includes a natural feature such as a creek or mountain of cultural significance, as well as an initiation, ceremonial or story place, or an area of more contemporary cultural significance, such as an Aboriginal mission and a post-contact site.

Aboriginal site means any place which has the physical remains of pre-historic occupation, or is of contemporary significance to the Aboriginal people. It can include items and remnants of the occupation of the land by Aboriginal people such as burial places, engraving sites, rock art, midden deposits, scarred and carved trees, and sharpening grooves.

acid sulfate soils means actual or potential acid sulfate soils, as defined in the *Acid Sulfate Soils Assessment Guidelines*.

Acid Sulfate Soils Assessment Guidelines means the *Acid Sulfate Soils Assessment Guidelines* as published from time to time by the NSW Acid Sulfate Soils Management Advisory Committee and adopted by the Director-General.

Acid Sulfate Soils Planning Maps means the series of maps marked "Bankstown Acid Sulfate Soils Planning Maps" kept in the office of the Council.

adaptation means modifying a place that is a heritage item to suit proposed compatible uses in such a way that it retains its heritage significance.

advertisement means a sign, notice, device or representation in the nature of an outdoor advertisement visible from any public place or public reserve and includes any structure intended to display an advertisement.

agriculture means:

- (a) the production of crops or fodder, or
- (b) horticulture, including fruit, vegetable and flower crop production and use of land for wholesale plant nurseries, or

Page 57

Bankstown Local Environmental Plan 2001

Schedule 1 Dictionary

- (c) the grazing of livestock, or
- (d) the keeping and breeding of livestock, including poultry, other birds, and bees,

but (in the Table to clause 11) does not include any other use or activity elsewhere defined in this plan.

alter, in relation to a heritage item or relic, means:

- (a) make structural or non-structural changes to the outside of the heritage item or relic, such as changes to the detail, fabric, finish or appearance of the outside of the heritage item or relic, but not changes that maintain the existing detail, fabric, finish or appearance of the outside of the heritage item or relic, or
- (b) make structural or non-structural changes to the interior of the heritage item or relic, except changes to floor coverings, the painting of previously painted surfaces, and erection of office partitioning which does not damage original fabric.

amusement centre means a building or place (not being a hotel or tavern) used principally for playing:

- (a) billiards, pool, or other like games, or
- (b) electrically or mechanically operated amusement devices, such as pinball machines, video games and the like.

animal boarding or training establishment means a building or place used for the breeding, boarding, training or keeping of, or for caring for, animals for commercial purposes, and includes a riding school and veterinary clinic.

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

archaeological site means a site identified as such in Schedule 6 (Heritage items). It includes any site known to the consent authority to be an archaeological site, even if it is not so identified.

arterial road means:

- (a) a road shown on the map as being an arterial road, or
- (b) a road declared to be a main road, controlled access road, secondary road or a tollway under the *Roads Act 1993*, or
- (c) a road shown on the Council's adopted road hierarchy list (a copy of which is available from the office of the Council) as an arterial road.

Bankstown Local Environmental Plan 2001

Dictionary

Schedule 1

bed and breakfast establishment means a dwelling house providing accommodation for commercial purposes where:

- (a) the owner is a permanent resident living in the dwelling house, and
- (b) visitors' accommodation is provided on a short-term basis only, up to a maximum of 1 month, and
- (c) there are not more than 6 visitors at any one time.

boarding-house includes a house let in lodgings or a hostel which accommodates more than 2 boarders or residents, but does not include a motel.

brothel means premises habitually used for the purpose of prostitution, or designed for that purpose, even though used by only one prostitute for the purpose of prostitution.

bulky goods salesroom or showroom means a building or place used for the sale by retail or auction, or the hire or display, of any of the following:

- (a) furniture, or
- (b) electrical appliances, or
- (c) office furniture, or
- (d) hardware, or
- (e) outdoor products, or
- (f) floor coverings, or
- (g) automotive parts and accessories, or
- (h) lighting, or
- (i) kitchen or bathroom showrooms, or
- (j) tiles (floor, ceiling or wall), or
- (k) plant and equipment for hire.

business premises means a building or place in which there is carried on an occupation, profession, service, light industry or trade which provides a service directly and regularly to the public, but (in the Table to clause 11) does not include a building or place elsewhere defined in this Schedule.

car park means a building or place used for parking vehicles, and any manoeuvring space and access to it, whether operated for gain or not.

Bankstown Local Environmental Plan 2001

Schedule 1

Dictionary

caravan park means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, placed or erected.

centre based child care centre means a building or place used for the purpose of caring for or educating children which:

- (a) caters for 6 or more children who are aged under 6 years or who do not normally attend school, and
- (b) may operate for the purpose of gain,

but does not include a building or place providing residential care for those children.

communications facility means a building or other structure, work or place used primarily for transmitting or receiving signals for the purpose of communication, including radio masts, transmission towers, satellite discs and the like.

community facility means a building or place owned or controlled by a public authority or a body of persons which provides for the physical, social, cultural, or intellectual development or welfare of the local community, but (in the Table to clause 11) does not include a building or place elsewhere defined in this Schedule.

community land means land classified as community land within the meaning of the *Local Government Act 1993*.

compatible use, in relation to a heritage item, means a use which involves no change to culturally significant fabric, but involves a change which is substantially reversible, or which results in a minimal impact on heritage significance.

conservation, in relation to a heritage item, means all the processes of looking after a place so as to retain its cultural significance. It includes maintenance and may according to circumstance include preservation, restoration, reconstruction and adaptation and will be commonly a combination of more than one of these. It may involve a similar use to the original or a significant use of the building or site concerned and will result in no change to culturally significant fabric. It includes changes which are substantially reversible or changes which involve minimal environmental impact.

conservation management plan means a document prepared in accordance with the provisions of the NSW Heritage Manual. It should establish the heritage significance of an item, place or heritage

Bankstown Local Environmental Plan 2001

Dictionary

Schedule 1

conservation area, and should identify conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

convenience store means a shop selling a variety of small grocery goods, whether or not goods are available for hire there.

Council means the Council of the City of Bankstown.

cultural significance means aesthetic, historic, scientific or social value for past, present or future generations.

curtilage of a heritage item means the area around the heritage item which is required to maintain its heritage significance. It is not limited to the setting or the property boundaries of the site.

dam means all works or activities, including stormwater retention basins, the placement of fill or the excavation of land, involved in the permanent or temporary storage of water on land which significantly alters the shape, natural form or drainage of land.

DCP 35 means *Development Control Plan (DCP) No 35: Development System DCP*, as adopted by the Council on 27 October 2000.

demolish a building or work that is a heritage item, means to wholly or partly destroy or dismantle the heritage item.

demolish a building or work that is not a heritage item, means destroy or dismantle the building or work.

depot means a building or place used for the storage (but not sale) of plant, machinery, goods or materials used or intended to be used by the owner or occupier of the building or place, but (in the Table to clause 11) does not include a building or place elsewhere defined in this Schedule.

development has the same meaning as in the Act.

dual occupancy means two attached dwellings (with a single common wall) or two detached dwellings on a single allotment where both dwellings face the street.

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

dwelling house means a dwelling which is the only dwelling erected on an allotment of land.

Bankstown Local Environmental Plan 2001

Schedule 1 Dictionary

educational establishment means a building or place used for education (including teaching) and includes:

- (a) a government school or non-government school within the meaning of the *Education Act 1990*, and
- (b) a tertiary institution, including a university and TAFE establishment, providing formal education which is constituted by or under an Act, and
- (c) an art gallery or museum, not used to sell the items displayed in it, whether or not accommodation for staff or students is provided there and whether or not it is used for the purpose of gain.

entertainment establishment means a building or place used for the purpose of theatres or cinemas.

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

- (a) sports stadiums, showgrounds, racecourses and the like, and
- (b) music halls, concert halls, open air theatres, drive-in theatres and the like, and
- (c) entertainment centres, convention centres, exhibition centres and the like.

extractive industry means:

- (a) winning extractive material, or
- (b) an undertaking, not being a mine, which depends for its operation on the winning of extractive material from the land on which it is carried out and includes any washing, crushing, grinding, milling, sawing or separating into different sizes of that extractive material on that land.

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

fabric means all the physical material of a building or place.

family day care centre means a room or a number of rooms forming part of, attached to, or within the curtilage of, a dwelling where a family day care service (within the meaning of the *Family Day Care and Home Based Child Care Services Regulation 1996*) is provided and organised or arranged by a sponsoring body (for example, the

Bankstown Local Environmental Plan 2001

Dictionary

Schedule 1

Council) and which caters for up to 7 children under 12 years of age (including the care givers' children), but with a maximum of 5 children under 6 years of age.

family housing means a flat attached to, and on the same allotment as, another dwelling with the flat having access and site facilities shared with the other dwelling and a floor area of not more than 75 square metres. The flat and other dwelling must be the only dwellings on the allotment.

flood liable land means land inundated by the 1% probability flood event for the catchment in which the land is situated and includes land indicated as flood liable on maps prepared by the Department of Public Works and Services.

floor means that space within a building which is situated between one floor level and the floor level next above or, if there is no floor above, the ceiling or roof above.

floor space ratio means the ratio of the gross floor area of a building to the area of the development site.

Floor Space Ratio Map means the map entitled "Bankstown Local Environmental Plan 2001—Floor Space Ratio Map", as amended by the maps, (or, if sheets of maps are specified, by the specified sheets of maps) marked as follows:

front building line means the line determined by the Council establishing the minimum setback of a building from the street alignment. In the case of an allotment with frontage to more than one street, the front building line applies to the shortest frontage.

generating works means a building or place used for the purpose of making or generating gas, electricity (otherwise than by the use of domestic solar panels) or other forms of energy.

gross floor area means the sum of the areas of each floor of a building where the area of each floor is taken to be the area within the outer face of the external enclosing walls (or the roof structure, in the case of a loft) as measured at a height of 1,400 millimetres above each floor level, excluding:

- (a) columns, fin walls, sun control devices, awnings and any other elements, projections or works outside the general lines of the outer face of the external walls, and
- (b) lift towers, stairwells, cooling towers, machinery and plant rooms, ancillary storage space and air-conditioning ducts, and

Bankstown Local Environmental Plan 2001

Schedule 1

Dictionary

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- (c) car parking needed to meet any requirements of the Council and any internal designated vehicular or pedestrian access to it, and
 - (d) space for the loading and unloading of goods, and
 - (e) internal public arcades and thoroughfares, terraces, balconies with outer walls less than 1,400 millimetres high and the like.

hazardous industry means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including measures to isolate the development from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

hazardous storage establishment means any establishment where goods, materials or products are stored which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including measures to isolate the establishment from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

health consulting rooms means a room or a number of rooms within an existing building that is designed as a dwelling house used by not more than one person to provide professional medical treatment or health care services (including dental, veterinary and optical services) to members of the public and who employ not more than 1 employee in connection with the practice.

helicopter landing site means a place not open to the public used for the taking off and landing of helicopters.

heliport means a place open to the public used for the taking off and landing of helicopters, whether or not it includes:

- (a) a terminal building, or
- (b) facilities for the parking, storage or repair of helicopters.

heritage conservation map means the map entitled “Bankstown Local Environmental Plan 209—Heritage Conservation”, as amended by the maps, (or, if sheets of maps are specified, by the specified sheets of maps) marked as follows:

Bankstown Local Environmental Plan 2001

Dictionary

Schedule 1

heritage item means a building, part of a building, work, relic, place, archaeological site, tree or landscape or townscape item which is described in Schedule 6 and shown on the heritage conservation map. It also includes the site of any such building or work.

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

highway service centre means a place which has direct access to a freeway or controlled access road and provides petrol and diesel fuel outlets, toilets, restaurant facilities (for either sit-down or take-away meals, or both), parking for cars, buses and trucks and emergency repair facilities.

home based child care centre means a building or place which provides child care for up to 5 children (including the children of the carer) aged under 6 years, or who do not normally attend school.

home business means a business carried on in a dwelling or a building erected within the curtilage of a dwelling where:

- (a) the use does not involve the employment of persons other than residents of the site and a maximum of 1 non-resident, and
- (b) the use does not involve the retailing of goods or the display of goods whether in a window or otherwise, and
- (c) the use does not involve the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that building to indicate the name and occupation of the resident or residents), and
- (d) the use does not involve a brothel, and
- (e) the use does not involve manufacturing or processing of any kind, and
- (f) the use does not have a detrimental impact on the amenity of adjoining residences.

home office means a home business undertaken in a single room (with a maximum area of 30 square metres) of a dwelling house, where the use:

- (a) only involves the employment of persons who are residents of the dwelling or dwelling house, and
- (b) does not have a detrimental impact on the amenity of adjoining residences, and

Bankstown Local Environmental Plan 2001

Schedule 1 Dictionary

- (c) does not involve any retailing, manufacturing or processing of any kind, and
- (d) does not involve a brothel.

hospital means a building or place used for the purpose of providing professional health care services (such as preventative or rehabilitative care, diagnosis, medical or surgical treatment, care for people with disabilities, psychiatric care or counselling and services provided by health care professionals) to people who are admitted as in-patients, including any:

- (a) ancillary facilities for the accommodation of nurses or other health care workers, ancillary shops or restaurants and ancillary accommodation for persons receiving health care or for their visitors, and
- (b) facilities situated in the building or at the place and used for educational or research purposes, whether or not they are used only by hospital staff or health care workers and whether or not any such use is a commercial use, and
- (c) specialist medical centre,

and includes a building or place that is used exclusively as a day surgery or day procedure centre.

hotel means premises specified or proposed to be specified in a hotelier's licence granted under the *Liquor Act 1982*.

housing for older people or people with a disability means residential accommodation which may take any building form, which is or is intended to be used as housing for the permanent accommodation of older people (persons 55 years old or older) or people with a disability.

industry means the manufacturing, assembling, altering, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, processing or adapting of any goods, articles, materials, liquids or gases for commercial purposes, but (in the Table to clause 11) does not include a land use elsewhere defined in this Schedule.

institution means a penal or reformatory establishment.

in the vicinity of a heritage item means in the local area of the item (for example, behind, around or within view of the item or at a place from which the item can be viewed). In deciding whether something is in the vicinity, the screening effect of current trees or temporary structures is to be excluded.

Bankstown Local Environmental Plan 2001

Dictionary

Schedule 1

junk yard means land used for the collection, storage, abandonment or sale of scrap metals, waste paper, rags, bottles or other scrap materials or goods or used for the collecting, dismantling, storage, salvaging or abandonment of automobiles or other vehicles or machinery or for the sale of their parts.

landfilling means all works or activities involved in the placement of fill on land, or an excavation of land, which significantly alters the shape, natural form or drainage of land, but does not include creation of dams.

light industry means an industry in which the processes carried on, or the transportation involved or the machinery or materials used, do not interfere unreasonably with the amenity of the neighbourhood, but (in the Table to clause 11) does not include an industry elsewhere defined in this Schedule.

maintenance, in relation to a heritage item, means the ongoing protective care of the existing fabric, finish, appearance or setting of a heritage item. It does not include alterations or the introduction of new materials or technology (for example, injectable damp proof courses or roof treatments).

map means a map deposited in the office of the Council.

marina means:

- (a) shoreside facilities for mooring or servicing boats including pontoons, jetties, piers, berths or moorings, and
- (b) facilities for dry or rack storage of vessels, repair, maintenance or refuelling of vessels, pumping out of sewage, sail lofts, spillways, hoists, and facilities for the provision of accessories or parts for boats or food for boating operations.

materials recycling yard means a building or place used for collecting, dismantling or storing of second-hand or scrap materials for the sole purpose of recycling the metal, timber or other substances comprising them or from which they are made, whether or not by resale, but does not include a junk yard.

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

Bankstown Local Environmental Plan 2001

Schedule 1

Dictionary

mine means the obtaining (by methods including excavating, quarrying, dredging, tunnelling or drilling) or removal of minerals, petroleum or natural gas and includes the storage and processing of the material obtained.

mineral has the same meaning as in the *Mining Act 1992*.

motel means premises, not being a hotel or serviced apartments, used for the temporary or short-term accommodation of travellers.

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

offensive industry means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including measures to isolate the development from existing or likely future development on other land in the locality), would emit a polluting discharge (including noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

offensive storage establishment means any establishment where goods, materials or products are stored which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including measures to isolate the establishment from existing or likely future development on other land in the locality), would emit a polluting discharge (including noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

office premises means a building or place used for the purpose of administration, clerical, technical, professional or like activities, where:

- (a) dealings with members of the public are not on a direct and regular basis or otherwise than by appointment, and

Bankstown Local Environmental Plan 2001

Dictionary

Schedule 1

- (b) in the case of land within Zone 4 (a) or 4 (b), or land within Zone 3 (b) which is identified on the map by dark blue cross-hatching (being the land to which clause 50 applies), the employee density does not exceed 1 person for each 50 square metres of gross floor area contained within the building,

but (in the Table to clause 11) does not include a building or place elsewhere defined in this Schedule.

operational land means land classified as operational land within the meaning of the *Local Government Act 1993*.

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

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

plan of management, in relation to a heritage item, means a document detailing a schedule of works, in accordance with accepted conservation assessment procedures and techniques, aimed at restoring or maintaining the item.

plan of management, except in relation to a heritage item, has the same meaning as in the *Local Government Act 1993*.

plant hire means a building or place used to hire out tools, plant and equipment used by builders and do-it-yourselfers and for the service and maintenance of the tools, plant and equipment.

potential archaeological site means a site known to the Council to have archaeological potential.

potential heritage item means a site identified as such in a register kept by the Council and includes a site known to the Council to have heritage potential, even if it is not so identified.

preservation means maintaining the fabric of a place in its existing state and retarding deterioration.

public building means a building or place used as a business or office by a public authority or an organisation established for public purposes.

Bankstown Local Environmental Plan 2001

Schedule 1

Dictionary

reconstruction means returning a place as nearly as possible to a known earlier state and is distinguished by the introduction of materials (new or old) into the fabric.

recreation area means:

- (a) a children's playground, or
- (b) an area used for sporting activities or sporting facilities, or
- (c) an area used by the Council to provide recreational facilities for the physical, cultural or intellectual welfare of the community, or
- (d) an area used by a body of persons associated for the purpose of the physical, cultural or intellectual welfare of the community to provide recreational facilities for that purpose.

recreation facility means a building or place used for sporting activities, recreation or leisure activities, and may incorporate a shop selling take-away food or tourist-related items, whether or not operated for the purpose of gain, and may consist of or include:

- (a) a swimming pool, golf course, tennis court, bowling green or playing field, and
- (b) a paint ball park or gun club, and
- (c) a go-kart track, skating rink, skateboard and rollerblade ramp or mini-golf course, and
- (d) a bowling alley, pinball and video parlour or pool hall, and
- (e) boating facilities, such as marinas, boatsheds, boat ramps or landing facilities.

registered club means a building or place which is used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purposes and which is, or is intended to be, registered under the *Registered Clubs Act 1976*.

relic means any deposit, object or material evidence (which may consist of human remains), relating to the use or settlement of the area of the City of Bankstown, which is 50 or more years old.

research establishment means a building or place used for the testing of any industrial goods or any articles for commercial purposes.

research facility means a building or place used for the design, research or development of any industrial goods or any articles for commercial purposes, but (in the Table to clause 11) does not include a building or place elsewhere defined in this Schedule.

Bankstown Local Environmental Plan 2001

Dictionary

Schedule 1

residential flat building means a building containing two or more attached dwellings (and includes dwellings attached to a shop or office) with shared arrangements for access and parking and shared communal open space in lieu of or as well as private open space, but does not include a dual occupancy.

restaurant means a building or place, the principal purpose of which is the provision of food to people for consumption on the premises or to provide take-away meals.

restoration means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

restricted premises means a building or place at which:

- (a) publications classified Category 1 restricted, Category 2 restricted or RC under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth are shown, exhibited, displayed, sold or otherwise rendered accessible or available to the public, or
- (b) a business to which section 578E of the *Crimes Act 1900* applies is conducted,

but does not include a newsagency or pharmacy.

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

road means a public thoroughfare used for the passage of vehicles or animals.

roadside stall means a place or temporary structure used for the selling by retail of agricultural produce produced on the allotment of land on which the place or temporary structure is located.

road transport terminal means a building or place used for the bulk handling of goods for transport by motor vehicles and includes a building or place used for the loading and unloading of containers.

rowhouses means three attached dwellings erected on a corner allotment of a public road with each having a common wall or walls with the adjoining dwelling or dwellings.

Bankstown Local Environmental Plan 2001

Schedule 1

Dictionary

sanctuary means a building or place used for the preservation of native flora or fauna, or both, but (in the Table to clause 11) does not include a building or place elsewhere defined in this Schedule.

serviced apartments means a building containing two or more self-contained dwellings:

- (a) which are used to provide short-term accommodation, but not subject to residential tenancy agreements within the meaning of the *Residential Tenancies Act 1987*, and
- (b) which are serviced or cleaned by the owner or manager of the apartments or the owner's or manager's agent.

service station means a building or place used for the sale by retail of motor vehicle fuels and lubricants, whether or not the building or place is also used for any one or more of the following:

- (a) the sale by retail of spare parts and accessories for motor vehicles,
- (b) the cleaning of motor vehicles,
- (c) installation of accessories,
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panelbeating, spraypainting or suspension, transmission or chassis restoration),
- (e) a convenience store.

setting of a heritage item means what you see when looking from the heritage item, which changes as you move around the item. It may vary from the surrounding garden and field of a country house to the pavement, landscape, streetscape, backdrop and visual catchment of an urban building.

shop means a building or place used for selling items, whether by retail or auction, or for hiring or displaying items for the purpose of selling or hiring them (whether the items are goods or materials), but (in the Table to clause 11) does not include a building or place elsewhere specifically defined in this Schedule.

site area, in relation to development, means the area of land to which an application for consent to carry out the development relates, excluding any land on which the development is not permitted by this plan.

Bankstown Local Environmental Plan 2001

Dictionary

Schedule 1

statement of heritage impact for a heritage item is a statement identifying the significance of the heritage item and assessing and justifying the impact that proposed development will have on the significance of the heritage item, including its curtilage and setting. A statement of heritage impact is to be prepared with reference to a conservation management plan or a conservation policy, where such documents have been previously prepared.

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

the corporation means the corporation constituted by section 8 (1) of the Act.

the map means the series of maps marked “Bankstown Local Environmental Plan 2001”, deposited in the office of the Council, as amended by the maps (or, if sheets of maps are specified, by the specified sheets of maps) marked as follows:

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

utility installation means a building or work used by a utility undertaking, but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

utility undertaking means any undertaking carried on by, or by authority of, a public authority or in pursuance of any Commonwealth or State Act, for the purpose of:

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

vacant land means land on which, immediately before the day on which a notice requiring its acquisition is given under this plan, there were no buildings other than fences, greenhouses, conservatories, garages, summer houses, private boathouses, fuel sheds, toolsheds, cycle sheds, aviaries, milking bails, hay sheds, stables, fowl houses, pig sties, barns or the like.

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

Bankstown Local Environmental Plan 2001

Schedule 1

Dictionary

vehicle repair station means a building or place used for the purpose of carrying out repairs or selling and fitting of accessories to vehicles or agricultural machinery.

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

villas means three or more dwellings on a site sharing part of the site for access or open space or site facilities.

warehouse or distribution centre means a building or place used for storing, holding or displaying items (whether goods or materials) which have been produced or manufactured for sale, other than retail sale to the public from the building or place.

waste disposal means landfilling which involves the filling of land with:

- (a) sludge, or
- (b) putrescible waste, or
- (c) waste that includes any substance classified in the *Australian Dangerous Goods Code* or medical, cytotoxic or quarantine waste.

water body means:

- (a) a natural water body, 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 river or stream, or
 - (iii) tidal waters, including any bay, estuary or inlet, or
- (b) an artificial water body, 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.

wetland means:

- (a) natural wetland, which includes marshes, mangroves, backwaters, billabongs, swamps, sedgelands, wet meadows or wet heathlands that form a shallow water body (up to 2 metres in depth) when inundated cyclically, intermittently or

Bankstown Local Environmental Plan 2001

Dictionary

Schedule 1

permanently with fresh, brackish or salt water and where the inundation determines the type and productivity of the soils and the plant and animal communities, or

- (b) artificial wetland, which includes marshes, swamps, wet meadows, sedgeland or wet heathlands that form a shallow water body (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with water, and that are constructed from and vegetated with wetland plant communities.

Bankstown Local Environmental Plan 2001

Schedule 2 Additional uses

Schedule 2 Additional uses

(Clause 13 (8))

Item No	Property description	Development for the purpose of, or consisting of, the following:
1	Lot 2, DP 184160, No 119 Hume Highway, Greenacre, and Lots A–C, DP 412285, Nos 279–283 Hume Highway, Greenacre	Motor showrooms
2	Lots 2 and 9, DP 26470, Lots A and B, DP 413832 and Lot X, DP 401267, at Greenacre	Motor showrooms
3	Lot 1, DP 26470, Lot B, DP 334262 and Lot 2, DP 13142, Nos 139–141 Hume Highway, Greenacre	Motor showrooms

Bankstown Local Environmental Plan 2001

Additional uses

Schedule 2

Item No	Property description	Development for the purpose of, or consisting of, the following:
4	Lots 4–8, 35 and 36, DP 12936, No 56 Clapham Road, Sefton	<p>Hotel and newsagency where the newsagency occupation is limited to that area of the land that was occupied by a bottle shop on 27 April 2001, and is not used for the purpose of displaying, or making available for sale or rental, material (whether literature, video, film or goods or articles) used or intended for use in connection with sexual behaviour and classified or refused classification under the <i>Classification (Publications, Films and Computer Games) Act 1995</i> of the Commonwealth or to which section 578E of the <i>Crimes Act 1900</i> applies. For the purposes of this item, newsagency means a business that sells by retail any of the following items only (and not, for example, general grocery or convenience items):</p> <ul style="list-style-type: none"> (a) newspapers, magazines, books, (b) stationery, (c) confectionary, non-alcoholic drinks, (d) tobacco, (e) lottery tickets and other products of NSW Lotteries, (f) children's toys.
5	Lots A and B, DP 355003, Lot 119, DP 389833, Lots 110 and 122, DP 332218, Lot 15, DP 665317 and Lot 16, DP 665316, No 6 Kerrinea Road, Sefton	Boarding-house

Bankstown Local Environmental Plan 2001

Schedule 2 Additional uses

Item No	Property description	Development for the purpose of, or consisting of, the following:
6	Lots 1 and 2, DP 13922, Shellcote Road, Greenacre	Car parking, in association with the use of the adjoining land as a motor showroom
7	Lot 3, DP 1008977, No 2 The River Road, Revesby	Drive-in take-away restaurant
8	Land, being Roberts Park, Lot 1, DP 191879, No 35 Waterloo Road, Greenacre	Child care centre
9	Part of Lot 1 and Lot 3, DP 386055, No 90 Uranus Road, Revesby	Access and carparking for customer and employee vehicles in association with the use of the adjoining land, Lot 2, DP 386055
10	Lots 1 and 2, 132536, Lot 1, DP 430451, Lot 1, DP 337134 and Lot 1, DP 337136, No 416 Hume Highway, Yagoona	Service station
11	Lot 15, DP 15217, No 17 Sir Joseph Banks Street, Bankstown	Child care centre
12	Nos 30–62 Meredith Street, Bankstown	Medical centre
13	Lot A, DP 375000, No 251 Hume Highway, Greenacre	Motor showroom
14	Lot 345, DP 713612, Lots 1 and 2, DP 12521, Lot 1, DP 103526 and part of Lot 1, DP 217766, Nos 231–241A Hume Highway, Greenacre	Motor vehicle wrecking and the sale of motor vehicle parts
15	Lot 67, DP 587578, Lot B, DP 396903 and part of Lot 7, DP 183929, Nos 43–45A Kitchener Parade, Bankstown	Vehicle wash facility
16	Lots 1 and 2, DP 132536, Lot 1, DP 337134, Lot 1, DP 337136 and Lot 1, DP 430451, Nos 416–418 Hume Highway, Yagoona	Motor showroom

Bankstown Local Environmental Plan 2001

Additional uses

Schedule 2

Item No	Property description	Development for the purpose of, or consisting of, the following:
17	Lot 5, DP 21523, No 51 St Georges Crescent, Georges Hall	Educational establishment and ancillary community uses, if the consent authority is satisfied that measures have been incorporated into the development to enable it to meet Australian Standard AS 2021—2000, <i>Acoustics—Aircraft noise intrusion—Building siting and construction</i>
18	Lot B, DP 100603, No 525 Hume Highway, Yagoona	Healthcare practice comprised of a number of rooms forming either the whole or part of, attached to or within the curtilage of a dwelling house and used or intended for use by not more than three persons practising as legally qualified medical practitioners or dentists within the meaning of the <i>Dentists Act 1989</i>
19	Lot 154, DP 752013, No 217 Bransgrove Road, Panania and Part Lot 25, DP 4804, Lots 26 and 27, DP 4804 and Lot B, DP 418953, No 195 Horsley Road, Panania	Waste and recycling centre

Bankstown Local Environmental Plan 2001

Schedule 3 Development by public authorities

Schedule 3 Development by public authorities

(Clause 14)

1 Rail transport

The carrying out by persons carrying on railway undertakings on land comprised in their undertakings of:

- (a) any development required in connection with the movement of traffic by rail, including the construction, reconstruction, alteration, maintenance and repair of ways, works and plant, and
- (b) the erection within the limits of a railway station of buildings for any purpose,

but excluding:

- (c) the construction of new railways, railway stations and bridges over roads, and
- (d) the erection, reconstruction and alteration of buildings for purposes other than railway undertaking purposes outside the limits of a railway station and the reconstruction or alteration, so as materially to affect their design, of railway stations or bridges, and
- (e) the formation or alteration of any means of access to a road, and
- (f) the erection, reconstruction and alteration of buildings for purposes other than railway purposes where such buildings have direct access to a public place.

2 Water, sewerage, drainage, electricity and gas

The carrying out by persons carrying on public utility undertakings, being water, sewerage, drainage, electricity or gas undertakings, of any of the following development, being development required for the purpose of their undertakings:

- (a) development of any description at or below the surface of the ground,

Bankstown Local Environmental Plan 2001

Development by public authorities

Schedule 3

-
- (b) the installation of any plant inside a building or the installation or erection within the premises of a generating station or substation established before the appointed day of any plant or other structures or erections required in connection with the station or substation,
 - (c) the installation or erection of any plant or other structures or erections by way of addition to, or replacement or extension of, plant or structures or erections already installed or erected, including the installation in an electrical transmission line of substations, feeder-pillars or transformer housing, but not including the erection of overhead lines for the supply of electricity or pipes above the surface of the ground for the supply of water, or the installation of substations, feeder-pillars or transformer housings of stone, concrete or brickworks,
 - (d) the provision of overhead service lines in pursuance of any statutory power to provide a supply of electricity,
 - (e) the erection of service reservoirs on land acquired or in the process of being acquired for the purpose before the appointed day, provided reasonable notice of the proposed erection is given to the Council,
 - (f) routine maintenance and emergency works,
 - (g) any other development, except:
 - (i) the erection of buildings, the installation or erection of plant or other structures or erections and the reconstruction or alteration of buildings, so as materially to affect their design or external appearance, or
 - (ii) the formation or alteration of any means of access to a road.

3 River transport

The carrying out by persons carrying on utility undertakings, being wharf or river undertakings, on land comprised in their undertakings, of any development required for the purpose of shipping or in connection with the embarking, loading, discharging or transport of passengers, livestock or goods at a wharf or the movement of traffic by a railway forming part of the undertaking, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, works and plant for those purposes, except:

Bankstown Local Environmental Plan 2001

Schedule 3 Development by public authorities

- (a) the construction of bridges, the erection of any other buildings, and the reconstruction or alteration of bridges or of buildings so as materially to affect their design or external appearance, or
- (b) the formation or alteration of any means of access to a road.

4 Air transport

The carrying out by persons carrying on utility undertakings, being air transport undertakings, on land comprised in their undertakings within the boundaries of any aerodrome, of any development required in connection with the movement of traffic by air, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, wharves, works and plant required for that purpose, except:

- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
- (b) the formation or alteration of any means of access to a road.

5 Road transport

The carrying out by persons carrying on utility undertakings, being road transport undertakings, on land comprised in their undertakings, of any development required in connection with the movement of traffic by roads, including the construction, reconstruction, alteration, maintenance and repair of buildings, works and plant required for that purpose, except:

- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
- (b) the formation or alteration of any means of access to a road.

6 Mines

The carrying out by the owner or lessee of a mine (other than a mineral sands mine), on the mine, of any development required for the purpose of a mine, except:

- (a) the erection of buildings (not being plant or other structures or erections required for the mining, working, treatment or disposal of minerals) and the reconstruction, alteration or extension of buildings, so as materially to affect their design or external appearance, or

Bankstown Local Environmental Plan 2001

Development by public authorities

Schedule 3

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- (b) the formation of any means of access to a road.

7 Roads

The carrying out of any development required in connection with the construction, reconstruction, improvement, maintenance or repair of any road, except the widening, realignment or relocation of such road.

8 Water resources

The carrying out or causing to be carried out by the Council when engaged in flood mitigation works or by the Department of Land and Water Conservation of any work for the purposes of soil conservation, irrigation, afforestation, reforestation, flood mitigation, water conservation or river improvement in pursuance of the provisions of the *Water Act 1912*, the *Farm Water Supplies Act 1946*, the *Rivers and Foreshores Improvement Act 1948* or the *Water Management Act 2000*, except:

- (a) the erection of buildings, the installation or erection of plant or other structures or erections and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
- (b) the formation or alteration of any means of access to a road.

Bankstown Local Environmental Plan 2001

Schedule 4 Classification or reclassification of public land

Schedule 4 Classification or reclassification of public land

(Clause 29)

Part 1

Bankstown

- | | |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| 25 Arkley Street | Part of Lot 57, DP 10227, as shown edged heavy black on the map marked "Bankstown Local Environmental Plan No 174". |
| Griffith Park | Lot 12, DP 861164, No 4A Olympic Parade, Bankstown, as shown edged heavy black on the map marked "Bankstown Local Environmental Plan No 170". |
| 17 Sir Joseph Banks Street | Lot 15, DP 15217, as shown edged heavy black on the map marked "Bankstown Local Environmental Plan No 175". |

Greenacre

- | | |
|------------|--------------------------------------------------------------------------------------------------------------------|
| Koala Road | Koala Reserve, DP 11082, as shown edged heavy black on the map marked "Bankstown Local Environmental Plan No 162". |
|------------|--------------------------------------------------------------------------------------------------------------------|

Milperra

- | | |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------|
| 13 Ruthven Avenue | Lot 201, DP 850124, as shown edged heavy black on Sheet No 2 of the map marked "Bankstown Local Environmental Plan No 161". |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------|

Part 2

Bankstown Local Environmental Plan 2001

Land to be acquired by the corporation

Schedule 5

Schedule 5 Land to be acquired by the corporation

(Clauses 34 and 35)

Lot	DP	Acquire		Address	Suburb
1	14606	Part	1	Queensbury Road	Padstow Heights
2	14606	Part	3	Queensbury Road	Padstow Heights
11	833353	Part	7	Queensbury Road	Padstow Heights
21	13037	Part	1	Raftree Street	Padstow Heights
20	13037	Part	3	Raftree Street	Padstow Heights
19	13037	Part	5	Raftree Street	Padstow Heights
18	13037	Part	7	Raftree Street	Padstow Heights
17	13037	Part	9	Raftree Street	Padstow Heights
16	13037	Part	11	Raftree Street	Padstow Heights
Z	401617	Whole	11	Raftree Street	Padstow Heights
2	859976	Part	17	Raftree Street	Padstow Heights
1	859976	Part	17A	Raftree Street	Padstow Heights
28	13037	Part	12	Villiers Road	Padstow Heights
27	13037	Part	14	Villiers Road	Padstow Heights
26	13037	Part	16	Villiers Road	Padstow Heights
25	13037	Part	18	Villiers Road	Padstow Heights
24	13037	Part	20	Villiers Road	Padstow Heights
23	13037	Part	22	Villiers Road	Padstow Heights
22	13037	Part	24	Villiers Road	Padstow Heights
123	818660	Part	11	Queensbury Road	Padstow Heights

Bankstown Local Environmental Plan 2001

Schedule 5 Land to be acquired by the corporation

Lot	DP	Acquire		Address	Suburb
276	11759	Whole	7	Henry Lawson Drive	Lansdowne
277	11759	Whole	7	Henry Lawson Drive	Lansdowne
278	11759	Whole	7	Henry Lawson Drive	Lansdowne
350	11759	Whole	42	Tillet Parade	Lansdowne
351	11759	Whole	42	Tillet Parade	Lansdowne
352	11759	Whole	42	Tillet Parade	Lansdowne
605	11760	Whole	35	Watt Parade	Lansdowne

Bankstown Local Environmental Plan 2001

Heritage items

Schedule 6

Schedule 6 Heritage items

(Schedule 1)

Note. An asterisk (*) identifies an archaeological site.

No	Street	Suburb	Lot	DP No	Description
77	Anderson Avenue	Panania	A, B and C	35652	Schwarzel Monument, 1937, in library grounds
2a	Bagdad Road	Regents Park	12 1 1 2 1 83–85	733976 121450 794886 794490 794886 8962	Regents Park Primary School, 1899
102	Bankstown City Plaza	Bankstown	A and B	343521	Bankstown Hotel, 1922
109	Bankstown City Plaza	Bankstown	1	119533	Shop—original Accommodation House, 1908
143 (Railway land)	Bankstown City Plaza	Bankstown	20	873506	Bankstown Railway Station Platform
143 (Railway land)	Bankstown City Plaza	Bankstown	20	873506	Bankstown Railway Platform Building, 1908
144B	Bankstown City Plaza	Bankstown	1	182368	Bankstown Parcels Office
(Road)	Bullecourt Avenue, Fleurbaix Avenue, Ashford Avenue	Milperra			Former Milperra Soldier Settlement

Bankstown Local Environmental Plan 2001

Schedule 6 Heritage items

No	Street	Suburb	Lot	DP No	Description
33	Catherine Street	Punchbowl	40 Y	8422 393602	“The Arches”, Arts and Crafts Bungalow
346	Chapel Road	Bankstown	1–3	102240	Rosen Chambers, 1922
375	Chapel Road	Bankstown	6	777510	Council Chambers, 1960’s
525	Chapel Road	Bankstown	1 51, Section A	314457 7058 SP 58821	Interwar brick house, 1922
574	East Hills Park	East Hills	C	10546–2030	Caird’s Wharf*
925	Henry Lawson Drive	Revesby	45–47 Section 10 Part Portion 86	Volume 7345 Folio 63	Cattle Duffer’s Flat* in Georges River State Recreation Area
2A 2	Hume Highway	Chullora	1 12	547215 834734	Site of Jackson’s “Royal Arms Inn”*
300	Hume Highway	Bankstown	1 1 and 2	744542 834597	Water Reservoir, at Stacey Street intersection*
321	Hume Highway	Bankstown	3–5 A and B	703355 347099	Site of Colls’ “Speed the Plough Inn” Wood Park*
347A (Cemetery)	Hume Highway	Bankstown	12 1 1 and 2	132512 132513 726443	St Felix Cemetery*
361	Hume Highway	Bankstown	5	9522	Shop—Meredith Street corner, 1919
363	Hume Highway	Bankstown	3	9522	Shop—Meredith Street corner, 1919

Bankstown Local Environmental Plan 2001

Heritage items

Schedule 6

No	Street	Suburb	Lot	DP No	Description
401	Hume Highway	Yagoona	D	392202	Formerly J.B. Brancourt's garage First car showroom, 1924
656	Hume Highway	Yagoona		SP 60927	Site of the "Globe Inn"*
724-734	Hume Highway	Yagoona	25-38	13125	Site of Pugh's "Crooked Billet Inn"*
885	Hume Highway	Bass Hill	259	230871	Milestone south side, east of Farrell Street (east) "Sydney XV Liverpool VI"
(Milestone)	Hume Highway	Villawood		11759	Milestone south side, east of Henry Lawson Drive "Sydney XVI Liverpool V"
59	Johnson Road	Bass Hill	2A	405520	House, c 1900 in grounds of Crest Baptist Church
1A	Lionel Street	Georges Hall	101	827530	Johnston Farmhouse site*
1A	Lionel Street	Georges Hall	101	827530	Early Georgian stone house "The Homestead"
76	Miller Road	Chester Hill	1	538474	Westbridge Migrant Hostel 1949
345	Milperra Road	Georges Hall	1-3	623875	Bankstown Aerodrome

Bankstown Local Environmental Plan 2001

Schedule 6 Heritage items

No	Street	Suburb	Lot	DP No	Description
2	Mimosa Road	Greenacre	1	170971	Methodist hall, 1920's
25	Old Kent Road	Greenacre	A	350074	House
	Regents Park Station	Regents Park	12	10007007	Sefton Junction Sub-station and signal box, c 1924
61	Restwell Street	Bankstown	1 2-7, Section 1	516930 13167	Bankstown Primary School, 1920's
201 (Allder Park)	Rodd Street	Sefton	2 and 3824	430031	Site of Tower's "Ranah/The Ranch"*
146	Rookwood Road	Yagoona	2	225818	Potts Hill Reservoir including Reservoirs Nos 1 and 2, 1880's-1922
290	South Terrace	Bankstown	6	525238	First floor shop facade
26	Stanley Street	Bankstown	1	5993050	Brick Baptist Church, 1920
84	The River Road	Revesby	17, 18, 21-24 and 45-48, Section 10	2343	Revesby Primary School
			1	122996	
			1	181955	
			2	122996	
4	Tompson Road	Revesby	1	777621	"The Pah" Victorian house rendered brick, c 1896
10	Vimy Street	Bankstown	46	13055	WSHC house "Weymouth"

Bankstown Local Environmental Plan 2001

Heritage items

Schedule 6

No	Street	Suburb	Lot	DP No	Description
22	Vimy Street	Bankstown	40	13055	WSHC house "The Nest"
105	Waterloo Road	Greenacre	1 303 39-44 and 357	169574 820522 11603	Greenacre Public School
357	Waterloo Road	Greenacre	4	601166	Site of Liebentritt's Pottery*
65	William Street	Condell Park	A	403745	Corner Store
141	William Street	Bankstown	100	792380	West Bankstown Public School
Pipeline	1A Woodville Road/ 1 Campbell Hill Road/ 61A, 61B and 61C Priam Street/ 7 Hector Street/ 1 and 2A Chisholm Road/ 1A Auburn Road/ 227 Rookwood Road	Bankstown	Part 1 Part 1 A and B 2 and Part 3 Part 1 Part 1 Part 1 Part 1	225815 225816 328385 225816 623945 225817 610313 745651	Water pipeline along northern boundary 1885*

Bankstown Local Environmental Plan 2001

Schedule 7 Exemption criteria for minor works to dwelling houses

Schedule 7 Exemption criteria for minor works to dwelling houses

(Clause 37 (2))

- 1 The erection of rear carports or garages located behind the line of the rear of a dwelling and with a roof to match the slope, colour, materials and form of the main roof of the dwelling, and with wall and door materials to be sympathetic to the dwelling.
- 2 The installation of skylights located in areas that are not visible from any part of the street and do not interfere with original interior features, such as walls, patterned ceilings and the symmetry of ceiling layouts.
- 3 Any development such as repainting, a different use resulting from a minor change of use, or minor internal modifications.
- 4 Such works as may be lawfully carried out only because of an order under section 139 (4) of the *Heritage Act 1977*.

Bankstown Local Environmental Plan 2001

Land referred to in clause 45 (2)

Schedule 8

Schedule 8 Land referred to in clause 45 (2)

(Clause 45 (2))

No	Street	Suburb	Lot No	DP No
3	Carinya Road	Picnic Point	2	786231
3A	Carinya Road	Picnic Point	1	786231
3B	Carinya Road	Picnic Point	30.48m Reservation	
5	Carinya Road	Picnic Point	101	884106
5A	Carinya Road	Picnic Point	502	843853
7	Carinya Road	Picnic Point	76	10177
9	Carinya Road	Picnic Point	2	319901
11	Carinya Road	Picnic Point	1	319901
13	Carinya Road	Picnic Point	2	596213
13A	Carinya Road	Picnic Point	1	596213
15	Carinya Road	Picnic Point	2	450136
17	Carinya Road	Picnic Point	1	450136
19	Carinya Road	Picnic Point	B	316078
21	Carinya Road	Picnic Point	A	316078
23	Carinya Road	Picnic Point	71	10177
25	Carinya Road	Picnic Point	70A	10177
27	Carinya Road	Picnic Point	70	10177
29	Carinya Road	Picnic Point	69A	10177
31	Carinya Road	Picnic Point	69	10177
33	Carinya Road	Picnic Point	68C	411250

Bankstown Local Environmental Plan 2001

Schedule 8 Land referred to in clause 45 (2)

No	Street	Suburb	Lot No	DP No
35	Carinya Road	Picnic Point	68B	411250
37	Carinya Road	Picnic Point	67A	10177
39	Carinya Road	Picnic Point	67	10177
41	Carinya Road	Picnic Point	2	562296
43	Carinya Road	Picnic Point	48	13092
45	Carinya Road	Picnic Point	47	13092
47	Carinya Road	Picnic Point	46	13092
49	Carinya Road	Picnic Point	45	13092
50A	Carinya Road	Picnic Point	51	13092
50B	Carinya Road	Picnic Point	270	865426
51	Carinya Road	Picnic Point	44	13092
52	Carinya Road	Picnic Point	1	580291
53	Carinya Road	Picnic Point	43	13092
55	Carinya Road	Picnic Point	421	880155
55A	Carinya Road	Picnic Point	422	880155
55B	Carinya Road	Picnic Point	50	13092
57	Carinya Road	Picnic Point	41	13092
59	Carinya Road	Picnic Point	40	13092
61	Carinya Road	Picnic Point	1	870876
61A	Carinya Road	Picnic Point	2	870876
63	Carinya Road	Picnic Point	38	13092
65	Carinya Road	Picnic Point	37	13092
67	Carinya Road	Picnic Point	36	13092
69	Carinya Road	Picnic Point	35	13092

Bankstown Local Environmental Plan 2001

Land referred to in clause 45 (2)

Schedule 8

No	Street	Suburb	Lot No	DP No
71	Carinya Road	Picnic Point	34	13092
73	Carinya Road	Picnic Point	B	345698
75	Carinya Road	Picnic Point	A	345698

Burwood Local Environmental Plan No 56

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. (S01/02211/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Burwood Local Environmental Plan No 56

Burwood Local Environmental Plan No 56

1 Name of plan

This plan is *Burwood Local Environmental Plan No 56*.

2 Aims of plan

This plan aims:

- (a) to introduce development standards for subdivision of land within the Residential 2 (a) Zone of the *Burwood Planning Scheme Ordinance* that are consistent with the standards relating to the erection of dwelling-houses, and
- (b) to prohibit subdivision (including strata subdivision) of land within the Residential 2 (a) Zone that contains dual occupancy dwellings.

3 Land to which plan applies

This plan applies to all the land to which the *Burwood Planning Scheme Ordinance* applies.

4 Amendment of Burwood Planning Scheme Ordinance

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

Burwood Local Environmental Plan No 56

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 4 Interpretation

Insert in alphabetical order in clause 4 (1):

dual occupancy development means development that results in 2 dwellings (whether attached or detached) on a single allotment of land.

[2] Clauses 78P and 78Q

Insert in appropriate order:

78P Subdivision development standards

- (1) This clause applies to land within Zone No 2 (a).
- (2) Land to which this clause applies must not be subdivided unless each separate allotment created by the subdivision:
 - (a) in the case of a hatchet-shaped (battleaxe) allotment:
 - (i) has an area of not less than 660 square metres (exclusive of the access corridor), and
 - (ii) has an access corridor not less than 3.6 metres wide, and
 - (b) in any other case:
 - (i) has an area of not less than 560 square metres, and
 - (ii) is not less than 15 metres wide at the front alignment of any dwelling to be erected on the allotment.
- (3) Land to which this clause applies must not be subdivided unless each separate allotment created by the subdivision has a boundary facing onto a public road.

Burwood Local Environmental Plan No 56

Schedule 1 Amendments

78Q Subdivision of dual occupancy development

Consent must not be granted for a subdivision (including a strata subdivision) of an allotment within Zone No 2 (a) that creates separate allotments for each of the two dwellings resulting from a dual occupancy development.

Camden Local Environmental Plan No 123

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. (P00/00252/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1

Camden Local Environmental Plan No 123

Camden Local Environmental Plan No 123

1 Name of plan

This plan is *Camden Local Environmental Plan No 123*.

2 Aims of plan

This plan aims:

- (a) to rezone certain land at Narellan for urban release purposes contiguous with adjoining residential development, and
- (b) to allow alternative forms of residential development on that land, and
- (c) to enable surplus Open Space zoned land to be used for a motel, a function centre or for conference facilities, in recognition of the prominence and central location of the land, and
- (d) to maintain and increase the permitted uses of the precinct known as “Struggletown”, while retaining the character of the precinct.

3 Land to which plan applies

This plan applies to land in the Camden local government area, being land shown edged heavy black on the map marked “Camden Local Environmental Plan No 123” deposited in the office of Camden Council.

4 Amendment of Camden Local Environmental Plan No 46

Camden Local Environmental Plan No 46 is amended as set out in Schedule 1.

5 Amendment of Camden Local Environmental Plan No 74—Harrington Park

Camden Local Environmental Plan No 74—Harrington Park is amended as set out in Schedule 2.

Camden Local Environmental Plan No 123

Amendment of Camden Local Environmental Plan No 46

Schedule 1

Schedule 1 Amendment of Camden Local Environmental Plan No 46

(Clause 4)

[1] Clause 6 Definitions

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

Camden Local Environmental Plan No 123

[2] Schedule 1 Items of the environmental heritage

Omit the matter relating to Sharman Close.

Camden Local Environmental Plan No 123

Schedule 2 Amendment of Camden Local Environmental Plan No 74—Harrington Park

Schedule 2 Amendment of Camden Local Environmental Plan No 74—Harrington Park

(Clause 5)

[1] Clause 6 Definitions

Omit “a hotel,” from paragraph (a) of the definition of *neighbourhood centre* in clause 6 (1).

[2] Clause 6 (1), definition of “neighbourhood centre”

Insert “or public buildings” after “facilities” in paragraph (d).

[3] Clause 6 (1), definition of “the map”

Insert at the end of the definition:

Camden Local Environmental Plan No 123

[4] Clause 6 (1), definition of “village centre”

Omit paragraph (a). Insert instead:

- (a) clubs, conference facilities, hotels, motels, multi-unit housing, offices, professional consulting rooms, public buildings, refreshment rooms, service stations and shops,

[5] Clause 8 Zones indicated on the map

Omit “Zone No 2 (d) (Urban)”. Insert instead “Zone No 2 (d) (Residential)”.

[6] Clause 9, Table

Omit “2 or” from item 3 of the matter relating to Zone No 2 (d).

Camden Local Environmental Plan No 123

Amendment of Camden Local Environmental Plan No 74—Harrington
Park

Schedule 2

[7] Clause 9, Table

Omit all words under the heading to item 4 of the matter relating to Zone No 2 (d).

Insert instead:

Development for the purpose of:

airline terminals, amusement centres, boarding houses, brothels, bulk stores, bus depots, car repair stations, caravan parks, clubs (other than as part of a village centre), commercial premises (other than as part of a neighbourhood centre or village centre), conference facilities (other than as part of a village centre), extractive industries, generating works, helipads or heliports, hospitals, hotels (other than as part of a village centre), industries (other than home businesses), institutions, junk yards, liquid fuel depots, mining (other than subsurface mining), motels (other than as part of a village centre), motor showrooms, places of assembly, places of public worship accommodating more than 150 people (other than as part of a neighbourhood centre or village centre or other than located on a site of over 4000 square metres and situated on a collector road), professional consulting rooms (other than as part of a neighbourhood centre or village centre), public buildings (other than as part of a neighbourhood centre or village centre), refreshment rooms (other than as part of a neighbourhood centre or village centre), retail plant nurseries, road transport terminals, roadside stalls, rural industries, rural workers' dwellings, sawmills, service stations (other than as part of a neighbourhood centre or village centre or situated on a collector road), shops (other than as part of a neighbourhood centre or village centre), stock and sale yards, tourist facilities, transport terminals, warehouses, all other land uses (other than landscaping) having direct access to The Northern Road or Camden Valley Way.

Camden Local Environmental Plan No 123

Schedule 2 Amendment of Camden Local Environmental Plan No 74—Harrington Park

[8] Clause 19 Village centres

Omit clause 19 (b). Insert instead:

- (b) the combined floor area of all clubs, conference facilities, hotels, motels, multi-unit housing, offices, professional consulting rooms, public buildings, refreshment rooms, service stations and shops in a particular village centre would exceed 10,000 square metres.

[9] Clauses 32 and 33

Insert after clause 31:

32 Development of certain land—“Struggletown”, Narellan

- (1) This clause applies to land with frontage to Sharman Close and Stewart Street, Narellan, known as “Struggletown”, shown shaded on the map marked “Camden Local Environmental Plan No 123”.
- (2) Notwithstanding any other provision of this plan, development may be carried out, with the consent of the Council, on land to which this clause applies, for the purpose of the following:
 - (a) art, craft and antique galleries,
 - (b) bed and breakfast establishments,
 - (c) conference facilities,
 - (d) multi-unit housing,
 - (e) craft studios,
 - (f) refreshment rooms,
 - (g) professional consulting rooms.
- (3) The Council may consent to development of the land for the purpose of multi-unit housing only if that development is in keeping with the character of the “Struggletown” precinct.
- (4) The Council may consent to development of the land for the purpose of a craft studio only if that development:
 - (a) involves the manufacture, display and sale of handmade goods only, and

Camden Local Environmental Plan No 123

Amendment of Camden Local Environmental Plan No 74—Harrington
Park

Schedule 2

-
- (b) involves the use of an existing building or the erection of a new building that is compatible with the character of the “Struggletown” precinct, and
 - (c) does not interfere with the amenity of the locality because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil, or otherwise, and
 - (d) does not involve exposure to view from any adjacent premises or from any public place of any unsightly matter, goods or products, and
 - (e) does not give rise to traffic levels that would have an adverse effect on the amenity of the surrounding locality.
- (5) The Council may consent to development of the land for the purpose of a bed and breakfast establishment only if that establishment is operated in a dwelling-house by its permanent residents to provide short term paid accommodation (which may include meals). That development may include ancillary buildings so long as they are within the curtilage of the dwelling-house.

33 Development of certain land—Stewart Street, Narellan

- (1) Notwithstanding any other provision of this plan, development may be carried out, with the consent of the Council:
 - (a) on proposed Lot 41 in a resubdivision of Lot 4, DP 847690, for the purposes of a motel, function centre and conference facilities, and
 - (b) on proposed Lot 42 in a resubdivision of Lot 4, DP 847690, for purposes ancillary to public recreation and drainage.
- (2) A plan showing the proposed lots is available at the office of the Council.

Camden Local Environmental Plan No 123

Schedule 2 Amendment of Camden Local Environmental Plan No 74—Harrington
Park

[10] Schedule 1 Heritage items

Insert at the end of the Schedule:

Sharman Close

No 2, Lot 1, DP 734161 (“Boyd Gallery”)—3300-06830-5

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 1)

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. (P00/00501/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Campbelltown (Urban Area) Local Environmental Plan 2002
(Amendment No 1)

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 1)

1 Name of plan

This plan is *Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 1)*.

2 Aims of plan

This plan aims:

- (a) to rezone part of the land to which this plan applies to reflect existing or approved land uses and to ensure that redevelopment does not increase the amount of commercial floor space in the City of Campbelltown, and
- (b) to prohibit brothels on all land within Zone 4 (c)—the Industry C Zone under *Campbelltown (Urban Area) Local Environmental Plan 2002 (the 2002 plan)*, and
- (c) to allow, with the consent of Campbelltown City Council, the carrying out of development for the purpose of a physiotherapist centre on part of the land referred to in paragraph (a).

3 Land to which plan applies

- (1) To the extent that this plan rezones land, it applies to certain land, being land located at:
 - (a) Townson Avenue, Minto, and
 - (b) Blairgowrie Circuit, St Andrews, and
 - (c) Glen Alpine Drive (at the corner of Heritage Way), Glen Alpine, and
 - (d) Currawong Street, Ingleburn, and
 - (e) Middleton Road, Leumeah, and
 - (f) Lindesay Street (at the corner of Sturt Street), Campbelltown, and

Campbelltown (Urban Area) Local Environmental Plan 2002
(Amendment No 1)

Clause 3

(g) Crispsparkle Drive, Rosemeadow,
as shown distinctly coloured and lettered on Sheets 1–7 of the map marked “Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 1)” deposited in the office of the Council of the City of Campbelltown.

(2) To the extent that this plan prohibits brothels, it applies to so much of the land in Ingleburn located at:

- (a) Aero, Devon, Norwich and Stanley Roads, and
- (b) Cobham, Lancaster and Liverpool Streets, and
- (c) Annette, Louise and Memorial Avenues,

as is within Zone 4 (c)—the Industry C Zone under the 2002 plan.

(3) To the extent that this plan allows the carrying out of development for the purpose of a physiotherapist centre, it applies to Lot 1, DP 208620, 150 Lindesay Street, Campbelltown.

4 Amendment of Campbelltown (Urban Area) Local Environmental Plan 2002

Campbelltown (Urban Area) Local Environmental Plan 2002 is amended as set out in Schedule 1.

Campbelltown (Urban Area) Local Environmental Plan 2002
(Amendment No 1)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 14 Zone 4 (c)—Industry C Zone

Insert “brothels;” in alphabetical order of development in clause 14 (5).

[2] Schedule 2 Additional development

Insert after Item 9 in the Schedule:

- 10 Development for the purpose of a physiotherapist centre:
 Lot 1 DP 208620, 150 Lindesay Street, Campbelltown.

[3] Schedule 3 Dictionary

Insert in appropriate order in the definition of *the map*:

Campbelltown (Urban Area) Local Environmental Plan 2002
(Amendment No 1)

Campbelltown (Urban Area) Local Environmental Plan 2002 (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. (P02/00112/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Campbelltown (Urban Area) Local Environmental Plan 2002
(Amendment No 2)

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 2)

1 Name of plan

This plan is *Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 2)*.

2 Aims of plan

This plan aims:

- (a) to zone part of the land to which this plan applies, being land that was *deferred matter* within the meaning of clause 3 of *Campbelltown (Urban Area) Local Environmental Plan 2002 (the 2002 plan)*, and
- (b) to rezone the remaining land, being land that is no longer required by the Roads and Traffic Authority (*the RTA*) for construction works on Narellan Road, from Zone 5 (b)—the Special Uses Arterial Roads Zone to Zone 10 (a)—the Regional Comprehensive Centre Zone under the 2002 plan.

3 Land to which plan applies

- (1) To the extent that this plan zones land that was deferred matter, it applies:
 - (a) to part of the land in the Regional Comprehensive Centre as shown light blue and lettered “10 (a)” on Sheets 1 and 2 of the map marked “Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 2)” deposited in the office of the Council of the City of Campbelltown, and
 - (b) to land in the Leumeah Local Comprehensive Centre, as shown coloured light blue and lettered “10 (c)” on Sheet 3 of that map.
- (2) To the extent that this plan rezones land that is no longer required by the RTA, it applies to part of Lot 2, DP 1013191, in the Regional Comprehensive Centre, as shown coloured light blue and lettered “10 (a)” on Sheet 2 of that map.

Campbelltown (Urban Area) Local Environmental Plan 2002
(Amendment No 2)

Clause 4

4 Amendment of Campbelltown (Urban Area) Local Environmental Plan 2002

Campbelltown (Urban Area) Local Environmental Plan 2002 is amended by inserting in appropriate order in the definition of *the map* in Schedule 3 the following words:

Campbelltown (Urban Area) Local Environmental Plan 2002
(Amendment No 2)

Gosford Local Environmental Plan No 426

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. (N01/00177/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Gosford Local Environmental Plan No 426

Gosford Local Environmental Plan No 426

1 Name of plan

This plan is *Gosford Local Environmental Plan No 426*.

2 Aims of plan

This plan aims to amend *Gosford Planning Scheme Ordinance*, *Gosford Local Environmental Plan No 22* and *Interim Development Order No 122—Gosford* to require the consideration of the character of a development site and the surrounding area in the development assessment process. More detailed controls are to be contained within development control plans relating to those character considerations.

3 Land to which plan applies

This plan applies to all land within the City of Gosford under *Gosford Planning Scheme Ordinance*, *Gosford Local Environmental Plan No 22* and *Interim Development Order No 122—Gosford*.

4 Amendment of Gosford Planning Scheme Ordinance

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

5 Amendment of Gosford Local Environmental Plan No 22

Gosford Local Environmental Plan No 22 is amended as set out in Schedule 2.

6 Amendment of Interim Development Order No 122—Gosford

Interim Development Order No 122—Gosford is amended as set out in Schedule 3.

Gosford Local Environmental Plan No 426

Amendment of Gosford Planning Scheme Ordinance

Schedule 1

Schedule 1 Amendment of Gosford Planning Scheme Ordinance

(Clause 4)

Clause 10 Zone objectives, character and development control table

Insert after clause 10 (3):

- (4) The Council must not grant consent for development unless it has taken into consideration the character of the development site and the surrounding area, where, for the purpose of this provision, character means the qualities that distinguish each area and the individual properties located within that area.

Gosford Local Environmental Plan No 426

Schedule 2 Amendment of Gosford Local Environmental Plan No 22

Schedule 2 Amendment of Gosford Local Environmental Plan No 22

(Clause 5)

Clause 8 General development control

Insert after clause 8 (1):

- (1A) The Council must not grant consent for development unless it has taken into consideration the character of the development site and the surrounding area, where, for the purpose of this provision, character means the qualities that distinguish each area and the individual properties located within that area.

Gosford Local Environmental Plan No 426

Amendment of Interim Development Control Plan No 122—Gosford

Schedule 3

Schedule 3 Amendment of Interim Development Control Plan No 122—Gosford

(Clause 6)

Clause 5 Zone objectives, character and development control table

Insert after clause 5 (3):

- (4) The Council must not grant consent for development unless it has taken into consideration the character of the development site and the surrounding area, where, for the purpose of this provision, character means the qualities that distinguish each area and the individual properties located within that area.

Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas

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. (N00/00147/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas

Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas

1 Name of plan

This plan is *Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas*.

2 Aims of plan

This plan aims to provide a more equitable balance in the use and management of natural resources on the Central Coast Plateau within the local government areas of Gosford City and Wyong, and to allow minor and ancillary activities that will complement the rural nature of the Plateau and contribute to the regional economy whilst retaining the overall planning provisions of *Sydney Regional Environmental Plan No 8—Central Coast Plateau Areas*.

3 Land to which plan applies

This plan applies to land as shown edged heavy black on the map marked “Sydney Regional Environmental Plan No 8—Central Coast Plateau Areas” deposited in the Newcastle office of the Department, copies of which are held in the offices of the Councils of Gosford City and of Wyong.

4 Relationship to other environmental planning instruments

This plan amends:

- (a) *Interim Development Order No 122—Gosford* in the manner set out in Schedule 1, and
- (b) *Wyong Local Environmental Plan 1991* in the manner set out in Schedule 2, and
- (c) *Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)* in the manner set out in Schedule 3.

Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas

Amendment of Interim Development Order No 122—Gosford

Schedule 1

Schedule 1 Amendment of Interim Development Order No 122—Gosford

(Clause 4 (a))

[1] Clause 2B

Insert after clause 2A:

2B Relationship to other environmental planning instruments

Nothing in this Order affects the provisions of the following:
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas) as it applies to land within the City of Gosford.

[2] Clause 3 (1)

Insert in appropriate order:

rural tourist facility means a building or place used to provide tourists with low-key facilities that showcase:

- (a) regional agricultural produce (such a building or place may include a restaurant or a shop selling such produce), or
- (b) other “boutique” rural activities (such a building or place may include an arts and crafts outlet, a specialist country furniture shop, a bric-a-brac shop or the like).

rural tourist unit means a building separate from a dwelling house used for the temporary accommodation of tourists, that is incidental and ancillary to existing agricultural production, or intensive agriculture or horse establishments on the same allotment of land, and includes farm stay holiday accommodation, bunk houses and the like, at a rate of not more than one bedspace per two hectares of the allotment on which it is located.

Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas

Schedule 1 Amendment of Interim Development Order No 122—Gosford

[3] Clause 5

Insert in appropriate order in Column II of the matter relating to Zones Nos 1 (a) and 1 (b) in the Table to clause 5 the words “rural tourist facilities; rural tourist units;”.

[4] Clauses 101C and 101D

Insert after clause 101B:

101C Extractive industries on land covered by SREP No 8 (Central Coast Plateau Areas)

Despite any other provision of this Order, a person may, on land to which *Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)* applies that is within Zone No 1 (a) or 7 (b), carry out development for the purpose of an extractive industry but only:

- (a) with development consent, and
- (b) in locations specified for extractive industry on the map marked “Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas” deposited in the Newcastle office of the Department, copies of which are held in the offices of the Councils of Gosford City and of Wyong.

101D Rural tourist facilities on land covered by SREP No 8 (Central Coast Plateau Areas)

Despite any other provision of this Order, a person may, on land to which *Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)* applies that is within Zone No 1 (a) or 1 (b), carry out development for the purpose of a rural tourist facility but only:

- (a) with development consent, and
- (b) in locations specified for rural tourist facilities on the map marked “Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas” deposited in the Newcastle office of the Department, copies of which are held in the offices of the Councils of Gosford City and of Wyong.

Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas

Amendment of Wyong Local Environmental Plan 1991

Schedule 2

Schedule 2 Amendment of Wyong Local Environmental Plan 1991

(Clause 4 (b))

Clause 4 Relationship to other environmental planning instruments

Insert at the end of the clause:

- (2) Nothing in this plan affects the provisions of *Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)* as it applies to land within the area of Wyong.

Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas

Schedule 3 Amendment of Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)

Schedule 3 Amendment of Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)

(Clause 4 (c))

[1] Clause 2 Aims, objectives etc

Omit paragraphs (c) and (f).

[2] Clause 2 (e)

Omit “and mining to be considered on its merits”.
Insert instead “in specified locations”.

[3] Clause 2 (i) and (j)

Insert at the end of paragraph (h):

, and

- (i) to discourage the preparation of draft local environmental plans designed to permit rural residential development, and
- (j) to encourage the preparation of draft local environmental plans based on merits.

[4] Clause 4 Definitions

Omit the definitions of *agriculture*, *extractive industry*, *extractive material* and *mine*.

[5] Clause 4

Insert in alphabetical order:

***agriculture*:**

- (a) in relation to the carrying out of development within the Gosford local government area—means “agriculture” or “intensive agriculture” within the meaning of *Interim Development Order No 122—Gosford*, and

Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas

Amendment of Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas) Schedule 3

- (b) in relation to the carrying out of development within the Wyong local government area—means “agriculture” or “intensive agriculture” within the meaning of *Wyong Local Environmental Plan 1991*.

extractive industry:

- (a) in relation to the carrying out of development within the Gosford local government area—has the same meaning as in *Interim Development Order No 122—Gosford*, and
- (b) in relation to the carrying out of development within the Wyong local government area—has the same meaning as in *Wyong Local Environmental Plan 1991*.

sedgeland means land with impeded drainage and moist organic soils on which vegetation comprising sedges and shrubs occurs and identified as “drainage line, watercourse, stream, wetland, swamp, dam—not available for cropping or grazing” on the map marked “Classes of Agricultural land on the Plateau of New South Wales Central Coast” deposited in the Newcastle office of the Department, copies of which are held in the offices of the councils of Gosford City and of Wyong.

the map means the map marked “Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas” deposited in the Newcastle office of the Department, copies of which are held in the offices of the councils of Gosford City and of Wyong.

[6] Clause 6 Prime agricultural land

Omit clause 6 (2) (a), (3) and (4).

[7] Clause 6 (6)

Omit the subclause. Insert instead:

- (6) Development may be carried out, but only with the consent of a council, on prime agricultural land for the purposes of extractive industries and rural tourist facilities within the locations respectively specified for them on the map. Subclause (5) does not apply to the grant of such a consent.

Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas

Schedule 3 Amendment of Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)

[8] Clause 7 Extractive industries

Omit clause 7 (1) and (2). Insert instead:

- (1) Development for the purposes of an extractive industry may be carried out, with the consent of a council, on land within an area identified as a preferred location for extractive industries as shown on the map.
- (2) A council shall not consent to the carrying out of development on land to which this plan applies for the purposes of an extractive industry unless it is satisfied:
 - (a) that appropriate arrangements have been made for buffer zones to surround the place at which the material is to be extracted or is proposed to be extracted, except where the council is satisfied they are not necessary, and
 - (b) that the land will be satisfactorily restored or rehabilitated on cessation of the use of the land for an extractive industry so as to enable its subsequent development for agricultural purposes or for another purpose that the council considers suitable for that land.

[9] Clauses 8 and 9

Omit the clauses. Insert instead:

8 Clearing of land

- (1) In this clause, *clear* has the same meaning as in the *Native Vegetation Conservation Act 1997*.
- (2) A person shall not clear land to which this plan applies for any purpose (including agriculture) except with the consent of a council.
- (3) A council shall not consent to development on land to which this plan applies where, in its opinion, the carrying out of the development shall result in the destruction of sedgeland.

Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas

Amendment of Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas) Schedule 3

- (4) Nothing in this clause requires consent for, or prevents, prohibits or restricts, activities that are allowed to be carried out without consent by, and are undertaken in accordance with, any regional vegetation management plan made under the *Native Vegetation Conservation Act 1997* that applies to any land to which this plan applies.

[10] Clause 10

Omit the clause. Insert instead:

10 Rural residential development

A draft local environmental plan that applies to land to which this plan applies should not contain provisions that have the effect of permitting subdivision to create a lot that is smaller than any minimum lot size prescribed for the land in *Interim Development Order No 122—Gosford* or *Wyong Local Environmental Plan 1991* at the commencement of *Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas*.

11 Special provisions—draft local environmental plan applications

In preparing any draft local environmental plan applying to land to which this plan applies, the council should have regard to the objective that any development allowed by the plan should:

- (a) not impact upon the current or future use of adjoining land for existing or future agricultural uses, and
- (b) not result in an increased settlement pattern (by way of urban development, rural residential development, residential accommodation of a permanent or semi-permanent nature, community titles subdivisions or any other features that would facilitate increased settlement), and
- (c) have a significant positive economic contribution to the area and result in employment generation, and
- (d) not result in any adverse environmental effect on or off the site, and

Gosford/Wyong Local Environmental Plan 2001—Central Coast Plateau Areas

Schedule 3 Amendment of Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)

- (e) be consistent with the strategic direction for water quality standards and river flow objectives developed through the State Government's water reform process, and
- (f) be consistent with rural amenity (including rural industries) and not detract significantly from scenic quality, and
- (g) not encourage urban (residential, commercial or industrial) land uses, and
- (h) not require augmentation of the existing public infrastructure (except public infrastructure that is satisfactory to the council concerned and is provided without cost to public authorities), and
- (i) result in building works being directed to lesser class soils.

Hastings Local Environmental Plan 2001 (Amendment No 10)

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*. (G02/00022/S69; E.350.10.327)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Hastings Local Environmental Plan 2001 (Amendment No 10)

Hastings Local Environmental Plan 2001 (Amendment No 10)

1 Name of plan

This plan is *Hastings Local Environmental Plan 2001 (Amendment No 10)*.

2 Aims of plan

This plan aims to identify two chimneys, the only remains of mill workers' cottages, as heritage items under *Hastings Local Environmental Plan 2001*.

3 Land to which plan applies

This plan applies to land situated in the local government area of Hastings, being Lot 1, DP 564615, Homedale Road, Kew.

4 Amendment of Hastings Local Environmental Plan 2001

Hastings Local Environmental Plan 2001 is amended by inserting in Part 3 of Schedule 4 at the end of the matter relating to “**Kew**” the following matter:

Chimneys (remains of mill workers' cottages). Lot 1 DP 564615, Homedale Road.

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000**NOTICE OF WITHDRAWAL OF AUTHORISATION**

I, the Minister for Planning,

- i. under clause 197 of the Environmental Planning and Assessment Regulation 2000 withdraw the authorisation granted to the Building Surveyors and Allied Professions Accreditation Board Inc on 16 December 1998 titled "*Building Surveyors and Allied Professions Accreditation Board Inc – NSW Accreditation Scheme pursuant to the Environmental Planning and Assessment Act 1979*", (known in this instrument as the **defunct accreditation body**),
- ii. under clause 199(3)(a) of the Environmental Planning and Assessment Regulation 2000, appoint Sue Holliday, the Director-General of the Department of Planning, to exercise the functions of the defunct accreditation body,
- iii. the appointment in (ii) above is conditional on the Director-General of the Department of Planning providing a report on the ongoing operation of the defunct accreditation body within one year of the date of the appointment.

This instrument takes effect when published in the Gazette.

Andrew Refshauge MP,
Deputy Premier
Minister for Planning

Signed in Sydney, 26th April 2002.

Roads and Traffic Authority

Roads Act 1993

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

Richmond Valley 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.

Ross V Schipp
General Manager
Richmond Valley Council
 (by delegation from the Minister for Roads)

Schedule

1. **Citation**

This Notice may be cited as the Richmond Valley Council B-Doubles Notice No 3/2002.

2. **Commencement**

This Notice takes effect from date of gazettal.

3. **Effect**

This Notice remains in force until April 1 2007 unless it is amended or repealed earlier.

4. **Application**

4.1 This Notice applies to B-Doubles which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) regulation 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. **Routes**

B-Double routes within the Richmond Valley Council

Type	Road No	Road Name	Starting point	Finishing point	Conditions
25	000	Myrtle Creek Road	Richmond Valley / Copmanhurst Shire Boundary	Wyan Road	
25	000	Wyan Road	Myrtle Creek Road	Richmond Valley / Copmanhurst Shire Boundary	

Roads Act 1993

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

Richmond Valley 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.

Ross V Schipp
General Manager
Richmond Valley Council
(by delegation from the Minister for Roads)

Schedule

1. Citation

This Notice may be cited as the Richmond Valley Council B-Doubles Notice No 2/2002.

2. Commencement

This Notice takes effect from date of gazettal.

3. Effect

This Notice remains in force until February 1 2007 unless it is amended or repealed earlier.

4. Application

4.1 This Notice applies to B-Doubles which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) regulation 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

B-Double routes within the Richmond Valley Council

Type	Road No	Road Name	Starting point	Finishing point	Conditions
19	000	Rappville Road	Summerland Way	Green Street, Rappville	
19	000	Bailey Street, Rappville	Green Street, Rappville	Murray Street, Rappville	
19	000	Murray Street, Rappville	Bailey Street, Rappville	Railway Crossing, Rappville	
19	000	Nandabah St, Rappville	Railway Crossing, Rappville	Myrtle Creek Road	50km/h over Nandabah Bridge
19	000	Wyan Road	Myrtle Creek Road	Richmond Valley / Copmanhurst Shire Boundary	
19	000	Mongogarrie Road	Summerland Way	Busby's Flat Road	
19	000	Busby's Flat Road	Mongogarrie Road	Bulmer & Smith Sawmill	

ROADS ACT 1993

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

Conargo 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.

Peter J Jorgensen
General Manager

Conargo Shire Council (by delegation from the Minister for Roads)

Schedule

1. Citation

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

2. Commencement

This Notice takes effect from the date of the gazettal.

3. Effect

This Notice remains in force for a trial period until 31st December 2003 unless it is amended or repealed earlier.

4. Application

This Notice applies to Road 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 Conargo Shire Council

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
RT	296	Deniliquin – Moulamein Road (MR296)	Devon Road	Barratta Creek Bridge	

ROADS ACT 1993

Notice under Clause 17 of the road Transport (Mass, Loading and Access) Regulations, 1996

Conargo 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.

Peter J Jorgensen

General Manager

Conargo Shire Council (by delegation from the Minister for Roads)

Schedule

1. Citation

This Notice may be cited as the Conargo Shire Council B-Double Notice No. 1, 2002.

2. Commencement

This Notice takes effect from the date of the gazettal.

3. Effect

This Notice remains in force until 31st December 2003 unless it is amended or repealed earlier.

4. Application

This Notice applies to B-Doubles which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) regulation 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

Road Train routes within the Conargo Shire Council

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	000	Moonee Swamp Road, Deniliquin	Hoads Road	Lakers Road	

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road at Bendemeer
in the Parry Shire Council area

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

T D Craig
Manager, Statutory Processes,
Roads and Traffic Authority of New South Wales.

SCHEDULE

All those pieces or parcels of land situated in the Parry Shire
Council area, Parish of Perry and County of Inglis, shown as
Lots 10 to 17 inclusive, Deposited Plan 860868.

(RTA Papers: 9/364.1195).

Sydney Water

SEWER MAINS

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CAMPBELLTOWN COUNCIL, AT INGLEBURN: Contract Number 964663S9, Project Number 3001622. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving WILLIAMSON ROAD.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

MITCHELL HOFFMANN,
Developer Activity Officer,
Urban Development
Liverpool Regional Office.

Dated: 17 May 2002.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF LIVERPOOL, AT CASULA: Case Number 9800, Project Number 9800WW. Line 1 and 2 inclusive, and its appurtenant sidelines and junctions, serving MYALL ROAD.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

CLAUDIO FILIPPI,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 17 May 2002.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

WOLLONDILLY COUNCIL, AT TAHMOOR: Contract Number 972142SA, Project Number 3002624. Lines 1, inclusive and its appurtenant junctions, sidelines and inlets serving CASTLEREAGH STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

KEVIN HASTIE,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 17 May 2002.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF FAIRFIELD, AT FAIRFIELD: Contract Number 976786S8, Project Number 3002973. Property connection sewer line 1, inclusive and its appurtenant junctions, serving LATTY STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VALDIS VIKSNE,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 17 May 2002.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

BAULKHAM HILLS SHIRE OF: AT GLENHAVEN; Contract No 975096S5, Project No 3002711, Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving MILLS ROAD.

BLACKTOWN CITY OF: AT KELLYVILLE; Contract No 968938S9, Project No 3002369, Line 1 inclusive and their appurtenant junctions, sidelines and inlets serving FILANTE STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VICKI MAWBY,
Developer Activity Officer,
Blacktown.

Dated: 17 May 2002.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY/MUNICIPALITY OF RYDE, AT NORTH RYDE. Contract Number 975278S8, Project Number 3002654. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving EPPING ROAD.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

MARTHA AMADOR,
Developer Activity Officer,
Chatswood.

Dated: 17 May 2002.

WATER MAINS**SYDNEY WATER**

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

CITY OF CAMPBELLTOWN, AT RUSE: Case Number 9998, Project Number 9998PW. Water mains are now laid and capable of serving identified properties in MUSGRAVE PLACE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VALDIS VIKSNE,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 17 May 2002.

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

BAULKHAM HILLS SHIRE OF: AT ROUSE HILL; Contract No 968610W0, Project No 1000849 water mains are now laid and capable of serving identified properties at STANFORD CIRCUIT and DALTON CLOSE.

BAULKHAM HILLS SHIRE OF: AT ROUSE HILL; Contract No 968610W0, Project No 7000144 recycled water mains are now laid and capable of serving identified properties at STANFORD CIRCUIT and DALTON CLOSE.

BAULKHAM HILLS SHIRE OF: AT KELLYVILLE; Contract No 968982W1, Project No 7000165 recycled water mains are now laid and capable of serving identified properties at ALISTAIR PLACE, BRANDON GROVE, CONNAUGHT CIRCUIT and ROSEBERRY ROAD.

BAULKHAM HILLS SHIRE OF: AT KELLYVILLE; Contract No 968982W1, Project No 1000949 water mains are now laid and capable of serving identified properties at ALISTAIR PLACE, BRANDON GROVE, CONNAUGHT CIRCUIT

BAULKHAM HILLS SHIRE OF: AT CARLINGFORD; Contract No 968693W3, Project No 1000381 water mains are now laid and capable of serving identified properties at PINETREE DRIVE.

BLACKTOWN CITY OF: AT KELLYVILLE; Contract No 968938W1, Project No 7000192 recycled water mains are now laid and capable of serving identified properties at FILANTE STREET.

BLACKTOWN CITY OF: AT KELLYVILLE; Contract No 968938W1, Project No 1001053 water mains are now laid and capable of serving identified properties at FILANTE STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VICKI MAWBY,
Developer Activity Officer,
Blacktown.

Dated: 17 May 2002.

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

CITY/ MUNICIPALITY OF RYDE, AT NORTH RYDE. Contract Number 975278W9, Project Number 1001174. Water mains are now laid and capable of serving identified properties in EPPING ROAD.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

MARTHA AMADOR,
Developer Activity Officer,
Chatswood.

Dated: 17 May 2002.

Other Notices

ABORIGINAL LAND RIGHTS ACT 1983

Exemption of Aboriginal Land from the Payment of Rates

I, the Honourable ANDREW JOHN REFSHAUGE, M.P., Minister for Aboriginal Affairs, being of the opinion that special circumstances exist which warrant my doing so, DECLARE in pursuance of the provisions of section 43 of the Aboriginal Land Rights Act 1983, that the lands described in the Schedule below and vested in the Birrigan Gargle Local Aboriginal Land Council, be exempt from the payment of rates under the Local Government Act 1993.

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

SCHEDULE

L.G.A. – Maclean Shire Council

Being

Lot Number	DP Number	Other Number	Address
3, 21, 22			Claude Street, Yamba
5		Previously 4208	Pacific Parade, Yamba
3		Previously 4250/2	Claude Street, Yamba
7		Pt Por 165	Pacific Parade, Yamba
8		Pt Por 165	Pacific Parade, Yamba
11, 12, 13, 14, 26	44782		Robinson Street, Yamba
4	44782		Robinson Street, Yamba
6, 7, 8	44782		Robinson Street, Yamba
199	729133		Claude Street, Yamba
200	729134		
96	822831		Queen Street, Iluka
99	823635		Hickey Street, Iluka
972	876936		Hickey Street, Iluka

ANTI-DISCRIMINATION ACT 1977

Exemption Order

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977, and on the recommendation of the Anti-Discrimination Board, an exemption is given from the provisions of sections 8 and 51 of the Anti-Discrimination Act 1977 to the Australian Council of Social Service, to

designate and recruit for a position as a Senior Policy Officer for an Indigenous person.

This exemption will remain in force for a period of ten years from the date given.

Dated this 8th day of May 2002.

BOB DEBUS, M.P.,
Attorney General

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Order

I, PAM CHRISTIE, Commissioner for Vocational Training, in pursuance of section 5 of the Apprenticeship and Traineeship Act 2001, make the Order set forth hereunder.

PAM CHRISTIE,
Commissioner for Vocational Training

Commencement

1. This Order takes effect from the date of publication in the *NSW Government Gazette*.

Amendment

2. The Apprenticeship and Traineeship Order 2001 is amended by:

a) omitting from Schedule 1 the following recognised trade vocations:

Shopfitting and Joinery

Signwriting

b) by inserting in Schedule 1 in appropriate alphabetical order the following vocations which are designated as recognised trade vocations for the purposes of the *Apprenticeship and Traineeship Act 2001*:

Shopfitting

Joinery

Signcraft

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the *Apprenticeship and Traineeship Act 2001* has made the following Vocational Training Order in relation to the recognised trade vocation of Shopfitting.

CITATION

The order is cited as the Shopfitting Order.

ORDER

A summary of the order is given below.

(a) Term of Training

Training shall be given for a nominal period of 4 years or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(b) Competency Outcomes

Apprentices will be trained in and learn the relevant competencies contained in the endorsed Off-site Construction Training Package (BCF00).

(c) Courses of Study to be undertaken

Apprentices will undertake the following certificate from the Off-site Construction Training Package (BCF00).

**Certificate III in Off-site Construction
(Shopfitting) BCF30100**

AVAILABILITY FOR INSPECTION

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>.

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001 has made the following Vocational Training Order in relation to the recognised trade vocation of Joinery.

CITATION

The order is cited as the Joinery Trade Order.

ORDER

A summary of the order is given below.

(a) Term of Training

Training shall be given for a nominal period of 4 years or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(b) Competency Outcomes

Apprentices will be trained in and learn the relevant competencies contained in the endorsed Off-site Construction Training Package (BCF00).

(c) Courses of Study to be undertaken

Apprentices will undertake the following certificate from the Off-site Construction Training Package (BCF00).

**Certificate III in Off-site Construction
(Joinery-Timber/Aluminium/Glass) BCF30200**

AVAILABILITY FOR INSPECTION

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>.

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001 has made the following Vocational Training Order in relation to the recognised trade vocation of Stonemasonry.

CITATION

The order is cited as the Stonemasonry Trade Order.

ORDER

A summary of the order is given below.

(a) Term of Training

Training shall be given for a nominal period of 4 years or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(b) Competency Outcomes

Apprentices will be trained in and learn the relevant competencies contained in the endorsed Off-site Construction Training Package (BCF00).

(c) Courses of Study to be undertaken

Apprentices will undertake the following certificate from the Off-site Construction Training Package (BCF00).

**Certificate III in Stonemasonry
(Monumental/Installation) BCF30600**

AVAILABILITY FOR INSPECTION

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>.

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the *Apprenticeship and Traineeship Act 2001* has made the following Vocational Training Order in relation to the recognised trade vocation of Signcraft.

CITATION

The order is cited as the Signcraft Trade Order.

ORDER

A summary of the order is given below.

(a) Term of Training

Training shall be given for a nominal period of 4 years or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(b) Competency Outcomes

Apprentices will be trained in and learn the relevant competencies contained in the endorsed Off-site Construction Training Package (BCF00).

(c) Courses of Study to be undertaken

Apprentices will undertake the following certificate from the Off-site Construction Training Package (BCF00).

**Certificate III in Off-site Construction
(Sign Writing/Computer Operations) BCF30700**

AVAILABILITY FOR INSPECTION

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>.

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation Pursuant to Section 51

TAKE NOTICE that the incorporation of the following associations is cancelled by this notice pursuant to section 51 of the Associations Incorporation Act 1984 and the cancellation is effective on 17 May 2002.

Y0733824 Warringah-Pittwater Food Services Incorporated
Y1612540 Canterbury-Bankstown Olma Committee Incorporated

D. B. O'CONNOR,
Director-General
Department of Fair Trading

DISTRICT COURT ACT 1973

District Court of New South Wales

Direction

PURSUANT to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:

Tamworth 10.00 a.m. 8 October 2002 (3 weeks)
in lieu of 14 October (3 weeks)

Dated this 13th day of May 2002.

R. O. BLANCH,
Chief Judge

DISTRICT COURT ACT 1973

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:

Moree 10.00 a.m. 3 June 2002 (2 weeks)
19 August 2002 (2 weeks)
11 November 2002 (2 weeks)

sittings are to be held at Narrabri.

Dated this 13th day of May 2002.

R. O. BLANCH,
Chief Judge

ERRATUM

IN the notice referring to the assignment of the name and Yarolla Bay, Folio 3558, 19 November 1976. The name was spelt incorrectly and should have read "Yaralla Bay", this notice corrects that error.

W. WATKINS,
Chairman

Geographical Names Board
PO Box 143, Bathurst 2795

ERRATUM

IN the notice referring to the assignment of the name Sandys Beach, designation Trigonometrical Station, Folio 8734, 29 July 1977, and also the notice referring to the assignment of the name Sandys Beach, designation Beach, Folio 9252, 6 October 1972, both notices spelt the word Sandy incorrectly. The correct spelling in both cases should read "Sandy Beach". This notice corrects those errors.

W. WATKINS,
Chairman

Geographical Names Board
PO Box 143, Bathurst 2795

DISTRICT COURT ACT 1973

District Court of New South Wales

Direction

PURSUANT to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:

Moree 10.00 a.m. 28 October 2002

sittings are to be held at Narrabri.

Dated this 13th day of May 2002.

R. O. BLANCH,
Chief Judge

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:

DISTRICT COURT ACT 1973

District Court of New South Wales

Direction

PURSUANT to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:

Lismore 10.00 a.m. 22 July 2002

Dated this 13th day of May 2002.

R. O. BLANCH,
Chief Judge

Deposited Plan 1015768 (SB55100) as:

‘(D) PROPOSED EASEMENT FOR SEWER PIPELINE 5 WIDE & VARIABLE’ within Lot 7 in Deposited Plan 252223.

DPWS Reference 109

LOCAL GOVERNMENT ACT 1993

Gosford Regional Sewerage

Vesting of Land and Easements in Gosford City Council

THE Minister for Land and Water Conservation of the State of New South Wales, declares that the land and easements described in the Schedule hereto, which were acquired for the purpose of the Gosford Regional Sewerage Scheme are vested in Gosford City Council.

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

SCHEDULE

Land

Lot 498 in Deposited Plan 823129 (SB55064)

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 647327 (SB51610) as:

‘PROPOSED EASEMENT 5 WIDE FOR SEWER PIPELINE’

Deposited Plan 647681 (SB51643) as:

‘PROPOSED EASEMENT 5 WIDE FOR SEWER PIPELINE’ exclusive of that part within Lot 10 Deposited Plan 28877

‘EXISTING DRAINAGE EASEMENT 4.875 WIDE CREATED BY REGISTRATION OF DP28877’ within Lot 10 Deposited Plan 28877

Deposited Plan 823129 (SB55064) as:

‘PROPOSED EASEMENT 5 WIDE FOR SEWER PIPELINE’

Easement rights as described under the heading Access in Memorandum E780099 filed in the Land Titles Office over the site shown in:

Deposited Plan 823129 (SB55064) as:

‘PROPOSED EASEMENT 4 WIDE FOR ACCESS’

‘PROPOSED EASEMENT 3.3 WIDE FOR ACCESS’

Easement rights as described under the heading Electricity Cables (Beneath the Surface) in Memorandum E780099 filed in the Land Titles Office over the site shown in:

Deposited Plan 647327 (SB51610) as:

‘PROPOSED EASEMENT 2 WIDE FOR ELECTRICITY’

Deposited Plan 647326 (SB51611) as:

‘PROPOSED EASEMENT 5 WIDE FOR ELECTRICITY’

Deposited Plan 823129 (SB55064) as:

‘PROPOSED EASEMENT 2 WIDE FOR ELECTRICITY’

Easement rights as described under the heading Gas Pipeline in the terms set out hereunder over the site shown in:

Deposited Plan 823129 (SB55064) as:

‘PROPOSED EASEMENT 2 WIDE FOR GAS PIPELINE’

FULL AND FREE right for the Minister and his successors and assigns (being a public or local authority) and every person authorised by any of them from time to time and at all times to pass and convey gas in any quantities through the servient tenement TOGETHER WITH the right to use for the purpose of the easement any line of pipes (including works ancillary thereto) already laid within the servient tenement for the purposes of the passage and conveyance of such gas or any pipe or pipes (including works ancillary thereto) in replacement, substitution or duplication therefor and where no such line of pipes exists to lay place and maintain a line of pipes of sufficient internal diameter (including works ancillary thereto) beneath the surface of the servient tenement AND TO lay place and maintain upon the surface of the servient tenement any works ancillary to the said line of pipes AND TOGETHER WITH the right for the Minister and his successors and assigns (being a public or local authority) and every person authorised by any of them with any tools, implements, or machinery, necessary for the purposes, to enter upon the servient tenement and to remain there for any reasonable time for the purposes of laying, inspecting, cleansing, repairing, maintaining, or renewing such pipeline or any part thereof (including works ancillary thereto) AND for any of the aforesaid purposes to open the soil of the servient tenement to such extent as may be necessary PROVIDED THAT the Minister his successors and assigns (being a public or local authority) and every person authorised by any of them will take all reasonable precautions to ensure as little disturbance as possible to the surface of the servient tenement and will restore that surface as nearly as practicable to its original condition.

DPWS Reference 254

NATIONAL PARKS AND WILDLIFE ACT 1974

Aboriginal Place

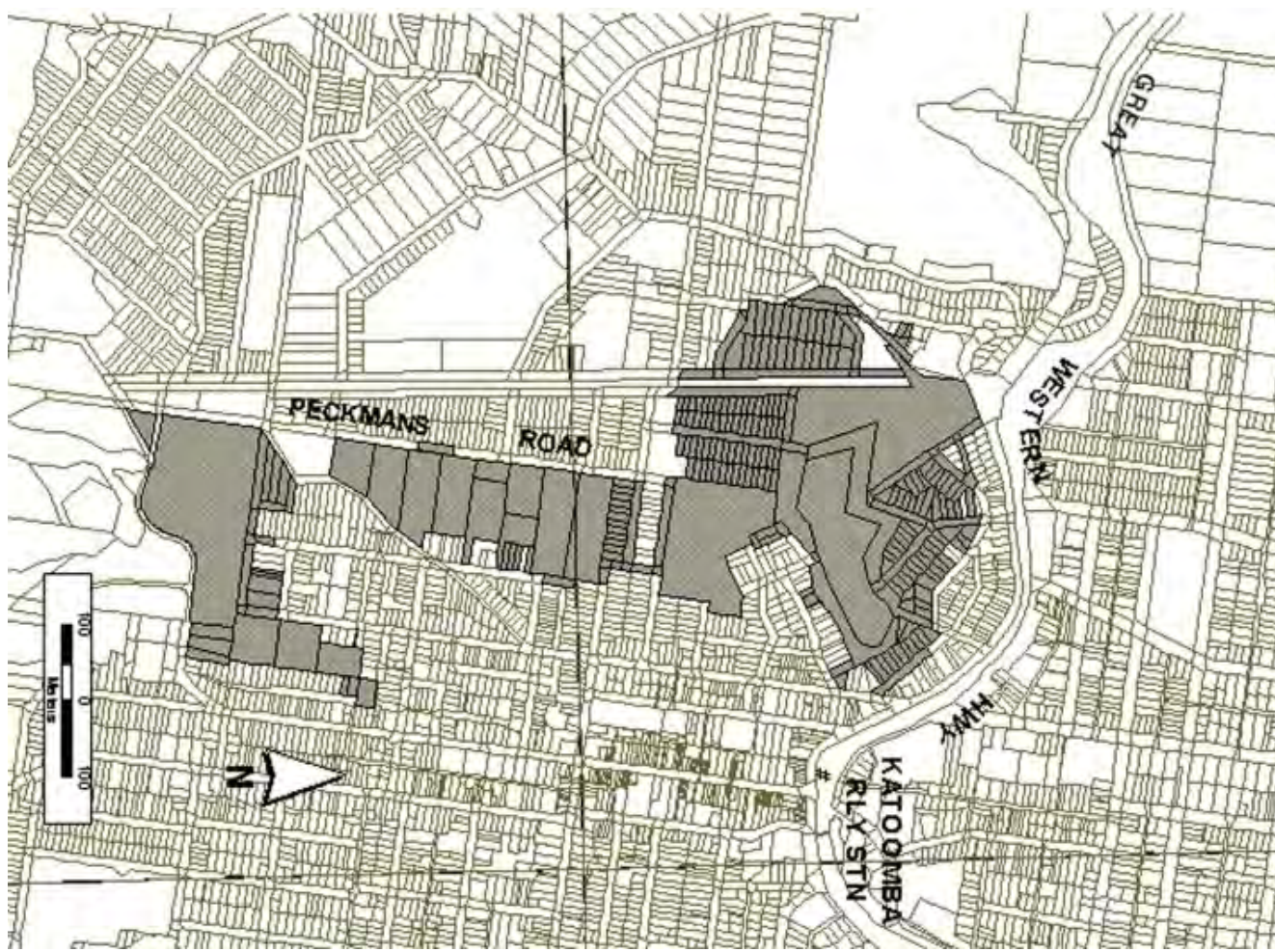
IN pursuance of the powers vested in me under section 84 of the National Parks and Wildlife Act 1974, I, the Minister for the Environment, do by this my Order, declare such of the lands described hereunder as an Aboriginal Place.

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

Description

*Land District – Penrith
L.G.A. – Blue Mountains*

County Cook, Parish Megalong, Town Katoomba, about 81 hectares, being the area shown by grey colour on the diagram hereunder.



NATIONAL PARKS AND WILDLIFE ACT 1974

Mount Canobolas State Recreation Area

Plan of Management

IN pursuance of section 75A of the National Parks and Wildlife Act 1974, it is hereby notified that a Plan of Management for Mount Canobolas State Recreation Area has been prepared.

The plan will be on public display from 17 May 2002 until 19 August 2002. Copies of the plan may be inspected during office hours at:

NPWS Head Office Library
7th Floor, 43 Bridge Street, HURSTVILLE

National Parks Centre
102 George Street, THE ROCKS

Cabonne Shire Council
Bank Street, MOLONG

NPWS Central West Region
Level 2, 203-209 Russell Street, BATHURST

Cabonne Shire Council
Main Street, CUDAL

Orange City Library
Byng Street, ORANGE

Cabonne Shire Council
Kite Street, ORANGE

Copies of the plan may be obtained, free of charge, from above National Parks and Wildlife Service offices and the National Parks Centre.

Written representations in connection with the plan should be forwarded by close of business on 19 August 2002 to:

Planner, Mt Canobolas
National Parks and Wildlife Service
Central West Region
Level 2, 203-209 Russell Street
BATHURST NSW 2795

The plan of management together with any representations received will be submitted to the National Parks and Wildlife Advisory Council for its comments and advice to the Minister.

Your comments on this draft plan 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 plan by the Minister, copies of all submissions will be available by arrangement for inspection in the regional office mentioned above. If you do not want your personal details to become public, please mark on your submission that you want your details to remain confidential.

KEVIN SHANAHAN,
Manager
Conservation Management Unit

NATIONAL PARKS AND WILDLIFE ACT 1974

Imbota Nature Reserve

Plan of Management

IN pursuance of Section 76 of the National Parks and Wildlife Act 1974, it is hereby notified that a Plan of Management for Imbota Nature Reserve has been prepared.

The plan will be on public display from 17 May 2002 until 19 August 2002. Copies of the plan may be inspected during office hours at:

NPWS Head Office Library
7th Floor, 43 Bridge Street, HURSTVILLE

National Parks Centre
102 George Street, THE ROCKS

NPWS Northern Tablelands Regional Office
87 Faulkner Street, ARMIDALE

Armidale Public Library
Faulkner Street, ARMIDALE

Copies of the plan may be obtained, free of charge, from above National Parks and Wildlife Service offices and the National Parks Centre.

Written representations in connection with the plan should be forwarded by close of business on 19 August 2002 to:

The Ranger, Imbota Nature Reserve
National Parks and Wildlife Service
PO Box 402, ARMIDALE NSW 2350

The plan of management together with any representations received will be submitted to the National Parks and Wildlife Advisory Council for its comments and advice to the Minister.

Your comments on this draft plan 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 plan by the Minister, copies of all submissions will be available by arrangement for inspection in the regional office mentioned above. If you do not want your personal details to become public, please mark on your submission that you want your details to remain confidential.

KEVIN SHANAHAN,
Manager
Conservation Management Unit

NSW NATIONAL PARKS AND WILDLIFE SERVICE

Notice of Exhibition of the
Draft Salt Pipewort (Eriocaulon carsonii) Recovery Plan

THE National Parks and Wildlife Service hereby gives notice of the exhibition of the *Draft Salt Pipewort (Eriocaulon carsonii)* Recovery Plan. Public submissions are invited from 3 June to 15 July 2002. Exhibition details will be published on 23 May 2002 in the Sydney Morning Herald, and on the 25 May 2002 in the Barrier Daily Truth (Broken Hill).

JOSHUA GILROY,
Acting Manager
Conservation Programs and Planning
Western Directorate

NSW NATIONAL PARKS AND WILDLIFE SERVICE

Notice of Exhibition of the
Draft Warrumbungle Brush-tailed Rock-wallaby
Endangered Population Recovery Plan

THE National Parks and Wildlife Service hereby gives notice of the exhibition of the *draft Warrumbungle Brush-tailed Rock-wallaby Endangered Population Recovery Plan*. Public submissions are invited from 3 June to 15 July 2002. Exhibition details will be published on 23 May 2002 in the Sydney Morning Herald, the Coonabarabran Times, Daily Liberal (Dubbo), and Narrabri Courier.

JOSHUA GILROY,
Acting Manager
Conservation Programs and Planning
Western Directorate

PESTICIDES ACT 1999

Notice under Section 48 (4)

NOTICE is hereby given, pursuant to section 48(4) of the Pesticides Act 1999, that I have granted a Pilot (Pesticide Rating) Licence, particulars of which are stated in the Schedule.

ALAN RITCHIE,
Manager Dangerous Goods
Environment Protection Authority
by delegation

SCHEDULE

Pilot (Pesticide Rating) Licence

Name and address of Licensee	Date of Granting of Licence
Mr Martin Charles STEPHENSON Unit 71 North Avenue WESTMEAD NSW 2145	9 May 2002

PORTS CORPORATISATION AND WATERWAYS MANAGEMENT ACT 1995

2002 Election of a Staff Director for Each of the Following:

Sydney Port Corporation
Newcastle Port Corporation
Port Kembla Port Corporation

IN accordance with the provisions of the Ports Corporatisation (Staff Director Elections) Regulation 1995, the Electoral Commissioner for New South Wales will conduct an election for a Staff Director for each of the following Port Corporations: Sydney Port Corporation, Newcastle Port Corporation and Port Kembla Port Corporation.

Nominations

Nominations on the prescribed form (Form 1) are hereby invited. A person is entitled to be elected as the Staff Director of the Board of a Port Corporation whether or not the person is an employee of the Port Corporation. Candidates must give written consent to their nomination. Candidates must be nominated by at least two (2) persons

(other than the candidate) who are employees of the respective Port Corporation.

For the purposes of the election "employee" means any member of the staff of the relevant Port Corporation, but does not include a person who is employed on a temporary or casual basis.

A statutory declaration in support of candidature (Form 2) may be completed by each candidate, details of which will be included in a Candidate Information Sheet which will accompany ballot papers should an election be necessary.

Nomination forms (Form 1) and statutory declarations for candidate information sheet (Form 2) are available from the State Electoral Office, telephone (02) 9200 5999 or toll free 1300 135 736, and the office of the Chief Executive Officer of each Port Corporation.

Close of Nominations

Nominations and statutory declarations in support of candidature must be received by the Returning Officer, State Electoral Office, not later than NOON, FRIDAY 7 JUNE 2002. They may be hand delivered to the State Electoral Office, Level 20, 207 Kent Street Sydney; posted to PO Box 693, Grosvenor Place NSW 1220, or faxed to (02) 9241 6011.

Any defect in a nomination or alterations or additions to a statutory declaration must be rectified by the candidate prior to the close of nominations. A candidate may only withdraw his/her nomination in writing so as to be received by the Returning Officer prior to the close of nominations.

Voting

Should more than the required number of nominations be received, a draw to determine the order of candidates' names on the ballot paper will be conducted at the State Electoral Office at 2.00pm, Friday 7 June 2002. Candidates or their representatives are invited to witness the draw.

A postal ballot will be conducted to close at Noon, Friday 5 July 2002. Voting material will be posted on Friday 14 June 2002 to all employees of the respective Port Corporation.

The method of voting to be observed is optional preferential.

Any inquiries concerning the election should be directed to the State Electoral Office, telephone (02) 9200 5999 or toll free 1300 135 736.

J. WASSON,
Electoral Commissioner for New South Wales and
Returning Officer for the
2002 Ports Corporations Elections.

STATUTORY AND OTHER OFFICERS REMUNERATION ACT 1975

Report and Determination
Pursuant to Section 14 (1) of the Act

REPORT:

1. Pursuant to section 14 of the *Statutory and Other Offices Remuneration Act 1975* (the Act) the Statutory and Other Offices Remuneration Tribunal (the Tribunal) will make a determination concerning the remuneration to be paid to Members of Consumer Trader and Tenancy Tribunal (CTTT).

2. The *Consumer Trader and Tenancy Tribunal Act 2001*, which was proclaimed on 24 February 2002, provided for the establishment of the CTTT. The CTTT has been established as the new specialist dispute resolution forum combining the jurisdictions of the former Fair Trading Tribunal and the Residential Tribunal. The operations of the CTTT are divided into the following 8 divisions: home building, residential parks, motor vehicle, retirement villages, tenancy, general, strata and community schemes and commercial.
3. The former Minister for Fair Trading, the Hon John Watkins MP, wrote to the Premier on 12 October 2001 seeking a special reference to direct the Tribunal to determine the remuneration payable to the Chairperson, Deputy Chairperson (Determinations), Senior Members and Members of the CTTT. As the CTTT had not yet been proclaimed, the Premier asked that the Tribunal make a recommendation in respect of the remuneration payable to Members to prevent any further delay in recruitment action.
4. On 18 December 2001 the Tribunal recommended to the Minister for Fair Trading, the Hon John Aquilina MP, that Members of the CTTT receive remuneration in accordance with the salaries and allowances determined for members of the former Fair Trading Tribunal as of 1 October 2001. The recommended rates were as follows:

• Chairperson	\$179,065
• Deputy Chairperson	\$164,600
• Senior Member	\$132,840
• Member	\$125,220
5. In addition to the abovementioned salaries, the Tribunal also recommended that the Chairperson, Deputy Chairperson and Senior Members receive a motor vehicle allowance of \$12,000 per annum. This allowance is currently under review by direction of the Premier following recent amendments to the SOOR Act.
6. As the *Consumer, Trader and Tenancy Tribunal Act 2001* was proclaimed to commence on 25 February 2002 it is now necessary for the Tribunal to determine the remuneration payable to the members of the CTTT in accordance with that Act
7. In making this determination, the Tribunal has reviewed the former Minister's submission to the Premier in regard to this matter. Since making its initial recommendations the Tribunal has not been provided with any new information which would suggest any significant change to the role and responsibilities of Members.
8. Having regard to the above, the Tribunal considers that the remuneration payable to the Chairperson, Deputy Chairperson (Determinations), Senior Members and Members of the Tribunal should remain at those levels recommended by the Tribunal in December 2001. The Tribunal will further consider the remuneration paid to the members of the CTTT during the annual review, and would welcome a submission from the CTTT at that time.

DETERMINATION:

Pursuant to section 14 of the *Statutory and Other Offices Remuneration Act 1975*, I determine that the following salaries and allowances will be payable to the members of the Consumer, Trader and Tenancy Tribunal with effect from 25 February 2002.

	Salary	Motor Vehicle Allowance
• Chairperson	\$179,065	\$12,000
• Deputy Chairperson (Determinations)	\$164,600	\$12,000
• Senior Member	\$132,840	\$12,000
• Member	\$125,220	

The Statutory and Other Offices
Remuneration Tribunal

GERRY GLEESON
Dated: 23 April 2002

THREATENED SPECIES CONSERVATION ACT

Notice of Preliminary Determinations

THE Scientific Committee, established by the Threatened Species Conservation Act, has made Preliminary Determinations to support proposals to list the following in the relevant Schedules of the Act.

Endangered Species (Part 1 of Schedule 1)

Calystegia affinis Endl., a twining plant
Carmichaelia exsul F. Muell., a shrub
Coprosma inopinata I. Hutton & P. S. Green, a shrub
Geniostoma huttonii B. J. Conn, a shrub
Polystichum moorei H. Christ, a fern
Xylosma parvifolium Jessup, a shrub

The Committee is of the opinion that these species are likely to become extinct in nature in NSW unless the circumstances and factors threatening their survival or evolutionary development cease to operate.

Any person may make a written submission regarding these Preliminary Determinations, which should be forwarded to:

Director General
National Parks & Wildlife Service
PO Box 1967, Hurstville NSW 2220

Attention: Suzanne Chate
Executive Officer, Scientific Committee

Submissions must be received by 21st June, 2002.

Copies of these Determinations may be inspected at the National Parks Centre 102 George Street, The Rocks, Sydney and at NPWS Area Offices or Visitors Centres and the Lord Howe Island Board Administrative Office during business hours.

Dr CHRIS DICKMAN,
Chairperson

**CAPITAL CONTRIBUTIONS AND REPAYMENTS FOR
CONNECTIONS TO ELECTRICITY DISTRIBUTION
NETWORKS IN NEW SOUTH WALES**

FINAL REPORT

**INDEPENDENT PRICING AND REGULATORY TRIBUNAL
OF NEW SOUTH WALES**

INDEPENDENT PRICING AND REGULATORY TRIBUNAL
OF NEW SOUTH WALES

**CAPITAL CONTRIBUTIONS AND REPAYMENTS FOR
CONNECTIONS TO ELECTRICITY DISTRIBUTION
NETWORKS IN NEW SOUTH WALES**

FINAL REPORT

Determination No 1 2002

April 2002

ISBN 1 877049 12 3

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Independent Pricing and Regulatory Tribunal of New South Wales

Level 2, 44 Market Street Sydney NSW 2000

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www.ipart.nsw.gov.au

All correspondence to: PO Box Q290, QVB Post Office, NSW 1230

TABLE OF CONTENTS

1. INTRODUCTION	1
2. BACKGROUND	3
2.1 What is a capital contribution?	3
2.2 What principles should be used for capital contributions?	3
2.3 Draft report and determination	4
3. KEY ELEMENTS OF THE APPROACH TO CAPITAL CONTRIBUTIONS AND REPAYMENTS	5
3.1 The general rule	5
3.1.1. Multi-occupant developments	6
3.1.2. Dedicated assets that may later be used by other customers	6
3.2 The exceptions to the general rule	7
3.2.1. Defining customers subject to augmentation costs	8
3.3 Reimbursement schemes	9
3.3.1. Changes from the draft determination	10
3.4 Dispute resolution	12
4. IMPLEMENTING THE DETERMINATION	13
4.1 Commencement of the determination	13
4.2 Financial adjustments	13
4.3 Relationship to the PPM	13
4.4 Monitoring and reporting	13
4.5 2004 regulatory review	13

DETERMINATION

Capital contributions and repayments for connections to electricity distribution networks in NSW

1. INTRODUCTION

In this determination, the Independent Pricing and Regulatory Tribunal of New South Wales (the Tribunal) establishes a framework for determining how much customers will be required to contribute towards the capital costs of connecting them to the electricity distribution network.¹ The Tribunal has made this determination under Section 11(3) of the *Independent Pricing and Regulatory Act 1992* (the IPART Act).

These capital costs include those related to establishing the connection itself and, in some cases, those of augmenting the capacity of the distribution network so it can meet the new demand created by the customer. For many customers, the costs involved in connecting will be relatively small. However, the costs could be significant for those whose property is located a long way from the closest network connection point, and for those who will place a large load on the network.

The Tribunal's approach includes a general rule that will apply to most customers, and two exceptions to that rule.

- The general rule is that a customer will pay for the direct costs of establishing the connection up to a defined point of connection to the network. These direct costs are those involved in providing and installing the lines and equipment that are dedicated to that customer. The distribution network service provider (DNSP) will pay for all other costs.
- Exceptions to this rule are customers in rural areas and large load customers. As well as paying connection costs, these customers may be required to contribute to the costs of upgrading network assets (augmentation).
- DNSPs will be required to establish a reimbursement scheme that will enable property owners in these exception categories to be reimbursed for some of the contributions they have paid for assets that, at some later stage, are used by other customers.
- All customers and DNSPs will have access to a dispute resolution process to resolve any disputes concerning capital contributions.

The determination will apply from 1 July 2002.

This report discusses the Tribunal's proposed determination in more detail:

- Chapter 2 sets out the background to the determination.
- Chapter 3 explains the key elements of the proposed approach to capital contributions.
- Chapters 4 sets out the proposed process for implementing, monitoring and reviewing the determination.

¹ Capital contributions apply only to customers who are either connecting a new property to the network, connecting a property that has not previously been connected, or expanding the capacity of their connection.

Capital contributions and repayments for connections to electricity distribution networks in NSW

2. BACKGROUND

2.1 What is a capital contribution?

A capital contribution is a network price that is paid up-front rather than over time. This form of pricing is widely used as a means of recovering from individual customers the specific costs that their connection imposes on the network. DNSPs recover customers' allocated share of other network costs, both capital and operating, through the network usage charges customers pay as part of their electricity bill.

Network connection costs are capital in nature. They are associated with the construction and installation of power lines and electrical equipment. The costs of connecting a new customer or expanding the connection capacity of an existing customer varies, depending on the customer's location and the availability of spare network capacity to serve the increased load they place on the network. In addition, some of these costs can be easily attributed to the individual customer, but others are more difficult to allocate because they occur further back in the shared network. Further, some of the new lines and equipment required may be used initially by one customer, but shared with other customers later as the network expands further.

The Tribunal notes that, because the assets paid for by capital contributions have been funded directly by customers, they are excluded from the DNSPs' regulatory asset base. DNSPs are not entitled to receive a return on, or of, these contributed assets. However, as DNSPs take ownership of these assets they must maintain them. DNSPs recover maintenance costs through network tariffs.

2.2 What principles should be used for capital contributions?

The Tribunal believes the principles it uses to determine capital contributions should be consistent with its approach to regulating other network prices, which is set out in its *Pricing Principles and Methodologies* (PPM). In summary, the PPM requires that network prices:

- **Reflect economic costs** by being subsidy free; having regard to the level of available capacity; signalling future investment costs; discouraging uneconomic bypass; and allowing negotiation to better reflect the economic costs of specific services.
- **Return the allowed revenue stream** while recovering the gap between marginal and average costs in the least distorting manner possible.
- **Promote equity, stability and consistency of outcomes** by having regard to the impact of price changes on customers; being transparent; and being based on published costs and methods.

The Tribunal believes that the price signals customers receive through the costs they are required to pay for network connection play an important role in determining how efficiently the network develops. The demand for new or expanded connections drives a significant part of network investment.

Independent Pricing and Regulatory Tribunal

DNSPs have argued that connection charges should include an up-front capital contribution that reflects the true costs of connection. This sends more efficient price signals to connecting customers and reduces cross-subsidies between customers with high and low connection costs.² If capital contributions are not used, then connection costs must be recovered through network use of system charges.³ DNSPs argue that the variability in connection circumstances would lead to cases where the cost to the network of providing connection is under or over recovered from the network use of system charges that individual customers pay. If the costs of connection are hidden from the high-cost customer, cost-effective alternatives to connection (or expanded connection) at that location may not be considered. Cost shifting to customers with low connection costs will distort consumption and investment decisions.

However, the efficiency arguments for signalling costs to new users are weak for existing assets. For the most efficient utilisation of the capacity, the principle is that if capacity is scarce the costs of rationing or expanding that capacity should be signalled to all users not just some.

2.3 Draft report and determination

In October 2001, the Tribunal released a draft report and determination. The Tribunal sought submissions on the draft determination. While submissions were due to close on 23 November 2001, the DNSPs sought an extension until the middle of January 2002.

EnergyAustralia, Integral Energy and Country Energy made a joint submission. Four other groups made submissions and EnergyAustralia made a supplementary submission. Attachment 1 lists the submissions.

² EnergyAustralia emphasised this point in its submission dated 25 January 2002, p 1.

³ Taken to include both fixed and variable charges.

3. KEY ELEMENTS OF THE APPROACH TO CAPITAL CONTRIBUTIONS AND REPAYMENTS

The Tribunal believes that any framework for determining how much customers contribute to the capital costs of connecting them to the electricity network should provide an economically efficient pricing signal to customers and treat customers equitably. It should be able to be applied consistently and at acceptable administrative cost. In using the term 'efficient pricing signals', the Tribunal intends that prices reflect the true costs involved in connecting to the network, and thus appropriate incentives for customers to consider other options that may be more cost-effective, such as purchasing standalone generators.

The Tribunal's approach, therefore, is relatively simple and establishes clear guidelines for determining which assets the customer will pay for and which assets the DNSP will pay for. The approach takes into account the fact that connection costs vary widely, depending on the network conditions in the area the customer is located.

The key elements of the approach—being the general rule, exceptions to the general rule, a reimbursement scheme, and dispute resolution arrangements—are described below.

Overall, the Tribunal does not expect that the determination will have significantly different financial impacts either for DNSPs or customers due to its similarity to the current approach. However, the introduction of a reimbursement scheme will mean that rural and large load customers who fund a connection would be reimbursed as further new customers connect to these assets.

3.1 The general rule

As a general rule, customers will pay the costs of providing and installing the lines and equipment up to a defined point of connection to the network (ie connection costs). The DNSP will be required to pay for all other costs—that is, those incurred beyond the point of connection (ie augmentation costs).

A critical issue is identifying the point of connection (the determination refers to this as the linkage point). The Tribunal has defined this linkage point as the point on the network at which the use of assets changes from shared among customers generally to dedicated to one or more customers. The Tribunal notes that in most cases, determining this linkage point will be fairly straightforward. In the following cases, however, additional guidance will be required:

- the connection is for a multi-occupant development, for example a multiple-lot development⁴
- where there is a possibility that assets which are initially dedicated (to one customer or more customers) may later be used by other customers generally.

The following sections discuss how the Tribunal has dealt with these issues in the final determination.

⁴ In the cases of multi-occupant developments guidance is necessary as the point at which assets change from dedicated to shared is confused by the high voltage lines and assets.

Independent Pricing and Regulatory Tribunal

3.1.1. Multi-occupant developments

The Tribunal has determined that for multi-occupant developments the developer is to be considered as a single customer. The developer should pay for all low voltage (LV) assets dedicated to the development. The developer should also pay for any high voltage (HV) assets required to connect that development unless those assets:

- ***are likely to be shared with other customers outside the development, or***
- ***are capable of being relocated to serve another customer if they were no longer needed.***

In these circumstances DNSPs should pay for the HV assets.

In the draft determination, the Tribunal placed the burden of funding HV assets on the DNSP. The DNSPs responded by stating:

The developer should fully contribute dedicated high voltage assets that do not have the potential to be shared supplying multi-tenanted, residential, commercial and industrial developments in the same manner as the low voltage assets both within and external to the development.⁶

Further, the Tribunal notes the DNSPs' comments:

The NSW DNSPs support the Tribunal's proposal requiring the developer of multiple-lot residential, commercial and industrial subdivisions located in urban to fund the low voltage reticulation assets and the required substations... The NSW DNSPs would fund the transformers, which are a recoverable element, and the high voltage assets where it is expected that the high voltage assets would be shared by more than one subdivision or other development. Otherwise the developer should fund the HV connection.⁷

The Tribunal recognises that its proposed approach was inconsistent with the general rule that customers pay for dedicated assets. The Tribunal notes also that the DNSPs commented that this would lead to an increase in capital expenditure.⁸

In the final determination, the Tribunal has determined that the developer should fund dedicated high voltage assets that do not have the potential to be shared, or once provided, are unsuitable for relocation to supply other customers. That is, if assets are used exclusively by the development then the developer should fund the assets.

3.1.2. Dedicated assets that may later be used by other customers

The Tribunal has determined that in setting the linkage point, DNSPs should consider the potential for further network expansion in the medium term.

Under the general rule where customers pay for dedicated assets, the linkage point is set at the point on the network where the use of assets changes from shared to dedicated. However, this point may change at some time in the future, as the network expands and

⁵ Multi-occupant developments include multi-tenanted and strata titled properties and multiple lot subdivisions.

⁶ NSW Distribution Businesses' submission to IPART's Discussion Paper (DP50), 16 January 2002, p 4.

⁷ *ibid*, p 9.

⁸ *ibid*, p 6.

Capital contributions and repayments for connections to electricity distribution networks in NSW

additional customers connect. This means that a customer may pay for dedicated assets that are later shared with other customers.

The Tribunal proposes that when this occurs, and the customer is in a rural area, or has a large load, he or she will be reimbursed through the scheme described in section 3.3. This reimbursement scheme will allow the cost of contributed assets to be shared on an equitable basis between customers that connect at different times.

The Tribunal proposes to limit the reimbursement scheme to rural and large load customers. In other cases, the Tribunal expects the DNSP to take into account the potential for further network expansion in the customer's locality in the medium term (for example, 5 to 10 years) when the DNSP sets the connection point. For example, this would involve considering the availability of land for development, council zoning, as well as trends in the direction and rate of network expansion.

This approach favours locating the linkage point close to the customer, and should make a general reimbursement scheme unnecessary. If agreement cannot be reached on the location of the linkage point, or whether there is potential for further network expansion, either party may take the matter to dispute resolution (described in section 3.4).

3.2 The exceptions to the general rule

The Tribunal has determined two exceptions to the general rule that customers pay for dedicated assets and do not pay for network augmentations. These exceptions apply to rural customers and large load customers.

The Tribunal recognises that there are parts of the network, primarily in rural and remote areas, where the extended length of lines and low network density increase the possibility of substantial augmentation costs arising from specific connections (rural customers). It is both inequitable and economically inefficient to pass on to other customers the costs of connections that will be substantially and persistently uneconomic.⁹ Further, a new customer may place an additional load on the existing network requiring substantial augmentation of the existing network (large load customers).

In these circumstances, the Tribunal believes it is equitable that customers seeking such connections (and who will benefit from them) should be required to pay some of the additional costs they impose on the network. Therefore, in these instances of higher augmentation costs, the Tribunal proposes that customers connecting to the network should contribute to the cost of network augmentation assets. Because the network augmentation required will vary from case to case, a general rule for allocating these costs between the customer and the DNSP is unlikely to prove satisfactory. The customers who may be liable for augmentation costs are defined in section 3.2.1.

These customers will be required to pay for all dedicated connection assets, as set out in section 3.1, above. If the connection point is located so that some of the contributed assets are eventually shared by other customers connecting at a later time, property owners will be reimbursed through the scheme described in section 3.3.

⁹ The Tribunal's consultants, Meritec, concluded that persistently uneconomic lines are exceptions and should be treated as such — they do not provide the basis for setting general rules. Meritec, *Report on Capital Contributions in the NSW Electricity Market*, September 2001.

Independent Pricing and Regulatory Tribunal

To ensure that the contribution towards the cost of network augmentation is determined in a fair and equitable way, the Tribunal proposes the following principles and procedures will apply:

- augmentation assets will be the economic optimum size required given the customer's connection capacity and expected growth in other loads
- property owners will be offered access to a reimbursement scheme that will allow equitable recoument of costs from customers who connect at a later date and make use of the contributed network augmentation assets.

Customers with large loads and the DNSP should be able to negotiate the terms for funding the connection—including what capital contribution to network augmentation costs the customer must pay up-front (if any), as well as their on-going network usage charges. However, such an approach applied to all large load customers could lead to a large number of individually structured network tariffs.

3.2.1. Defining customers subject to augmentation costs

The Tribunal has defined a rural customer as a customer in those parts of the network where the average demand per kilometre of high voltage line is less than 300kVA or the customer is in an area that the local council has zoned as rural.

The Tribunal has defined a large load customer as a customer whose expected demand for electricity is such that the customer would require more than 50 per cent of the capacity of the existing assets to be augmented.

The Tribunal considers that the definition of both a rural customer and large load customer is important to the successful implementation of the capital contributions framework. In the draft determination, the Tribunal adopted the following definitions:

- Rural customer — is a customer in those parts of the network where the 'after diversity maximum demand' per kilometre of line is less than 300kVA.
- Large load Customer — customer whose expected demand for electricity is such that the customer would require more than 50 per cent of the capacity of the existing network to be augmented.¹⁰

A number of the submissions commented on the definition of a rural customer. The DNSPs stated that they were in agreement with the definition but it should be supplemented with local council land zoning.¹¹ Further, they suggested that the demand should be based on high voltage feeders. Another submission questioned the use of 300kVA, suggesting instead a figure of no more than 200kVA.¹² However, the Tribunal notes that there is general support for 300kVA and little evidence in support of any other value.

The Tribunal has considered the various arguments and has decided to retain a demand of 300kVA as the basis for the definition of a rural customer or DNSPs may apply a test based on local council zoning. The Tribunal has also clarified that line density is to be based on HV feeders.

¹⁰ IPART, *Capital Contributions for New South Wales Electricity Distribution Network Service Providers, Draft Report*, October 2001, p 12.

¹¹ NSW Distribution Businesses' submission, 16 January 2002, p 12.

¹² Mr R Harper submission, 23 November 2001, p 1.

Capital contributions and repayments for connections to electricity distribution networks in NSW

Respondents generally agreed with the definition of a large load customer. However, the Energy Markets Reform Forum proposed that the reference percentage of capacity should be 40 per cent.¹³ Reducing the percentage would increase the number of large load customers that would be responsible for funding augmentation.

The Tribunal has retained the definition of large load customer used in the draft determination.

3.3 Reimbursement schemes

The Tribunal requires DNSPs to establish and administer reimbursement schemes for customers that make capital contributions for connections in rural areas or taking large loads. Reimbursement schemes are provided for under section 25(2) of the Electricity Supply Act 1995.

These reimbursement schemes will:

- ***be applicable to all rural customers or customers with large loads that request new connections or augmentations and customers connecting at a later date who will use some, or all, of those assets***
- ***reimburse the original customer according to the extent to which new customers will utilise those assets***
- ***limit the total reimbursements to the amount of the original capital contribution adjusted for inflation***
- ***limit the period over which reimbursements may be offered to 7 years***
- ***only apply to connection assets provided after the commencement of this determination.***

The DNSP is:

- 1. to establish and administer the scheme***
- 2. responsible for ensuring that later connecting customers reimburse the current owner of the premises for which the original works were undertaken***
- 3. to recover its administration costs through network charges***
- 4. not be permitted to levy connecting customers a fee for participation in the scheme.***

The Tribunal is aware that much of the connection work may be contestable and information disclosure may be an issue. Therefore, the Tribunal has provided in the determination that where the DNSP did not do the work, the DNSP is to use what it would have charged to do the work, as the basis for determining the amount to be reimbursed.

¹³ Energy Markets Reform Forum submission, 23 November 2001, p 3.

Independent Pricing and Regulatory Tribunal

3.3.1. Changes from the draft determination

The draft determination signalled the Tribunal's intention to introduce a reimbursement scheme. In the submissions, there was general support for a reimbursement scheme, although there were concerns about some of the detail. In the draft determination, the Tribunal provided that in relation to reimbursement schemes:

- reimbursements were to apply for 10 years from the original application
- the DNSP is responsible for ensuring that later connecting customers reimburse the original contributor
- the reimbursement is to be made to the original contributor, who is responsible for advising the DNSP of any changes of address
- the reimbursement is to be calculated pro-rata on expected capacity
- the amount of the reimbursement is to be indexed by inflation (CPI)
- the Scheme is to apply to all new connections irrespective of whether an original contributor had contributed to assets prior to current determination.

In light of submissions, the Tribunal has reviewed its approach to these matters. The following sections discuss how the Tribunal has addressed these issues in the final determination.

Period over which each scheme is to operate

The Tribunal has determined that each scheme should apply for 7 years from the date the original customer makes an application for connection works.

Although previously the *Electricity Supply Act 1995* had limited the period over which reimbursements may be offered to a period of 6 years, there is currently no limitation. The Tribunal believes that reimbursement schemes would become impractical to administer if reimbursements were to apply without limitation.

Most submissions commented that the Tribunal's proposal that reimbursements apply for 10 years placed onerous requirements for record keeping.¹⁴ The submissions supported periods in the range 5-7 years.¹⁵

As businesses ordinarily must retain records for 7 years, the Tribunal has decided that reimbursements are to apply for 7 years from the date of the original application.

Reimbursement to original contributor

The Tribunal has determined that the reimbursements should be made to the current owner¹⁶ of the premises for which the original contribution was made.

¹⁴ NSW Distribution Businesses' submission, 16 January 2002, p 14; Mr R Harper submission, 23 November 2001, p 2 and Energex submission, 16 January 2002, p 2.

¹⁵ NSW Distribution Businesses' submission, 16 January 2002, p 15; Mr R Harper submission, 23 November 2001, p 2 and Energex submission, 16 January 2002, p 2.

¹⁶ At the time that the reimbursement is made.

Capital contributions and repayments for connections to electricity distribution networks in NSW

In the draft determination the Tribunal had indicated that it would require that the reimbursement should be made to the original contributor. The Tribunal intended for the contributor to capture the benefits of the reimbursement scheme. However, the DNSPs argued that the original contributor would capitalise the value of the connection when the premises is sold.¹⁷ Also there may be difficulty in locating the original contributor.

Pro-rata of expected capacity

The Tribunal has determined that the amount of the reimbursement should be calculated on the utilisation of the contributed assets. For most customers, this will be by apportioning the costs amongst the potential customers, and in the case of distribution lines, adjusting for the length of the line actually serving each customer.

In the draft determination, the Tribunal proposed an approach based on a simple proportion of expected use to available capacity. However, the DNSPs suggested two particular problems with this approach.¹⁸

1. Estimating usage is difficult prior to connection. The DNSPs suggested that for customers using up to 50kVA, the reimbursement should be based on a simple apportionment among the potential number of customers. However, larger customers would reimburse based on actual usage. The Tribunal believes this to be a simple yet equitable approach and has adopted it for the final determination.
2. The approach did not account for the length of distribution line that the new customer used. The Tribunal has decided to adjust the contribution by the proportion of distribution line used by the new customer

The approach that the DNSPs have suggested requires that the DNSP should establish the number of potential customers at the time of the first contribution. The DNSP should have regard to all relevant factors including the number of properties that could potentially utilise the works, current zoning, potential rezoning and sub-divisions, and historical patterns of connection in similar areas.

The Tribunal considers that apportioning the costs amongst potential customers and accounting for the proportion of line that each customer uses is more equitable in the application of the reimbursement than the method proposed in the draft report.

Application of reimbursement scheme to customers who have contributed to connection assets prior to the commencement of this determination

The Tribunal has determined that the reimbursement scheme should not apply to customers who contributed to connection and augmentation assets prior to the commencement of this determination.

This application of the reimbursement scheme is different from the draft determination. This is because:

- There were no existing reimbursement schemes prior to this determination. Given that reimbursement schemes did not exist at the time of the customer's connections, the DNSPs may not have kept the necessary records. DNSPs have advised that the

¹⁷ NSW Distribution Businesses' submission, 16 January 2002, p 15.

¹⁸ *ibid*, pp 14-16.

Independent Pricing and Regulatory Tribunal

costs associated with retrospectively compiling the information to administer the reimbursement scheme are likely to be substantial.¹⁹

- Customers who contributed towards the provision of assets prior to the commencement of the determination did so with the knowledge that there would be no reimbursement. Introducing a reimbursement at this stage could potentially result in a windfall gain. For example, a customer may have bought property relatively cheaply because of the costs that the customer would incur in order to connect to the network.

During the transition period, the Tribunal recognises that there will be different treatment of customers depending on whether the original contribution was prior to the commencement of this determination—that is 1 July 2002.

3.4 Dispute resolution

The Tribunal has determined that all customers and DNSPs will have access to a dispute resolution process for disputes concerning the level of capital contributions through the internal review procedures under the regulations applying to small retail customers and other procedures for internal review in the DNSP's standard customer connection contracts.

In the draft determination the Tribunal proposed that:

- disputes in relation to capital contributions of up to \$20,000 (or, if the DNSP agrees, up to \$50,000) will be referred to the Energy and Water Ombudsman of NSW (EWON)
- disputes in relation to capital contributions of more than this amount will be referred to one of a panel of independent experts.

DNSPs noted that their standard form customer connection contracts provided for dispute resolution including approaches to EWON and alternative dispute resolution (ADR).²⁰

In the final determination, dispute resolution will be through the internal review procedures provided for in the regulations applying to small retail customers and other procedures for internal review in the DNSPs' standard customer connection contracts. This is because the Tribunal believes that it would be a better outcome if dispute resolution could be covered by existing mechanisms. This would avoid the need to introduce new mechanisms.

In its submission the Energy Markets Reform Forum suggested that timelines should be provided.²¹ These are included in the standard form customer contract dispute procedures.

The Tribunal will monitor and review the application of dispute resolution as part of the 2004 determination of network pricing. For this purpose, the Tribunal proposes that the DNSPs should report details of disputes including information on the nature of the dispute, method of resolution and outcome.

¹⁹ *ibid*, p 17.

²⁰ *ibid*, p 18.

²¹ Energy Market Reform Forum submission, 23 November 2001, p 3.

4. IMPLEMENTING THE DETERMINATION

4.1 Commencement of the determination

The determination will commence on 1 July 2002.

4.2 Financial adjustments

The Tribunal considers that, in most cases under this approach, the DNSPs would be funding the same assets as now. Therefore, the financial impact on DNSPs and customers is minimal.

The Tribunal does not propose to make any adjustments to the terms of the current revenue determination. At the next regulatory review (in 2004), the Tribunal will consider whether it should specifically consider the financial impacts of this determination on the DNSPs.

4.3 Relationship to the PPM

As the Jurisdictional Regulator for New South Wales, the Tribunal is responsible under the provisions of the National Electricity Code (the Code) for regulating the prices charged by DNSPs within the State. The Tribunal has taken the opportunity provided by the Code to develop the Pricing Principles and Methodologies²² (the PPM) as an alternative pricing methodology to the approach set out in the Code.²³

This determination is being made under Section 11(3) of the IPART Act. However—both for ease of access and in recognition of the close relationship between capital contributions and network prices—the specific requirements that the determination places on DNSPs will be incorporated within the PPM.

4.4 Monitoring and reporting

The Tribunal will incorporate monitoring and reporting of actions and outcomes relating to this determination within the price and service reporting requirements set out in the PPM. These provisions will require DNSPs to include information on capital contributions in their annual Price and Service Reports.

4.5 2004 regulatory review

The Tribunal will take the opportunity provided by the next regulatory review in 2004 to review the implementation of this determination.

²² IPART, *Pricing Principles and Methodologies for Prescribed Electricity Distribution Services*, March 2001.

²³ National Electricity Code, Chapter 6, Part E.

Independent Pricing and Regulatory Tribunal

ATTACHMENT 1 SUBMISSIONS

The following made submissions to the Tribunal on the draft report.

Energex

Energy Markets Reform Forum (2 submissions)

EnergyAustralia

Harper Mr R J

Joint NSW Distribution Businesses' (Country Energy)

Joint NSW Distribution Businesses' (EnergyAustralia)

Joint NSW Distribution Businesses' (Integral Energy)

Public Interest Advocacy Centre



**INDEPENDENT PRICING AND REGULATORY TRIBUNAL
OF NEW SOUTH WALES**

Determination

Under Section 11(3) of the Independent Pricing and Regulatory Tribunal Act 1992

Capital Contributions and Repayments for Connections to Electricity Distribution Networks in New South Wales

EXPLANATORY PREAMBLE

Under section 25 of the *Electricity Supply Act 1995 (NSW)*, a distribution network service provider (DNSP) may require a new customer to contribute towards the costs of extending or increasing the capacity of the distribution system. A DNSP may also require further new customers to contribute towards those costs, and may apply the whole or any part of the contributions received from those customers to the repayment of existing customers who have previously contributed towards those costs.

Section 11(3) of the *Independent Pricing and Regulatory Tribunal Act 1992 (NSW)* allows the Independent Pricing and Regulatory Tribunal (IPART) to conduct investigations and make reports to the Minister on certain matters under section 25 of the *Electricity Supply Act 1995 (NSW)*. Under sections 25(3) and (3A) of the *Electricity Supply Act 1995 (NSW)*, it is a condition of a DNSP's licence that it comply with any IPART determination relating to the proportion of contributions that may be required from customers or the repayment of existing customers.

This document sets out a framework for determining those assets that should be paid for by customers, and the implementation of a reimbursement scheme. In general terms, this determination is based on the principle that customers should be responsible for paying for the cost of assets up to the point where the use of those assets changes from dedicated to that customer, to shared among customers generally. Some additional rules apply to rural customers and large load customers.

Operative Provisions

1. Commencement

This determination commences on 1 July 2002.

2. Application

This determination applies to all DNSPs to which section 25 of the *Electricity Supply Act 1995 (NSW)* applies and hold a distribution network service provider's licence under section 14 of that Act.

3. Repeals

IPART Determinations No. 10 1996 and No. 5.4 1997, to the extent that they may still be operative, are repealed from the commencement of this determination.

All requests previously made by IPART to DNSPs on an individual basis with respect to voluntary arrangements for capital contributions for connection to networks are withdrawn from the commencement of this determination.

4. Schedules

Schedules 1, 2, 3, 4 and 5 apply.

5. Definitions

Terms used in this determination are defined in Schedule 4 (Dictionary).

6. Savings and transitional provisions

- (1) Nothing in this determination affects the operation of clause 35(1) of Part 4 of Schedule 6 to the *Electricity Supply Act 1995 (NSW)*.
- (2) The Far West Electrification Scheme is exempt from the application of this determination (other than this clause 6(2)) until the end of 30 June 2005. Until that time, customers applying for connection to that Scheme will continue to pay for infrastructure costs in accordance with that Scheme.

7. Review

This determination will apply until replaced or amended by IPART from time to time.

Thomas G Parry
Chairman

12 April 2002

SCHEDULE 1 CAPITAL CONTRIBUTIONS

1. Connection works

- (1) A DNSP may require that a new customer procure and fund connection works (other than excluded connection works) specified by the DNSP, in accordance with and subject to this determination.
- (2) A rural customer or large load customer may also be obliged to make reimbursements (for connection works that another such customer has funded), in accordance with Schedule 2.

2. Excluded connection works

A DNSP must at its own cost fund excluded connection works.

3. Network augmentations

- (1) A DNSP must at its own cost fund network augmentations, except as specified in this determination.
- (2) A DNSP may require that a rural customer or a large load customer procure and fund network augmentations specified by the DNSP in accordance with this determination.
- (3) A rural customer or large load customer may also be obliged to make reimbursements (for network augmentations that another such customer has funded), in accordance with Schedule 2.

4. Applications by 2 or more new customers at the same time or in close proximity

- (1) Where 2 or more new customers apply to a DNSP at the same time, or within close proximity of each other, for customer connection services, and require some connection works (or, in the case of rural or large load customers, network augmentations) in common with each other (**common works**), the DNSP may do any of the following (or any combination of them):
 - (a) require that each of those new customers procure and fund so many of those common works specified by the DNSP; or
 - (b) require that all of those new customers together procure and fund so many of those common works specified by the DNSP.
- (2) In exercising its discretion under clause 4(1) of this Schedule, the DNSP must use its best endeavours to achieve equity between each of the new customers.

5. Economic optimum size of connection works and network augmentations

The connection works which a new customer must procure and fund under clause 1(1) of this Schedule, and the network augmentations which a customer must procure and fund under clause 3(2) of this Schedule, must be the economic optimum size required given the customer's connection capacity, other loads and the expected growth in other loads.

6. Contestable works

Where a new customer is by this Schedule required to procure and fund connection works or network augmentations specified by the DNSP, the new customer may do this by engaging either the DNSP or an ASP (at the new customer's option) to construct those works, in accordance with section 31 of the *Electricity Supply Act 1995 (NSW)*.

7. Manner of capital contributions

Where a large load customer to whom a DNSP applies cost reflective network pricing engages the DNSP to provide network augmentations which the customer is liable to procure and fund under clause 3(2) of this Schedule, the large load customer may negotiate with the DNSP to pay for these as an increased use of system charge spread over a period of time. This option is not open to any other customers.

SCHEDULE 2 REIMBURSEMENT SCHEMES

1. Application of Schedule – rural and large load customers

This Schedule applies only to rural customers and large load customers. A DNSP may not establish and administer a reimbursement scheme for any other customers without the prior approval of IPART. All references in this Schedule to customers are to be taken to be references to rural customers or large load customers only.

2. Develop policy for reimbursements schemes

A DNSP must develop a policy for the administration of reimbursement schemes that is consistent with this Schedule, and must make available copies of this policy to customers.

3. Establish and administer schemes

- (1) A DNSP must establish and administer a reimbursement scheme in accordance with this Schedule in relation to each original customer's works (as defined in clause 4(1) of this Schedule) of the same category.

[Note: for example, if the original customer's works included distribution line and a substation then the DNSP must establish one reimbursement scheme for the distribution line and a separate reimbursement scheme for the substation.]

- (2) A DNSP must bear the costs of establishing and administering the reimbursement schemes.

4. Contributions by further new customers towards connection works or network augmentations

- (1) Where:
 - (a) a customer (the **original customer**) procures and funds, or become liable to procure and fund:
 - (i) connection works under clause 1(1) of Schedule 1; or
 - (ii) network augmentations under clause 3(2) of Schedule 1,
on or after the date of commencement of this determination (**original customer's works**); and
 - (b) within 7 years of the date of the original customer's application for customer connection services with respect to the original customer's works (**reimbursement period**), a new customer then requests customer connection services from the DNSP; and
 - (c) in order to provide those customer connection services to the new customer, the DNSP will use all or any part of the original customer's works,

then the new customer is liable, in addition to paying for any connection works or network augmentations for which that customer is liable under clauses 1(1) and 3(2) of Schedule 1, to pay the DNSP a proportion of the costs of the original customer's works, calculated in accordance with clause 4(2) of this Schedule (**cost share reimbursement**).

- (2) The **cost share reimbursement** is to be calculated as follows:
- (a) Where the new customer's load (as specified in its application for customer connection services) is equal to or less than 50 kVA, the cost share reimbursement will be the lesser of:
- (i) the **pre-calculated reimbursement** (see clause 4(3) of this Schedule); and
 - (ii) the **original customer's outstanding amount** (see clause 4(5) of this Schedule).
- (b) Where the new customer's load (as specified in its application for customer connection services) is greater than 50 kVA, the cost share reimbursement will be the lesser of:
- (i) the **pro-rata reimbursement** (see clause 4(4) of this Schedule); and
 - (ii) the **original customer's outstanding amount** (see clause 4(5) of this Schedule).
- (3) The **pre-calculated reimbursement** (for the purposes of clause 4(2)(a)(i) of this Schedule) is:
- (a) where the original customer's works are distribution line, an amount calculated in accordance with the following formula:

$$\frac{\text{Cost of original customer's works}}{\text{Number of prospective new customers}}$$

x

$$\frac{\text{Length of original customer's works used by the new customer (km)}}{\text{Total length of original customer's works (km)}}$$

x

$$\frac{\text{CPI(2)}}{\text{CPI(1)}}$$

- (b) where the original customer's works are works other than distribution line, an amount calculated in accordance with the following formula:

$$\frac{\text{Cost of original customer's works}}{\text{Number of prospective new customers}} \quad \times \quad \frac{\text{CPI(2)}}{\text{CPI(1)}}$$

- (4) The **pro-rata reimbursement** (for the purposes of clause 4(2)(b)(i) of this Schedule) is an amount calculated in accordance with the following formula:

Cost of original customer's works

x

New utilisation of original customer's works
Total utilisation of original customer's works

x

CPI(2)
CPI(1)

- (5) The **original customer's outstanding amount** (for the purposes of clauses 4(2)(a)(ii) and 4(2)(b)(ii) of this Schedule) is to be calculated as follows:

Cost of original customer's works

x

Number of prospective new customers less original customer
Number of prospective new customers

x

CPI(2)
CPI(1)

less

total cost share reimbursements paid by new customers to the DNSP in respect of those works as at date of new customer's application for customer connection services.

- (6) Despite any other provision in clause 4 of this Schedule, a new customer is not liable to pay any cost share reimbursement if the amount calculated in accordance with clause 3(2) of this Schedule is less than:

\$200 x **CPI(2)**
CPI(3)

- (7) Despite any other provision in clause 4 of this Schedule:

- (i) the formulas in clauses 3(3), 3(4) and 3(5) are deemed not to include any references to CPI in the case where the beginning of the relevant period for the calculation of CPI(2) is less than 12 months after the end of the relevant period for the calculation of CPI(1); and

- (ii) the formula in clause 3(6) is deemed not to include any references to CPI in the case where the beginning of the relevant period for the calculation of CPI(2) is less than 12 months after the end of the relevant period for the calculation of CPI(3).
- (8) For the purposes of clause 4 of this Schedule:

Cost of original customer's works means:

- (a) where the DNSP carried out the original customer's works, the actual cost of those works; and
- (b) where an ASP carried out the original customer's works, the amount that the DNSP would have charged to carry out those works.

CPI(1) means the average of the consumer price indices (All Groups, All Capital Cities), published by the Australian Bureau of Statistics, for the previous 4 quarters immediately prior to the date that the original customer's works are completed.

CPI(2) means the average of the consumer price indices (All Groups, All Capital Cities), published by the Australian Bureau of Statistics, for the previous 4 quarters immediately prior to date of the new customer's application for customer connection services.

CPI(3) means the average of the consumer price indices (All Groups, All Capital Cities), published by the Australian Bureau of Statistics, for the previous 4 quarters immediately prior to the date of commencement of this determination.

New utilisation of original customer's works means:

- (a) where the original customer's works are distribution line, a figure in kVA.km, representing the new customer's expected load, in kVA (as specified in its application for customer connection services), multiplied by the length of original customer's works used by the new customer, in km; and
- (b) where the original customer's works are works other than distribution line, a figure in kVA, representing the new customer's expected load (as specified in its application for customer connection services).

Number of prospective new customers means the number of new customers (including the original customer) that the DNSP expects, prior to construction of the original customer's works, will use those works or any part of them during the reimbursement period, determined in consultation with the original customer, and taking into account all relevant factors including (but not limited to) the capability of the proposed works, the current number of properties that could potentially utilise those works, the current zoning of the area and any re-zoning proposals, any proposed subdivisions or development applications, and historical patterns of customer connection in similar areas.

Total utilisation of original customer's works means:

- (a) where the original customer's works are distribution line, a figure in kVA.km, representing the total of the loads of each customer (including the original customer and the new customer) who use or will use the original customer's works, in kVA (as specified in their respective applications for customer connection services), multiplied by the length of distribution line constituting the original customer's works, in km; and
 - (b) where the original customer's works are works other than distribution line, a figure in kVA, representing the total of the loads of each customer (including the original customer and the new customer) who use or will use the original customer's works (as specified in their respective applications for customer connection services).
- (9) The worked example in Schedule 5 may be used as guidance in interpreting clause 4 of this Schedule.

5. Reimbursements

- (1) Where a new customer pays to a DNSP an amount under clause 4 of this Schedule, the DNSP must, as soon as practicable after receiving that amount, repay that amount to the then current owner of the premises to which the original customer's works were connected.
- (2) Where there are 2 or more customers constituting the original customer, as a result of the DNSP requiring those customers to procure and fund works together (pursuant to clause 4(1)(b) of Schedule 1), the repayment by the DNSP pursuant to clause 5(1) of this Schedule must be divided between those customers in accordance with the proportions in which they funded the works.

6. Obligation to notify

- (1) A DNSP must notify all new customers who apply to the DNSP for customer connection services and who may be obliged to make reimbursements under an existing reimbursement scheme, and all ASPs known to the DNSP who are likely to have customers who will so apply, of the existence of the reimbursement scheme and that connecting customers may be obliged to contribute towards reimbursement.
- (2) A DNSP must also notify original customers to which this Schedule applies of the existence of the reimbursement scheme and that they may be entitled to receive a reimbursement.

SCHEDULE 3 DISPUTE RESOLUTION

1. Internal Review

- (1) In the event of a dispute arising between a DNSP and a customer in relation to a decision of the DNSP under this determination in relation to that customer, the customer may apply to the DNSP for internal review of that decision in accordance with:
 - (a) the procedures set out in clauses 47 to 49 of the *Electricity Supply (General) Regulation 2001*, as if references in those clauses to:
 - (i) "small retail customer" were references to a customer for the purposes of this determination; and
 - (ii) "licence holder" were references to a DNSP for the purposes of this determination; and
 - (iii) "a decision of a licence holder for which a review may be sought under section 96 of the Act" were references to a decision of the DNSP under this determination in relation to that customer; and
 - (iv) "of the rights available to the customer under the Act and this Regulation" were deleted; and
 - (b) any other procedures for internal review set out in the DNSP's standard form customer connection contract, as if similar references in that contract to the matters referred to in clause (1)(a)(i)-(iv) of this Schedule were similarly construed.
- (2) The DNSP must review the decision in accordance with those procedures.
- (3) In the event of an inconsistency between the procedures referred to in clause (1)(a) and (b) of this Schedule, the procedures referred to in clause (1)(a) will prevail.

SCHEDULE 4 DICTIONARY

DEFINITIONS

The following terms have the meaning given to them in the *Electricity Supply Act 1995 (NSW)*:

- **customer**
- **customer connection services**
- **distribution network service provider**
- **new customer** (as defined in section 25)
- **premises**
- **small retail customer**
- **standard form customer connection contract.**

The following term has the meaning given to it in the *National Electricity Code* (established under the *National Electricity (New South Wales) Law*):

- **connection point**

Other terms are defined as follows:

ASP means an accredited service provider, being a person accredited under Part 10 of the *Electricity Supply (General) Regulation 2001 (NSW)*.

connection works, in relation to a new customer, are those works yet to be constructed which will, upon construction:

- (a) enable the DNSP to provide customer connection services requested by that new customer; and
- (b) form part of the network on the side of a linkage point where all the network assets on that side are dedicated to one or more customers.

These include (without limitation):

- (c) in the case of services to new connection points requested by a new customer, works to connect the customer's premises at that connection point to the existing network; and
- (d) in the case of services to existing connection points:
 - (i) replacements of existing assets servicing that connection point, where those existing assets, at the time of their replacement, satisfy (a) and (b) above; or
 - (ii) additional new works that satisfy (a) and (b) above in relation to that connection point,

in order to provide additional service at that connection point requested by the new customer.

DNSP means a distribution network service provider.

excluded connection works are high voltage connection works to be installed in order to service a multi-occupant development that is connected or to be connected to an urban network, where:

- (a) at the time of receipt of an application for customer connection services in respect of the multi-occupant development, there is a reasonable likelihood that those works will be used by other customers outside the development in the foreseeable future; or
- (b) those works are capable of being physically moved and usefully employed in another location (whether or not this is likely to occur).

IPART means the Independent Pricing and Regulatory Tribunal established under the *Independent Pricing and Regulatory Tribunal Act 1992 (NSW)*.

large load customer means a new customer whose expected load (as specified in its application for customer connection services that will require network augmentations) is more than 50 per cent of the nameplate capacity of any existing asset that is to be augmented, as those assets exist immediately before the DNSP makes its final decision on the customer's application.

linkage point means a point on a network at which the use of assets changes from being dedicated to one or more customers (where all the network assets on that side of the point are so dedicated), to being shared among customers generally. For this purpose, assets are considered to be dedicated to one or more customers only if they are:

- (a) used by one customer exclusively; or
- (b) shared by more than one customer in circumstances where a DNSP has required that those customers together procure and fund the same connection works in accordance with clause 4(1)(b) of Schedule 1.

multi-occupant development means:

- (a) a building or proposed building that is under strata title; or
- (b) a building or proposed building, or set of such buildings, in relation to which distinct parts are occupied, or designed to be occupied, by 2 or more separate businesses or residences or for other separate purposes; or
- (c) a subdivision of one or more lots for the purposes of sale or disposal,

whether residential, commercial or industrial, and in respect of which the application for customer connection services is made by one customer only.

network means an electricity distribution system owned or controlled by a DNSP.

network augmentations are those works required to be constructed on a network in order for the DNSP to provide those customer connection services requested by a new customer, on the side of the linkage point where the network assets are shared among customers generally.

rural customer means a new customer whose premises the subject of its application for customer connection services are connected or will connect (once any relevant connection works are constructed) to a network at a point at which the network is a rural network.

rural network means that part of a network:

- (a) where the average demand on the high voltage feeders within it is less than 0.3 MVA/km; or
- (b) that is in an area zoned as rural under a local environment plan (made under the *Environmental Planning and Assessment Act 1979 (NSW)*); or
- (c) that is in an area that is predominantly used for agricultural purposes.

urban network means that part of a network that is not a rural network.

INTERPRETATION

In this determination:

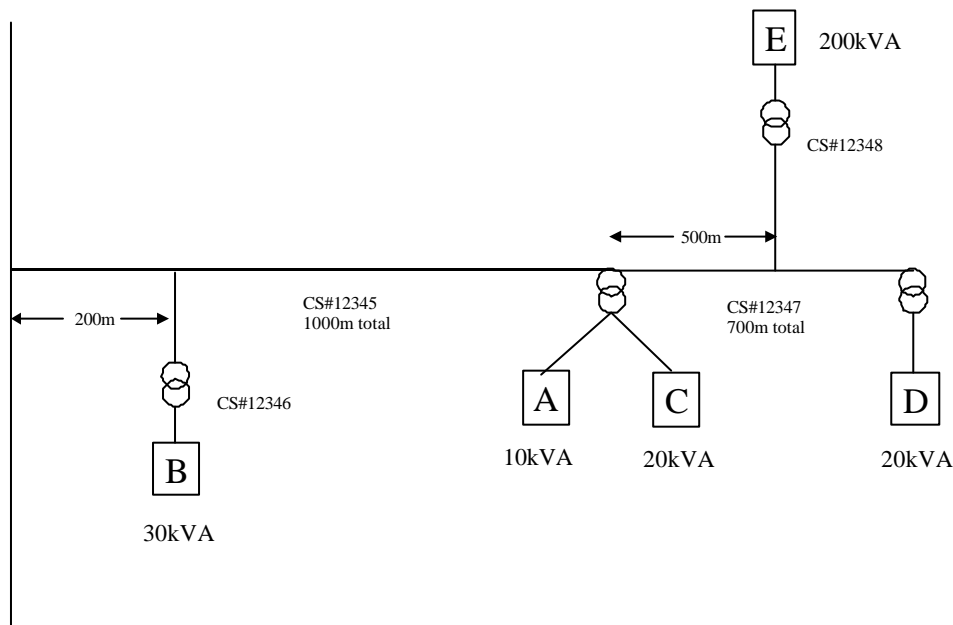
customer, when used in the singular, includes 2 or more persons or entities who are responsible for the payment of charges in relation to the same connection point. These persons or entities are to be regarded as one customer for the purposes of this determination.

original customer, for the purposes of Schedule 2, includes 2 or more customers where a DNSP has required that those customers together procure and fund the same common works in accordance with clause 4(1)(b) of Schedule 1. All references to the original customer for the purpose of counting the number of customers are to be read as references to the actual number of customers comprising the original customer.

new customer includes a customer who applies for new or additional customer connection services before the date of commencement of this determination but to whom the DNSP has not yet begun to provide those new or additional services, and whom the DNSP has not yet notified of its decision regarding capital contributions.

For the purposes of the definition of **excluded connection works** and for the avoidance of doubt, works that are used or intended to be used to service a multi-occupant development on a temporary basis only are deemed not to satisfy paragraph (a) of that definition.

SCHEDULE 5 WORKED EXAMPLE OF REIMBURSEMENT CALCULATIONS



Note: All loads as specified in customer's application for customer connection services

Customer A funds a 1km, \$10,000 11kV line extension and a \$5,700 substation to establish supply to its premises. It is determined at the time of construction that the number of prospective beneficiaries of the 11kV line (including Customer A) is 5 and of the substation is 2. The pre-calculated reimbursements for all new connections less than 50kVA are therefore set as:

HV Line beneficiaries \Rightarrow $\$10,000 / 5 = \$2,000$ per customer; and

Substation beneficiaries \Rightarrow $\$5,700 / 2 = \$2,850$ per customer.

Customer A's outstanding amount (CS# 12345) is now:
 $\$15,700 - \$2,000 - \$2,850 = \$10,850$.

Customer B connects to the HV line utilising 200m of the 1000m total length. In addition to any costs of new dedicated works Customer B is liable for a reimbursement of $200/1000 * \$2,000 = \400 , payable to Customer A (or the subsequent owner of Customer A's premises).

Customer A's outstanding amount (CS# 12345) is now:
 $\$10,850 - \$400 = \$10,450$.

A cost sharing reimbursement scheme would need to be set up for Customer B (CS# 12346) covering the new transformer.

Customer C connects as a LV customer utilising both the HV line and the substation funded by Customer A. The reimbursement is $\$2,000 + \$2,850 = \$4,850$, payable to Customer A (or the subsequent owner of Customer A's premises).

Customer A's outstanding amount (CS# 12345) is now:
 $\$10,450 - \$4,850 = \$5,600$.

No additional cost sharing reimbursement schemes are required.

Customer D funds a further 11kV line extension of 700m, at a cost of \$8,850 and a \$7,200 transformer to establish supply to his premises. Customer D agrees at the time of construction that the number of prospective beneficiaries of the 11kV line extension is 10 and of the substation is 2. The pre-calculated reimbursements for new connections less than 50kVA are therefore set as:

HV Line beneficiaries $\Rightarrow \$8,850 / 10 = \885 per customer; and

Substation beneficiaries $\Rightarrow \$7,200 / 2 = \$3,600$ per customer.

Customer D's outstanding amount (CS# 12347) is now:
 $\$16,050 - \$885 - \$3,600 = \$11,565$

Customer D is also a beneficiary of the line extension the subject of Cost Share Reimbursement Scheme #12345 and is therefore liable for a reimbursement of \$2,000 payable to Customer A (or the subsequent owner of Customer A's premises).

Customer A's outstanding amount (CS# 12345) is now:
 $\$5,600 - \$2,000 = \$3,600$.

Customer E is liable to pay a pro-rata reimbursement based on respective loads because its load is greater than 50kVA. Customer E is also a beneficiary of works the subject of two cost sharing schemes, CS# 12347 and CS# 12345, and is therefore liable to make reimbursements for these.

Calculation of reimbursement to Customer A (or the subsequent owner of Customer A's premises):

Total cost of shared works = \$10,000

Utilisation of shared works is:

by Customer A - $10 * 1.0 = 10$ kVA.km

by Customer B - $30 * 0.2 = 6$ kVA.km

by Customer C - $20 * 1.0 = 20$ kVA.km

by Customer D - $20 * 1.0 = 20$ kVA.km

by Customer E - $200 * 1.0 = 200$ kVA.km

Total = 256 kVA.km

Therefore the responsibility of Customer E is

$$200 / 256 * \$10,000 = \$7,813$$

Since this amount is greater than Customer A's outstanding amount Customer E is only required to reimburse \$3,600 to Customer A (or the subsequent owner of Customer A's premises).

Customer A is no longer entitled to any further reimbursements.

Calculation of reimbursement to Customer D:

$$\text{Total cost of shared works} = 0.5/0.7 * 8,850 = \$6,321$$

Utilisation of shared works is:

$$\text{by Customer D} - \quad 20 * 0.5 \quad = 10 \text{ kVA.km}$$

$$\text{by Customer E} \quad - \quad 200 * 0.5 \quad = 100 \text{ kVA.km}$$

$$\text{Total} \quad \quad \quad = 110 \text{ kVA.km}$$

Therefore the responsibility of Customer E is

$$100 / 110 * \$6,321 = \$5,746$$

Since this amount is less than Customer D's outstanding amount Customer E is liable to reimburse the full amount of \$5,746 to Customer D.

Customer D's outstanding amount (CS# 12347) is now:
 $\$11,565 - \$5,746 = \$5,819$.

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 May 2002

S02/00037 (805) CLEANING OF DEPARTMENT OF MINERAL RESOURCES, LIDCOMBE. CATEGORY C.
INSPECTION DATE & TIME: 10/05/2002 @ 11:00 AM SHARP. AREA: 5077 SQ. METERS.
DOCUMENTS: \$27.50 PER SET

024/7246A PRINTING & DISTRIBUTION SERVICES FOR AUST. HEARING. DOCUMENTS: \$55.00 PER SET

28 May 2002

IT02/2794 TENDER PREPARATION AND EVALUATION TOOL. DOCUMENTS: \$110.00 PER SET

29 May 2002

S02/00059 SECURITY SERVICES FOR NSW REGISTRY OF BIRTHS, DEATHS AND MARRIAGES.
DOCUMENTS: \$110.00 PER SET

S02/00043 CAFETERIA AND CATERING SERVICES FOR ENERGY AUSTRALIA.
DOCUMENTS: \$165.00 PER SET

30 May 2002

697 WASTE REMOVAL SERVICES. DOCUMENTS: \$110.00 PER SET

025/603 DISPOSAL OF MOTOR VEHICLES IN SYDNEY METROPOLITAN AND COUNTRY AREAS.
DOCUMENTS: \$220.00 PER SET

5 June 2002

025/7287 ACTUARIAL SERVICES. DOCUMENTS: \$110.00 PER SET

6 June 2002

S02/00063 (202) CLEANING OF DEPARTMENT OF JUVENILE JUSTICE-SURRY HILLS. CATEGORY D.
INSPECTION DATE & TIME: 21/05/2002 @ 3:00 PM SHARP. AREA: 788 Appx. SQ. METERS.
DOCUMENTS: \$27.50 PER SET

11 June 2002

035/918 RADIOPHARMACEUTICALS FOR NUCLEAR MEDICINE. DOCUMENTS: \$110.00 PER SET

19 June 2002

024/901 PHARMACEUTICALS. 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 closing Monday 3rd June 2002
Advertised for 2 weeks starting Monday 20th May 2002

Job No. 27604. Tenders are invited on behalf of the Premier's Department for the production and printing of 2,000 to 4,000 copies of a "State Infrastructure Strategic Plan". The tender incorporates all stages from concept to despatch including: rewriting and editing; design and art production; printing of report, brochures and folder; CD-Rom and website version; assembly, packing and distribution. Enquiries to Peter Sparks on 9743 8777.

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

ARMIDALE DUMARESQ COUNCIL

Roads Act 1993, Section 10, Part 2
Dedication of Land as Public Road

THE Armidale Dumaresq Council hereby gives notice that the land listed in the Schedule below is dedicated as public road. S. BURNS, General Manager, Armidale Dumaresq Council, PO Box 75A, Armidale, NSW 2350.

SCHEDULE

Lot 1 in DP 820284, 202 Fittlers Road, Armidale.

[0373]

BAULKHAM HILLS SHIRE COUNCIL

Roads (General) Regulation 2000
Roads Act 1993

Renaming of a Public Road – A section of Poole Road to Samantha Riley Drive

NOTICE is hereby given that in pursuance of the Roads (General) Regulation 2000 as amended and the Roads Act 1993 as amended, Baulkham Hills Shire Council has resolved to rename the section of Poole Road at Kellyville described below:

<i>Description</i>	<i>New Name</i>
That section of Poole Road and the new extension of that road, commencing from the intersection of Windsor Road through until the intersection of Green Road.	Samantha Riley Drive.

For enquiries regarding this matter, please contact Council's Team Leader – Land Information Services, Lesa Robinson on (02) 9854 0474. D. MEAD, General Manager, Baulkham Hills Shire Council, PO Box 75, Castle Hill, NSW 1765.

[0366]

BELLINGEN SHIRE COUNCIL

Roads Act 1993, Section 162
Roads (General) Regulation 2000

Naming of Public Roads – James Eather Way, School Hill Road and Joeliza Drive

NOTICE is hereby given that Council has, pursuant to section 162 of the Roads Act 1993, named those sections of road as described hereunder:

<i>Description</i>	<i>New Name</i>
The existing access way situated between Lots 16 and 17, DP 1006054, Dowle Street, Bellingen.	James Eather Way.
The existing access road situated off Martells Road, Urunga.	School Hill Road.

The road leading into Bongil Bongil Joeliza Drive. Estate from Old Coast Road, Repton.

Authorised by a Council resolution of 7th May, 2002. P. J. DOYLE, General Manager, Bellingen Shire Council, PO Box 117, Bellingen, NSW 2450.

[0350]

BLACKTOWN CITY COUNCIL

Roads (General Regulation) 1994

Renaming of Public Road – Fallon Close

NOTICE is hereby given that Blacktown City Council, in pursuance of Division 2 of the abovementioned Regulation, has changed the name of the street previously known as Fallon Street to Fallon Close. I. REYNOLDS, General Manager, Blacktown City Council, PO Box 63, Blacktown, NSW 2148.

[0363]

BLUE MOUNTAINS CITY COUNCIL

Erratum

Roads Act 1993

Dedication of Land as Public Road

NOTICE is hereby given by the Council of the City of Blue Mountains that in pursuance of section 16 of the Roads Act 1993 the land described in the Schedule below is hereby dedicated as public road. Dated at Katoomba, 16th April, 2002. M. WILLIS, General Manager, Blue Mountains City Council, PO Box 189, Katoomba, NSW 2780.

SCHEDULE

Those roads shown as Loftus Street, Warialda Street and that part of Merriwa Street east of Emily Street, Katoomba in Deposited Plan 673.

[0351]

GUNDAGAI SHIRE COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

THE Gundagai Shire Council hereby gives notice that pursuant to section 10 of the Roads Act 1993, the land described in the Schedule below is dedicated as a public road. Dated 10th May, 2002. G. A. J. TICKNER, General Manager, Gundagai Shire Council, 255 Sheridan Street (PO Box 34), Gundagai, NSW 2722.

SCHEDULE

Lot 140, DP 864768, Parish of South Gundagai, County of Wynyard.

[0352]

HAWKESBURY CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that pursuant to section 10 of the Roads Act 1993, Hawkesbury City Council dedicates land owned by Council and described in the Schedule below as public road. The subject land comprises part Day Street, Windsor. G. M. McCULLY, General Manager, Hawkesbury City Council, PO Box 146, Windsor, NSW 2756. (File Reference: GC281/078 Pt 01).

SCHEDULE

Lot 1 in Deposited Plan 1019214.

[0362]

LANE COVE COUNCIL

Roads Act, Section 162

Renaming of Public Road – Standish Street

NOTICE is hereby given that Lane Cove Council has, pursuant to section 162 of the Roads Act, renamed Fleming Street East. This road is situated off River Road Greenwich, in the vicinity of land in Deposited Plan 15253, to Standish Street, Greenwich. The use of this name will commence on the 31st May, 2002. H. WONG, General Manager, Lane Cove Council, PO Box 20, Lane Cove, NSW 1595.

[0364]

MULWAREE SHIRE COUNCIL

Local Government Act 1993, Section 553

Extension of Water Mains

NOTICE is hereby given pursuant to section 553 of the Local Government Act 1993, that Mulwaree Shire Council's water mains have been extended to service the lands described in the accompanying Schedule. The owners of all lands within the prescribed distance will be liable for all water supply charges from the expiration of twenty-one (21) days after the publication of this notice, or the date of connection of the properties to the water main, whichever is the earlier date. R. MOWLE, General Manager, Mulwaree Shire Council, PO Box 148, Goulburn, NSW 2580.

SCHEDULE

Lots 1, 4, 5 and Part 2 and Part 3 of DP 1039487 in the Parish of Goulburn, County of Argyle, (Bonnett Park Subdivision).

[0367]

SHOALHAVEN CITY COUNCIL

Naming of Public Roads - Nowra and Culburra Beach

The following lanes have been formally named:

<i>Description</i>	<i>New Name</i>
The laneway between McGrath Avenue and Moss Street, Nowra – vicinity of DP 232757, Parish Nowra, County St Vincent.	Glass Lane.
The laneway off Canal Street – vicinity of DP 12278, Culburra Beach, Parish Wollumboola, County St Vincent.	Redbank Lane.

[0353]

BLAND SHIRE COUNCIL

Local Government Act 1993

Sale of Land for Overdue Rates

NOTICE is hereby given to the person(s) named hereunder that the Bland Shire Council has resolved, in pursuance to section 713 of the Local Government Act 1993, to sell the land described hereunder (of which the person(s) named appear to be the owners or in which they appear to have an interest) and on which the amount of rates and charges stated in each case, as at 20th March, 2002, is due:

Owner or person having an interest in the land	Description of the Land (Lot, Section, Deposit Plan and Street Address)	Amount of rates & charges overdue for more than 5 years	Interest accrued on amount in column (c)	Amount of all other rates and charges due and in arrears	Interest accrued on amount in column (e)	Total
(a)	(b)	(c)	(d)	(e)	(f)	(g)
O'HARA, Myra Joan.	Lot 1, Sec 1, DP 758684, Mirrool Village.	\$369.02	\$174.14	\$450.97	\$114.08	\$1,108.21
O'HARA, Myra Joan.	Lot 2, Sec 1, DP 758684, Mirrool Village.	\$369.02	\$174.14	\$450.97	\$114.08	\$1,108.21
O'HARA, Myra Joan.	Lot 4, Sec 1, DP 758684, Mirrool Village.	\$367.56	\$171.81	\$449.30	\$116.41	\$1,105.08
HENDERSON, Graeme.	Lot 5, Sec 2, DP 758684, Mirrool Village.	\$601.75	\$289.83	\$461.94	\$94.87	\$1,448.39

Owner or person having an interest in the land	Description of the Land (Lot, Section, Deposit Plan and Street Address)	Amount of rates & charges overdue for more than 5 years	Interest accrued on amount in column (c)	Amount of all other rates and charges due and in arrears	Interest accrued on amount in column (e)	Total
(a)	(b)	(c)	(d)	(e)	(f)	(g)
BYRNE, ESTATE LATE Bernard.	Lots 13 and 14, Sec 3, DP 758684, Mirrool Village.	\$601.75	\$289.83	\$474.52	\$96.96	\$1,463.06
MORRIS, Ken George.	Lot 9, Sec 5, DP 758684, Mirrool Village.	\$479.14	\$228.87	\$456.15	\$34.54	\$1,198.70
MORRIS, Ken George.	Lot 18, Sec 5, DP 758684, Mirrool Village.	\$445.85	\$212.33	\$464.52	\$52.70	\$1,175.40
THOMAS and PAYNE, Clara May, Ellen Aileen.	Lot 13, Sec 6, DP 758684, (MIRROOL TENNIS COURTS), Mirrool Village.	\$102.50	\$41.68	\$593.67	\$131.12	\$868.97
JOHNSTONE, Eric E.	Lot 14, Sec 6, DP 758684, (MIRROOL TENNIS COURTS), Mirrool Village.	\$102.50	\$41.68	\$593.67	\$131.12	\$868.97
FAIRMAN and FISHER and GEMMELL and PURSEHOUSE and PRENTICE, Alister Fenton, Noel James, Robert William, Harold Herbert, Alexander William.	Lot 15, Sec 6, DP 758684, (MIRROOL TENNIS COURTS), Mirrool Village.	\$102.50	\$41.68	\$593.67	\$131.12	\$868.97
LESLIE, ESTATE LATE Alexander John.	Lot 17, Sec 6, DP 758443, 17 Wamboyne Street, Girral Village.	\$478.99	\$224.08	\$460.04	\$123.85	\$1,286.96
KING and NEWTON, Bruce, Tammy May.	Lot 17, Sec 1, DP 759127, Yalgogrin Village.	\$231.86	\$103.31	\$434.56	\$67.88	\$837.61
BROWN, Richard, Valerie Helen.	Lot 14, Sec 2, DP 759127, Yalgogrin Village.	\$673.37	\$325.42	\$457.18	\$58.09	\$1,514.06
SMITH, Theophilus F.	Lots 8 and 9, Sec 11, DP 759127, Yalgogrin Village.	\$102.50	\$41.68	\$585.05	\$124.34	\$853.57
SALFAS, Michael J., Eunice.	POR 22, Parish Kalingan.	\$289.82	\$130.37	\$631.19	\$152.26	\$1,203.64
STEWART and MEHRTEN, Cameron John, Robyn Karen.	Lot 14, Sec 3, DP 758565, 15 Mulga Street, Kikoira Village.	\$102.50	\$41.68	\$395.38	\$81.21	\$620.77
SMITH, David.	Lot 12, Sec 6, DP 758055, 47 De Boos Street, Barmedman.	\$499.40	\$203.05	\$1,367.88	\$359.29	\$2,429.62
COMANS, ESTATE LATE William James.	Lot 11, Sec 6, DP 758055, 45 De Boos Street, Barmedman.	\$601.71	\$253.34	\$1,379.78	\$393.66	\$2,628.49
CLAY, Ian Bellfield.	Lots 1-3, Sec 4, DP 758055, 78 De Boos Street, Barmedman.	\$759.08	\$358.74	\$1,345.45	\$299.95	\$2,763.22
CLARK and BARNES, James Malcolm, Kathleen Joyce.	Lot 5, Sec 18, DP 758055; Lot 6, Sec 18, DP 758055, 2-6 Martin Street, Barmedman.	\$1,450.24	\$704.02	\$1,266.37	\$18.33	\$3,438.96
PEREYRA, Herman Bill.	Lot 18, Sec 4, DP 758055, 99 Queen Street, Barmedman.	\$1,051.59	\$505.58	\$1,101.77	\$171.85	\$2,830.79
RILEY, ESTATE LATE Annetta Lillian.	Lot 1, DP 119719, (PT Lot 17, Sec 7, VOL 7477 FO 92), 77 Queen Street, Barmedman.	\$419.90	\$170.72	\$2,010.85	\$488.25	\$3,089.72
COX, Phillip Paul.	Lots 6-8, Sec 12, DP 758055, 3 Renwick Street, Barmedman.	\$947.16	\$453.03	\$1,327.67	\$280.05	\$3,007.91
TIMMINS, ESTATE LATE Peter.	Lot 1, Sec 15, DP 758705; Part Lot 5, Sec 7, DP 758705, Parish Morangorell.	\$369.02	\$174.14	\$441.18	\$112.61	\$1,096.95
MONKERUD, ESTATE LATE Josephine Mary.	Lot 4, Sec 4, DP 759066, 8 Bulga Street, Weethalle.	\$187.49	\$83.46	\$453.88	\$67.07	\$791.90

Owner or person having an interest in the land	Description of the Land (Lot, Section, Deposit Plan and Street Address)	Amount of rates & charges overdue for more than 5 years	Interest accrued on amount in column (c)	Amount of all other rates and charges due and in arrears	Interest accrued on amount in column (e)	Total
(a)	(b)	(c)	(d)	(e)	(f)	(g)
MONKERUD, ESTATE LATE Josephine Mary.	Lot 5, Sec 4, DP 759066, 10 Bulga Street, Weethalle.	\$105.90	\$43.34	\$450.47	\$107.19	\$706.90
COLOMBIAN EMERALDS PTY LIMITED.	Lots 2-4, Sec 5, DP 41478, 4-8 Wattle Street, Weethalle.	\$601.75	\$289.83	\$545.36	\$108.05	\$1,544.99
TRETHOWAN, Julie Narelle.	Lot 11, Sec 19, DP 759066; Lot 12, Sec 19, DP 759066, 8-10 Popes Esplanade, Weethalle.	\$221.58	\$105.63	\$759.09	\$25.68	\$1,111.98
EDGERTON, Kevin John.	Lots 17/19, Sec M, 9 Ethel Street, Ungarie.	\$537.78	\$232.22	\$1,397.08	\$299.64	\$2,466.72
STANTON, Coral Gwendolen.	Lot B, DP 378617, (Resub Lots 8/9, Sec N, DP 8548), 19 Ethel Street, Ungarie.	\$4,234.03	\$2,051.91	\$3,025.17	\$414.05	\$9,725.16
McCARTNEY, ESTATE LATE Ronald Aubrey.	Lot 11, Sec J, DP 8548, 9 Herbert Street, Ungarie.	\$1,668.96	\$812.90	\$1,125.87	\$89.24	\$3,696.97
WRIGHT, Kathleen.	Sec L, Lot 21, DP 8548, 15 Robert Street, Ungarie.	\$701.08	\$331.10	\$1,079.54	\$251.96	\$2,363.68
DOBRA, Boris, Tracey Leanne.	Lots 8-10, Sec 14, DP 759019, 2-6 Wyalong Street, Ungarie.	\$632.81	\$304.92	\$628.97	\$125.08	\$1,691.78
CROSS, James William.	Lot 62, DP 753134; SH 1922/14, Parish Wollongough.	\$102.50	\$98.28	\$536.05	\$56.80	\$793.63
PETROV, Kytho.	Lot 15, Sec 10, DP 759123, 49 Burns Street, Wyalong.	\$842.06	\$397.74	\$1,263.42	\$221.71	\$2,724.93
LEWIS, Frederick John.	Lot 9, Sec 11, DP 759123, 44 Burns Street, Wyalong.	\$1,007.51	\$478.92	\$1,270.17	\$232.72	\$2,989.32
MCCARTNEY, ESTATE LATE Ronald Aubrey.	Lot 1, Sec 36, DP 759123, 102 Gilbert Street, Wyalong.	\$2,725.19	\$1,322.02	\$1,795.58	\$166.94	\$6,009.73
CARPENTER, Ellen Pearl.	Lot A, DP 361648, (Resub Lots 1 and 2, Sec 4), 13.72X23.47, 62 Neeld Street, Wyalong.	\$616.70	\$250.73	\$3,013.97	\$589.23	\$4,470.63
RICHARDS, Robert Raymond.	Lot 4, Sec 20, DP 759123, 36 Neeld Street, Wyalong.	\$3,539.81	\$1,916.36	\$4,675.53	\$342.76	\$10,474.46

In default of payment to the Council of the amount stated in Column (g) above and any other rates and charges (including extra charges) becoming due and payable after publication of this notice, or any arrangement satisfactory to the Council for payment of all such rates and charges being entered into by the rateable person before the time fixed for the sale, the said land will be offered for sale by public auction at Wyalong Public Hall, Neeld Street, Wyalong on Friday, 23rd August, 2002 commencing at 10:00 a.m. by John Lewis of Elders Limited, West Wyalong. F. ZAKNICH, General Manager, Bland Shire Council, PO Box 21, West Wyalong, NSW 2671.

[0368]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of SADIE ANNETTE WOODWARD, late of Wahroonga, in the State of New South Wales, femme sole, who died on 27th February, 2002, must send particulars of his claim to the executor, Michael John Stackpool, c.o. John H. Hastings, Solicitor, Level 8, 159 Kent 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 24th April, 2002. JOHN H. HASTINGS, Solicitor, Level 8, 159 Kent Street, Sydney, NSW 2000 (DX 10313, Sydney Stock Exchange), tel.: (02) 9251 2138.

[0354]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of WILHELMINA MAY BLUME, late of Southern Cross Apartments, 1-3 Gwea Street, Daceyville, in the State of New South Wales, who died on 28th January, 2002, must send particulars of his claim to the executrix, June Rosewell, c.o. Simpson & Co., Solicitors, 103A Anzac Parade, Kensington, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 2nd May, 2002. SIMPSON & CO., Solicitors, 103A Anzac Parade (PO Box 340, Kensington, NSW 1465), Kensington, NSW 2033, tel.: (02) 9662 4381.

[0355]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ERNEST PICKLES, late of Westmead, in the State of New South Wales, train and bus driver, who died on 16th February, 2002, must send particulars of his claim to the executrix, Brenda Poletti, 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 2nd May, 2002. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777.

[0357]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of RUBY JANE HUGHES, late of 5 Aberdeen Road, Winston Hills, in the State of New South Wales, widow, who died on 21st September, 2001, must send particulars of his claim to the executor, Albert John Llewlyn Hughes, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 4th December, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777.

[0358]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of DOROTHY JEAN WARDMAN, late of 5 Robertson Street, Merrylands, in the State of New South Wales, widow, who died on 22nd October, 2000, must send particulars of his claim to the executor, Raymond Arnold Wardman, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 4th December, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777.

[0359]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of RITA MAY HIND, late of Lane Cove, in the State of New South Wales, spinster, who died on 18th March, 2002, must send particulars of his claim to the executor, Angus Bartley Cameron Thorburn, c.o. Mervyn Finlay, Thorburn & Marshall, Solicitors, Level 2, 225 Macquarie Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 8th May, 2002. MERVYN FINLAY, THORBURN & MARSHALL, Solicitors, Level 2, 225 Macquarie Street, Sydney, NSW 2000 (DX 796, Sydney), tel.: (02) 9223 6544.

[0360]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of UNA CLAIRE MURPHY, late of Manly, in the State of New South Wales, widow, who died on 31st January, 2001, must send particulars of his claim to the executors, Janice Mary Murphy and Terence William Murphy, c.o. Frank M. Deane & Co., Solicitors, Level 9, 227 Elizabeth Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 6th May, 2002. FRANK M. DEANE & CO., Solicitors, Level 9, 227 Elizabeth Street, Sydney, NSW 2000 (DX 1179, Sydney), tel.: (02) 9264 3066.

[0361]

COMPANY NOTICES

NOTICE of voluntary liquidation pursuant to section 491 (2) of the Corporations Law.—RGS MOORE & SONS PTY LIMITED, ACN 000 139 462.—At a general meeting of the abovenamed company duly convened and held at 7 Coromandel Place, Moss Vale, NSW 2577 on 10th May, 2002 the following special resolution was passed: "That the company be wound up voluntarily". At the abovementioned meeting Clare Anne Moore of Coromandel Place, Moss Vale, NSW 2577 was appointed as liquidator for the purpose of winding up. Notice is also given that after twenty-one (21) days from this date I will proceed to distribute the assets. All creditors having any claim against the company should furnish particulars of same by that date otherwise I shall proceed to distribute the assets without regard to their claim. Dated 10th May, 2002. C. A. MOORE, Liquidator.

[0365]

NOTICE of voluntary winding up.—SAINT GEORGE STARR-BOWKETT CO-OPERATIVE SOCIETY No. 18 SECTION LIMITED (In voluntary liquidation).—At a special meeting of the abovenamed society duly convened and held at Newtown on 21st March, 2002 the subjoined special resolution was duly passed. It was resolved that: (1) The Society be wound up voluntarily. (2) That Anthony Reginald Parker of 43 Enmore Road, Newtown be appointed liquidator at a fee of one thousand dollars (\$1,000.00) or such lesser fee as may be determined by the Co-Operative Advisory Council. (3) That the liquidator be empowered to compromise with debtors and/or creditors. D. L. SCUTTS, Chairman, A. R. PARKER, Secretary, c.o. Fidelity St. George Co-Operative Administration Limited, 43 Enmore Road, Newtown, NSW 2042, tel.: (02) 9557 1898. [0368]

NOTICE to creditors in the matter of Co-operation Act and The Corporations Law.—SAINT GEORGE STARR-BOWKETT CO-OPERATIVE SOCIETY No. 18 SECTION LIMITED (In voluntary liquidation).—Notice is hereby given that all persons having any claims against the above Society are required on or before 28th June, 2002 to send their names and addresses and particulars of their debts and claims to Anthony Reginald Parker, the liquidator of the said Society, at his office and if so required by notice in writing from the said liquidator, are personally or by their solicitors to come in and prove their debts or claims at such time and place as shall be specified in such notice, or in default thereof they shall be excluded from the benefits of any distribution made before such debts are so lodged or proved. Dated at Newtown, 14th May, 2002. A. R. PARKER, Liquidator, c.o. Fidelity St. George Co-Operative Administration Limited, 43 Enmore Road, Newtown, NSW 2042, tel.: (02) 9557 1898. [0369]

NOTICE of final meeting.—UNITED STARR-BOWKETT CO-OPERATIVE BUILDING SOCIETY No. 19 LIMITED (In liquidation).—Notice is hereby given, in pursuance of section 509 (1) of the Corporations Law, that a general meeting of members of the abovenamed Society will be held at the offices at 9th Floor, 60 York Street, Sydney on Wednesday, 19th June, 2002 at 9.30 a.m. for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the Society disposed of, and of hearing any explanation that may be given by the liquidator, and also for, in pursuance of section 542 (3) of the Corporations Law, determining the manner in which the books, accounts and documents of the Society and of the liquidator thereof shall be disposed of. Dated 15th May, 2002. L. V. PAULL, Liquidator, c.o. Building Societies Administration Co-Op Limited, 9th Floor, 60 York Street, Sydney, NSW 2000, tel.: (02) 9262 3377. [0374]

OTHER NOTICES

NOTICE of dissolution of partnership.—VILLAGE CHEMIST SEAFORTH.—Notice is hereby given that the partnership previously subsisting between Marilyn Rene Bark and Richard Morrison carrying on business as a chemist at 545 Sydney Road, Seaforth, NSW 2092 under the name of “Village Chemist Seaforth” has dissolved by mutual consent from 3rd March, 2002 so far as concerns Marilyn Rene Bark and Richard Morrison. All debts due to and owing by the partnership will be received and paid by Richard Morrison, c.o. 545 Sydney Road, Seaforth, NSW 2092. BLAKE DAWSON WALDRON, Lawyers, Grosvenor Place, 225 George Street, Sydney, NSW 2000. [0356]

NOTICE of dissolution of partnership.—HURDS PHARMACY.—Notice is hereby given that the partnership previously subsisting between Graham Frederick Hurd and John Negoescu carrying on the business of a retail pharmacy at 368 Pennant Hills Road, Pennant Hills under the style or firm of a pharmacy has been dissolved by mutual consent as from 22nd April, 2002, so far as concerns the said Graham Frederick Hurd who retired from the said pharmacy. G. HURD, 368 Pennant Hills Road, Pennant Hills, NSW 2120. [0372]