



# *Government Gazette*

OF THE STATE OF  
NEW SOUTH WALES

**Number 83**  
**Friday, 9 May 2003**

Published under authority by the Government Printing Service

## LEGISLATION

### Assents to Acts

#### **ACT OF PARLIAMENT ASSENTED TO**

**Legislative Assembly Office, Sydney, 30 April 2003**

IT is hereby notified, for general information, that Her Excellency the Governor has, in the name and on behalf of Her Majesty, this day assented to the undermentioned Act passed by the Legislative Assembly and Legislative Council of New South Wales in Parliament assembled, viz.:

Act No. 1 2003 - An Act to postpone the commencement of amendments to the Crimes Act 1900 and the Search Warrants Act 1985 relating to the detention of arrested persons and the recording of the execution of search warrants.  
**[Crimes Legislation Amendment (Commencement) Bill]**

Russell D. Grove PSM  
Clerk of the Legislative Assembly

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# Proclamations

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## Proclamation

under the

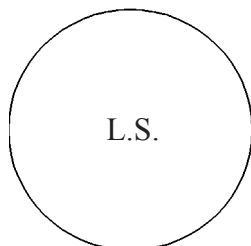
Police Act 1990

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 34 of the *Police Act 1990*, do, by this my Proclamation, amend Schedule 2 (NSW Police senior executive positions) to that Act by inserting “Director, Executive Support Group” at the end of that Schedule.

Signed and sealed at Sydney, this 7th day of May 2003.

By Her Excellency’s Command,



JOHN WATKINS, M.P.,  
Minister for Police

GOD SAVE THE QUEEN!

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# Regulations

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## Legal Profession Amendment (Personal Injury Advertising) Regulation 2003

under the

Legal Profession Act 1987

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

BOB DEBUS, M.P.,  
Attorney General

### Explanatory note

Existing provisions of the *Legal Profession Regulation 2002* place restrictions on the content and method of advertising by barristers and solicitors of personal injury services.

The object of this Regulation is to broaden the current restrictions so as to prohibit a barrister or solicitor from publishing or causing or permitting publication of an advertisement that makes any reference to or depicts:

- (a) personal injury, or
- (b) matters related to personal injury, such as an activity, event or circumstance that suggests personal injury or a cause of personal injury, or
- (c) legal services relating to the recovery of money for personal injury.

Existing exceptions to advertising restrictions are retained and additional exceptions are provided for.

A contravention of the new provisions will be an offence and will also constitute professional misconduct.

The new provisions are not intended to prevent legitimate public comment in good faith about personal injury and are not intended to interfere with the delivery in good faith of legal education to the legal profession or the ordinary use of business cards or letterheads.

Legal Profession Amendment (Personal Injury Advertising) Regulation 2003

Explanatory note

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This Regulation is made under the *Legal Profession Act 1987*, including sections 38J, 127 and 216 (the general regulation-making power).

Legal Profession Amendment (Personal Injury Advertising) Regulation 2003 Clause 1

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## **Legal Profession Amendment (Personal Injury Advertising) Regulation 2003**

under the

Legal Profession Act 1987

### **1 Name of Regulation**

This Regulation is the *Legal Profession Amendment (Personal Injury Advertising) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 23 May 2003.

### **3 Amendment of Legal Profession Regulation 2002**

The *Legal Profession Regulation 2002* is amended as set out in Schedule 1.

Legal Profession Amendment (Personal Injury Advertising) Regulation 2003

Schedule 1 Amendment

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## Schedule 1 Amendment

(Clause 3)

### Part 14

Omit the Part. Insert instead:

## Part 14 Advertising of personal injury services

### 138 Definitions

In this Part:

**advertisement** means any communication of information (whether by means of writing, or any still or moving visual image or message or audible message, or any combination of them) that advertises or otherwise promotes the availability or use of a barrister or solicitor to provide legal services, whether or not that is its purpose or only purpose and whether or not that is its only effect.

**personal injury** includes pre-natal injury, impairment of a person's physical or mental condition, and disease.

**publish** means:

- (a) publish in a newspaper, magazine, journal, periodical, directory or other printed publication, or
- (b) disseminate by means of the exhibition or broadcast of a photograph, slide, film, video recording, audio recording or other recording of images or sound, either as a public exhibition or broadcast or as an exhibition or broadcast to persons attending a place for the purpose of receiving professional advice, treatment or assistance, or
- (c) broadcast by radio or television, or
- (d) display on an Internet website or otherwise publicly disseminate by means of the Internet, or
- (e) publicly exhibit in, on, over or under any building, vehicle or place or in the air in view of persons in or on any street or public place, or

Legal Profession Amendment (Personal Injury Advertising) Regulation 2003

Amendment

Schedule 1

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- (f) display on any document (including a business card or letterhead) gratuitously sent or gratuitously delivered to any person or thrown or left on any premises or on any vehicle, or
  - (g) display on any document provided to a person as a receipt or record in respect of a transaction or bet.

*solicitor* includes firm of solicitors, solicitor corporation and incorporated legal practice.

### 139 Restriction on advertising personal injury services

- (1) A barrister or solicitor must not publish or cause or permit to be published an advertisement that includes any reference to or depiction of any of the following:
  - (a) personal injury,
  - (b) any circumstance in which personal injury might occur, or any activity, event or circumstance that suggests or could suggest the possibility of personal injury, or any connection to or association with personal injury or a cause of personal injury,
  - (c) a *personal injury legal service* (that is, any legal service that relates to recovery of money, or any entitlement to recover money, in respect of personal injury).

Maximum penalty: 10 penalty units.

- (2) A contravention of this clause by a barrister or solicitor is declared to be professional misconduct.

**Note.** A contravention of clause 73D of the *Workers Compensation (General) Regulation 1995* can also be a contravention of this clause.

- (3) Evidence that a barrister or solicitor has been convicted of an offence under this clause or under clause 73D of the *Workers Compensation (General) Regulation 1995* is sufficient evidence of a contravention of this clause by the barrister or solicitor for the purposes of any proceedings under Part 10 (Complaints and discipline) of the Act.

### 140 Exception for advertising specialty

- (1) This Part does not prevent the publication of an advertisement that advertises a barrister or solicitor as being a specialist or offering specialist services, but only if the advertisement is published by means of:

## Legal Profession Amendment (Personal Injury Advertising) Regulation 2003

## Schedule 1 Amendment

- 
- (a) an entry in a practitioner directory that states only the name and contact details of the barrister or solicitor and any area of practice or accredited specialty of the barrister or solicitor, or
  - (b) a sign displayed at a place of business of the barrister or solicitor that states only the name and contact details of the barrister or solicitor and any accredited specialty of the barrister or solicitor, or
  - (c) an advertisement on an Internet website operated by the barrister or solicitor the publication of which would be prevented under this Part solely because it refers to personal injury or personal injury legal services in a statement of accredited specialty of the barrister or solicitor.
- (2) In this clause:

*accredited specialty* of a barrister or solicitor means a specialty in which the barrister or solicitor is accredited under an accreditation scheme conducted or approved by the Bar Council or Law Society.

*practitioner directory* means a printed publication, directory or database that is published by a person in the ordinary course of the person's business (and not by the barrister or solicitor concerned or a partner, employee or member of the practice of the barrister or solicitor).

#### 140A Other exceptions

This Part does not prevent the publication of any advertisement:

- (a) to any person who is already a client of the barrister or solicitor (and to no other person), or
- (b) to any person on the premises of a place of business of the barrister or solicitor, but only if the advertisement cannot be seen from outside those premises, or
- (c) in accordance with any order by a court, or
- (d) pursuant to a disclosure made by a barrister or solicitor under Division 2 of Part 11 of the Act, or
- (e) to the extent that it relates only to the provision of legal aid or other assistance by an agency of the Crown and is published by or on behalf of that agency, or



Legal Profession Amendment (Personal Injury Advertising) Regulation 2003

Amendment

Schedule 1

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- (f) to the extent that it relates only to legal education and is published to members of the legal profession by a person in the ordinary course of the person's business or functions as a provider of legal education, or
  - (g) that is required to be published by or under a written law of the State.

**140B Responsibility for employees and others**

For the purposes of this Part, evidence that a person who is an employee of a barrister or solicitor, or a person otherwise exercising functions in the barrister's or solicitor's practice, published or caused to be published an advertisement is evidence (in the absence of evidence to the contrary) that the barrister or solicitor caused or permitted the publication of the advertisement.

**140C Double jeopardy**

A person who has been convicted of an offence under Part 19B of the *Workers Compensation (General) Regulation 1995* is not, if that offence would constitute an offence under this Part in respect of the publication of an advertisement, liable to be convicted of an offence under this Part in respect of that publication.

**140D Transitional—finalised publications**

This Part does not prevent the publication of an advertisement in a printed publication the contents of which were finalised (by the publisher of that publication) before the date of publication in the Gazette of the *Legal Profession Amendment (Personal Injury Advertising) Regulation 2003*.



# Workers Compensation (General) Amendment (Work Injury Advertising) Regulation 2003

under the

Workplace Injury Management and Workers Compensation Act  
1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Workplace Injury Management and Workers Compensation Act 1998*.

JOHN DELLA BOSCA, M.L.C.,  
Minister for Commerce

## Explanatory note

Existing provisions of the *Workers Compensation (General) Regulation 1995* place restrictions on the content and method of advertising by lawyers and agents of services relating to claims for compensation or damages for a work injury.

The object of this Regulation is to broaden the current restrictions so as to prohibit a lawyer or agent from publishing or causing or permitting publication of an advertisement that makes any reference to or depicts:

- (a) work injury, or
- (b) matters related to work injury, such as an activity, event or circumstance that suggests work injury or a cause of work injury, or
- (c) legal services relating to the recovery of money for work injury.

A contravention of the new provisions will be an offence. Contravention by a lawyer of a parallel provision under the *Legal Profession Regulation 2002* will also constitute professional misconduct by the lawyer.

Existing exceptions to advertising restrictions are retained and additional exceptions are provided for. The exceptions set out in proposed clause 73F are similar to the exceptions that apply to the prohibition on advertising by lawyers under Part 14 of the *Legal Profession Regulation 2002*, except for the addition of clause 73F (g). The additional exception is included because this Regulation prohibits advertising by agents as well as legal practitioners. The exception relates to advertising by an industrial organisation

Workers Compensation (General) Amendment (Work Injury Advertising) Regulation 2003

Explanatory note

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itself, and neither this Regulation nor the *Legal Profession Regulation 2002* would impose any liability on a legal practitioner who is employed by an industrial organisation merely because of the publication of an advertisement by the industrial organisation.

The new provisions are not intended to prevent legitimate public comment in good faith about work injury and are not intended to interfere with the delivery in good faith of legal education to the legal profession or the ordinary use of business cards or letterheads.

This Regulation is made under the *Workplace Injury Management and Workers Compensation Act 1998*, including sections 142 and 248 (the general regulation-making power).

Workers Compensation (General) Amendment (Work Injury Advertising)  
Regulation 2003

Clause 1

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## **Workers Compensation (General) Amendment (Work Injury Advertising) Regulation 2003**

under the

Workplace Injury Management and Workers Compensation Act 1998

### **1 Name of Regulation**

This Regulation is the *Workers Compensation (General) Amendment (Work Injury Advertising) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 23 May 2003.

### **3 Amendment of Workers Compensation (General) Regulation 1995**

The *Workers Compensation (General) Regulation 1995* is amended as set out in Schedule 1.

Workers Compensation (General) Amendment (Work Injury Advertising)  
Regulation 2003

Schedule 1      Amendment

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## Schedule 1    Amendment

(Clause 3)

### Clauses 73C–73GB

Omit clauses 73C–73G. Insert instead:

#### 73C    Definitions

In this Part:

**advertisement** means any communication of information (whether by means of writing, or any still or moving visual image or message or audible message, or any combination of them) that advertises or otherwise promotes the availability or use of a lawyer to provide legal services or an agent to provide agent services, whether or not that is its purpose or only purpose and whether or not that is its only effect.

**lawyer** means a legal practitioner and includes a firm of legal practitioners, solicitor corporation and incorporated legal practice.

**publish** means:

- (a) publish in a newspaper, magazine, journal, periodical, directory or other printed publication, or
- (b) disseminate by means of the exhibition or broadcast of a photograph, slide, film, video recording, audio recording or other recording of images or sound, either as a public exhibition or broadcast or as an exhibition or broadcast to persons attending a place for the purpose of receiving professional advice, treatment or assistance, or
- (c) broadcast by radio or television, or
- (d) display on an Internet website or otherwise publicly disseminate by means of the Internet, or
- (e) publicly exhibit in, on, over or under any building, vehicle or place or in the air in view of persons in or on any street or public place, or
- (f) display on any document (including a business card or letterhead) gratuitously sent or gratuitously delivered to any person or thrown or left on any premises or on any vehicle, or

Workers Compensation (General) Amendment (Work Injury Advertising)  
Regulation 2003

Amendment

Schedule 1

- 
- (g) display on any document provided to a person as a receipt or record in respect of a transaction or bet.

*work injury* has the same meaning as in the 1998 Act.

### **73D Restriction on advertising work injury services**

A lawyer or agent must not publish or cause or permit to be published an advertisement that includes any reference to or depiction of any of the following:

- (a) work injury,
- (b) any circumstance in which work injury might occur, or any activity, event or circumstance that suggests or could suggest the possibility of work injury, or any connection to or association with work injury or a cause of work injury,
- (c) a *work injury service* (that is, any service provided by a lawyer or agent that relates to recovery of money, or any entitlement to recover money, in respect of work injury).

Maximum penalty: 200 penalty units.

**Note.** A contravention of this clause can also be a contravention of Part 14 of the *Legal Profession Regulation 2002*. A contravention of that Part by a lawyer constitutes professional misconduct.

### **73E Exception for advertising speciality**

- (1) This Part does not prevent the publication of an advertisement that advertises a lawyer or agent as being a specialist or offering specialist services, but only if the advertisement is published by means of:
  - (a) an entry in a practitioner directory that states only the name and contact details of the lawyer or agent and any area of practice or speciality of the lawyer or agent, or
  - (b) a sign displayed at a place of business of the lawyer or agent that states only the name and contact details of the lawyer or agent and any speciality of the lawyer or agent, or
  - (c) an advertisement on an Internet website operated by the lawyer or agent the publication of which would be prevented under this Part solely because it refers to work injury or work injury services in a statement of speciality of the lawyer or agent.

Workers Compensation (General) Amendment (Work Injury Advertising)  
Regulation 2003

Schedule 1      Amendment

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(2) In this clause:

*practitioner directory* means a printed publication, directory or database that is published by a person in the ordinary course of the person's business (and not by the lawyer or agent concerned or a partner, employee or member of the practice of the lawyer or agent).

*specialty* of a lawyer is limited to a specialty in which the lawyer is accredited under an accreditation scheme conducted or approved by the Bar Council or Law Society.

**73F Other exceptions**

This Part does not prevent the publication of any advertisement:

- (a) to any person who is already a client of the lawyer or agent (and to no other person), or
- (b) to any person on the premises of a place of business of the lawyer or agent, but only if the advertisement cannot be seen from outside those premises, or
- (c) in accordance with any order by a court, or
- (d) pursuant to a disclosure made by a lawyer under Division 2 of Part 11 of the *Legal Profession Act 1987*, or
- (e) to the extent that it relates only to the provision of legal aid or other assistance by an agency of the Crown and is published by or on behalf of that agency, or
- (f) to the extent that it relates only to legal education and is published to members of the legal profession by a person in the ordinary course of the person's business or functions as a provider of legal education, or
- (g) by an industrial organisation (within the meaning of the *Industrial Relations Act 1996*) if the advertisement (or so much of it as would otherwise contravene clause 73D) relates only to the provision of advice or services by that organisation and states only the name and contact details of the industrial organisation along with a description of the services that it provides, or
- (h) that is required to be published by or under a written law of the State.

Workers Compensation (General) Amendment (Work Injury Advertising)  
Regulation 2003

Amendment

Schedule 1

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**73G Responsibility for employees and others**

For the purposes of this Part, evidence that a person who is an employee of a lawyer or agent, or a person otherwise exercising functions in the lawyer's or agent's practice, published or caused to be published an advertisement is evidence (in the absence of evidence to the contrary) that the lawyer or agent caused or permitted the publication of the advertisement.

**73GA Double jeopardy**

A person who has been convicted of an offence under Part 14 of the *Legal Profession Regulation 2002* is not, if that offence would constitute an offence under this Part in respect of the publication of an advertisement, liable to be convicted of an offence under this Part in respect of that publication.

**73GB Transitional—finalised publications**

This Part does not prevent the publication of an advertisement in a printed publication the contents of which were finalised (by the publisher of that publication) before the date of publication in the Gazette of the *Workers Compensation (General) Amendment (Work Injury Advertising) Regulation 2003*.



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## Other Legislation

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# Privacy Code of Practice (General) 2003

under the

Privacy and Personal Information Protection Act 1998

I, the Attorney General, in pursuance of section 31 of the *Privacy and Personal Information Protection Act 1998*, do, by this my Order, make the following Privacy Code of Practice.

Dated, this 30th day of April 2003.

BOB DEBUS, M.P.,  
Attorney General

### Explanatory note

The object of this Order is to give effect to the *Privacy Code of Practice (General) 2003* made under the *Privacy and Personal Information Protection Act 1998*.

The *Privacy Code of Practice (General) 2003* is intended to modify the information protection principles to permit certain inter-agency transfers of personal information and to modify the application of Part 6 of the Act in relation to certain public registers.

This Order is made under section 31 of the *Privacy and Personal Information Protection Act 1998*.

Clause 1 Privacy Code of Practice (General) 2003

Part 1 Preliminary

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## Privacy Code of Practice (General) 2003

under the

Privacy and Personal Information Protection Act 1998

### Part 1 Preliminary

#### 1 Name of Code

This Code is the *Privacy Code of Practice (General) 2003*.

#### 2 Operation of Code

This Code modifies the application of the information protection principles and public register provisions of the Act.

#### 3 Limitations

Nothing in this Code:

- (a) authorises an agency to deal with personal information in a way that is contrary to any other Act or law other than the provisions of the Act modified by this Code, or
- (b) affects a disclosure that is otherwise permitted by law (including, but not limited to, a disclosure made pursuant to the *State Records Act 1998* or the *Freedom of Information Act 1989*), or
- (c) prevents an agency from disclosing personal information with the consent of the individual to whom the information relates.

#### 4 Definitions

In this Code:

**agency** means a public sector agency.

**information protection principles** means the principles set out in Division 1 of Part 2 of the Act.

**public register provisions** means the provisions of Part 6 of the Act.

**the Act** means the *Privacy and Personal Information Protection Act 1998*.

Privacy Code of Practice (General) 2003

Clause 5

Inter-agency transfers of personal information

Part 2

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## **Part 2      Inter-agency transfers of personal information**

### **5      Application of Part**

This Part applies to the exchange of personal information between the agencies specified in Schedule 1.

### **6      Permitted transfers of personal information**

The information protection principles are modified to the extent necessary to permit the transfer between the agencies, of the personal information, and for the purposes, described in Schedule 1.

Clause 7 Privacy Code of Practice (General) 2003

Part 3 Public registers

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## **Part 3 Public registers**

### **7 Application of Part**

This Part applies to the disclosure of personal information contained in public registers.

### **8 Modification of Part 6 of the Act**

- (1) Part 6 of the Act is modified to the extent necessary to permit a disclosure referred to in subclause (2).
- (2) An agency specified in Column 2 of Schedule 2 that is responsible for keeping a public register (or that part of a register) described in Column 1 may, subject to any conditions set out in Column 1, disclose personal information kept in the register (or part of the register) without being satisfied that the information is to be used for a purpose relating to the purpose of the register or the Act under which the register is kept.

Privacy Code of Practice (General) 2003

Permitted transfers of personal information

Schedule 1

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## **Schedule 1 Permitted transfers of personal information**

(Clause 6)

### **1 Verification of vehicle ownership details by Sheriff**

**(1) Agencies exchanging personal information**

Roads and Traffic Authority,  
Attorney General's Department.

**(2) Type of personal information**

Vehicle registered operator details.

**(3) Purpose for which information is exchanged**

To permit the Sheriff to verify vehicle registered operator details in connection with the proposed or actual seizure of a vehicle.

### **2 Environmental offences involving vehicles**

**(1) Agencies exchanging personal information**

Roads and Traffic Authority,  
Environment Protection Authority.

**(2) Type of personal information**

Vehicle registered operator details.

**(3) Purpose for which information is exchanged**

To permit the Environment Protection Authority to contact the operator of a vehicle when it has received a report about an environmental offence concerning the vehicle.

Privacy Code of Practice (General) 2003

Schedule 2 Modification of Part 6 of the Act

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## Schedule 2 Modification of Part 6 of the Act

(Clause 8)

Column 1	Column 2
<b>Public register</b>	<b>Agency responsible for keeping the register</b>
1 The record maintained under section 58 of the <i>Contaminated Land Management Act 1997</i> , however, this exception does not extend to the name of an individual who is the occupier, owner or polluter of a contaminated site or the address of such an individual if the individual does not reside at a contaminated site.	Environment Protection Authority
2 The registers listed in regulation 15.1 of the <i>Road Transport Reform (Dangerous Goods) Regulations 1997</i> of the Commonwealth that apply in New South Wales as the <i>Road Transport Reform (Dangerous Goods) (New South Wales) Regulations</i> under the <i>Road and Rail Transport (Dangerous Goods) Act 1997</i> , however, this exception does not extend to information relating to the medical condition or the driving history of an individual.	Environment Protection Authority
3 The Credit Register for the tradeable emission scheme known as the Hunter River Salinity Trading Scheme, made publicly available by the EPA through the Internet, comprising the name and contact details of a member of the Scheme or an employee or agent of that member and the member's business facilities, credit holdings and trading history.	Environment Protection Authority
4 The information made publicly available by the EPA through the Internet concerning the Waste Reduction Grants Program paid from the Waste Fund set up under section 19 of the <i>Waste Avoidance and Resource Recovery Act 2001</i> comprising the name and contact details of the person awarded the grant, or an employee or agent of that person, the amount of the grant, the grant number and the details of the project for which the grant was given.	Environment Protection Authority

Privacy Code of Practice (General) 2003

Modification of Part 6 of the Act

Schedule 2

Column 1	Column 2
<b>Public register</b>	<b>Agency responsible for keeping the register</b>
5 The information made publicly available by the EPA through the Internet concerning grants made under the Stormwater Trust Grants Scheme administered by the EPA comprising the name and contact details of the person offered the grant, or an employee or agent of that person, the amount of the grant, the grant number and the details of the project for which the grant was offered.	Environment Protection Authority
6 The public register kept under Part 9.5 of the <i>Protection of the Environment Operations Act 1997</i> .	Environment Protection Authority

# OFFICIAL NOTICES

## Appointments

### ABORIGINAL LAND RIGHTS ACT 1983

#### NOTICE

I, the Honourable Andrew Refshauge, M.P., Minister for Aboriginal Affairs, following approval by the New South Wales Aboriginal Land Council, do, by this notice pursuant to section 222 (1) of the Aboriginal Land Rights Act 1983 (the Act), appoint Mr Robert JACKSON as Administrator to the Armidale Local Aboriginal Land Council for a maximum period of six (6) calendar months. During the period of his appointment, the Administrator will have all of the functions of a Local Aboriginal Land Council as specified in section 52 (1) of the Act, and any other duties as specified by the agreed terms of appointment. The Administrator's remuneration is not to exceed \$30,000 dollars.

Signed and sealed this 30th day of April 2003.

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

GODSAVETHEQUEEN

014.8.Act

### ABORIGINAL LAND RIGHTS ACT 1983

#### NOTICE

I, the Honourable Andrew Refshauge M.P., Minister for Aboriginal Affairs, following approval by the New South Wales Aboriginal Land Council, do, by this notice pursuant to section 222(1) of the Aboriginal Land Rights Act 1983 (the Act), appoint Mr Robert Jackson as Administrator to the Illawarra Local Aboriginal Land Council for a maximum period of six (6) calendar months. During the period of his appointment, the Administrator will have all of the functions of a Local Aboriginal Land Council as specified in section 52(1) of the Act, and any other duties as specified by the agreed terms of appointment. The Administrator's remuneration is not to exceed \$30,000.00 dollars.

Signed and sealed this 7th day of May 2003.

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

GODSAVETHEQUEEN

014.8.Act

### ABORIGINAL LAND RIGHTS ACT 1983

#### NOTICE

I, the Honourable Andrew Refshauge M.P., Minister for Aboriginal Affairs, following approval by the New South Wales Aboriginal Land Council, do, by this notice pursuant to section 222(1) of the Aboriginal Land Rights Act 1983 (the Act), appoint Mr Robert Jackson as Administrator to the Illawarra Local Aboriginal Land Council for a maximum period of six (6) calendar months. During the period of his appointment, the Administrator will have all of the functions of a Local Aboriginal Land Council as specified in section 52(1) of the Act, and any other duties as specified by the agreed terms of appointment. The Administrator's remuneration is not to exceed \$30,000.00 dollars.

Signed and sealed this 1st day of May 2003.

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

GODSAVETHEQUEEN

014.8.Act



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## NSW Agriculture

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### PLANT DISEASES ACT 1924

#### Appointment of Inspector

I, RICHARD FREDERICK SHELDRAKE, Director-General of the Department of Agriculture, pursuant to section 11(1) of the Plant Diseases Act 1924 ("the Act") appoint Robert Lee HAMPTON and Colin Stuart DRAKE as Inspectors under the Act.

Dated this 30th day of April 2003.

R. F. SHELDRAKE,  
Director-General

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### STOCK DISEASES ACT 1923

#### Appointment of Inspector

#### Notification 401

I, RICHARD SHELDRAKE, Director-General of the Department of Agriculture, pursuant to Section 6(1) of the Stock Diseases Act 1923, appoint the person named hereunder as an Inspector for the purposes of the Act.

BRUCE MORGAN CHRISTIE

Dated this 30th day of April 2003.

R. F. SHELDRAKE,  
Director-General  
NSW Department of Agriculture

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## NSW Fisheries

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### NOTICE OF RECEIPT OF APPLICATION FOR AQUACULTURE LEASE

Notification under s.163(7) of the Fisheries Management Act 1994, and cl.33 of the Fisheries Management (Aquaculture) Regulation 2002

NSW Fisheries advises that an application has been received for an aquaculture (oyster) lease over public water land for the purposes of cultivating Sydney rock oysters:

Location is at Crookhaven River, for an area identical to former oyster lease OL86/159. Application by Mr Garry A Wall of Greenwell Point, NSW, for an area to be known as AL02/019 (if granted) of approximately 0.5831 hectares, Parish of Numbaa, County of St Vincent, Shire of Shoalhaven. If granted the lease will be subject to standard covenants and conditions of an aquaculture lease as imposed by NSW Fisheries.

NSW Fisheries is calling for written submissions from any person supporting or objecting to the oyster lease proposal, citing reasons for the support/objection.

NSW Fisheries is also calling for expressions of interest from persons or corporations interested in leasing the area specified above, for the purposes of aquaculture. An expression of interest must be in the form of a written response referring to lease number OL86/159, signed and dated with a return address.

Specific details of the proposed lease can be obtained, or enquiries made with NSW Fisheries, Aquaculture Administration Section, Port Stephens on (02) 4982 1232.

Objections or expressions of interest for consideration in the determination of the application must be received at the address below, within 40 days from the date of publication of this notification.

Director, NSW Fisheries, Aquaculture Administration Section, Port Stephens Fisheries Centre, Private Bag 1, NELSON BAY, NSW 2315.

If additional expressions of interest are received, NSW Fisheries may offer the area for leasing through a competitive public tender process.

The Hon IAN MACDONALD, M.L.C.,  
NSW Minister for Agriculture and Fisheries

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## Department of Urban and Transport Planning

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# State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 7)

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 53—Metropolitan Residential Development (Amendment No 7)

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## **State Environmental Planning Policy No 53— Metropolitan Residential Development (Amendment No 7)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Policy**

This Policy is *State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 7)*.

### **2 Aims of Policy**

This Policy aims to amend *State Environmental Planning Policy No 53—Metropolitan Residential Development*:

- (a) to apply Part 4 of that Policy to the land to which this Policy applies as referred to in clause 3 (1) and so facilitate the erection of multi unit housing on that land, and
- (b) to extend Part 4 of that Policy to include, in addition to development solely for the purpose of multi unit housing, development for the purpose of multi unit housing combined with development for any other purpose, and
- (c) to make the Minister the consent authority for development on the land to which this Policy applies as referred to in clause 3 (1) for the purposes of multi unit housing, multi unit housing combined with development for any other purpose, subdivision, and demolition related to multi unit housing (including demolition of a heritage item), and
- (d) to establish certain standards with respect to the carrying out of any such development, and
- (e) to remove the local government areas of Newcastle and Wyong from the application of Part 2 (Integrated housing development) of that Policy.

State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 7)

Clause 3

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### 3 Land to which Policy applies

- (1) This Policy applies to the following land in the local government area of Ku-ring-gai:
  - (a) the land comprising Nos 2, 4, 8, 10 and 12 Avon Road, and Nos 1, 1A, 3, 5 and 5A Pymble Avenue, Pymble (being the land shown edged heavy black on Sheet 1 of the map supporting this Policy),
  - (b) the land comprising Nos 1A, 1, 5 and 7 Avon Road, No 1 Arilla Road, No 12 Mayfield Avenue and Nos 2–8 Beechworth Road, Pymble (being the land shown edged heavy black on Sheet 3 of the map supporting this Policy),
  - (c) the land comprising Nos 9–25 Tryon Road, Lindfield (being the land shown edged heavy black on Sheet 6 of the map supporting this Policy),
  - (d) the land comprising Nos 23–55A Lindfield Avenue, No 2 Kochia Lane, Lindfield, and other properties in Havilah Lane, Lindfield (being the land shown edged heavy black on Sheet 8 of the map supporting this Policy),
  - (e) the land comprising Nos 1500 and 1502 Pacific Highway, and Nos 2 and 2A Marshall Avenue, Warrawee (being the land shown edged heavy black on Sheet 11 of the map supporting this Policy),
  - (f) the land comprising Nos 4–14 Merriwa Street, and Nos 3–11 McIntyre Street, Gordon (being the land shown edged heavy black on Sheet 13 of the map supporting this Policy).
- (2) In this clause, a reference to the map supporting this Policy is a reference to the map marked “State Environmental Planning Policy No 53—Amendment No 7” prepared by the Department of Planning and a copy of which is deposited in the Sydney office of the Department.
- (3) This Policy also applies to land within the local government areas of Newcastle and Wyong, but only in so far as it removes that land from the application of Part 2 (Integrated housing development) of *State Environmental Planning Policy No 53—Metropolitan Residential Development*.

### 4 Amendment of State Environmental Planning Policy No 53—Metropolitan Residential Development

*State Environmental Planning Policy No 53—Metropolitan Residential Development* is amended as set out in Schedule 1.

State Environmental Planning Policy No 53—Metropolitan Residential  
Development (Amendment No 7)

Schedule 1 Amendments

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 3 Aims

Insert “, such as multi unit housing or multi unit housing combined with development for any other purpose” after “housing types” in clause 3 (2) (a).

### [2] Clause 3 (2) (a)

Insert “approved by the Minister” after “strategies”.

### [3] Clause 5 Relationship to other environmental planning instruments

Insert “, except as provided by clause 1 (3) of Schedule 4” after “heritage item” in clause 5 (3).

### [4] Clause 22 Objective

Insert “(including multi unit housing combined with development for any other purpose)” after “multi unit housing”.

### [5] Clause 25 Development consent

Omit clause 25 (2). Insert instead:

- (2) Despite the provisions of any other environmental planning instrument, the relevant consent authority in relation to land for the purposes of this Part is:
  - (a) if a provision of Schedule 4 specifies a consent authority in relation to the land, that consent authority, and
  - (b) in any other case, the council.

### [6] Clause 42

Insert after clause 41:

#### **42 Determination of certain development applications relating to the Ku-ring-gai local government area**

A development application:

- (a) that relates to land referred to in clause 1 of Schedule 4, and

State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 7)

Amendments

Schedule 1

(b) that had not been determined before the commencement of that clause,

is to be determined as if that clause had not been made.

**[7] Schedule 2 Integrated housing development**

Omit Part A, but not the heading to Part A.

**[8] Schedule 4**

Omit the Schedule. Insert instead:

**Schedule 4 Amendments allowing multi unit housing**

(Clauses 23, 24 and 26)

**1 Ku-ring-gai sites**

- (1) Part 4 of this Policy applies to each of the following sites in the local government area of Ku-ring-gai so as to allow development for the purposes of multi unit housing to be carried out on those sites:
  - (a) site 1—the land comprising Nos 2, 4, 8, 10 and 12 Avon Road, and Nos 1, 1A, 3, 5 and 5A Pymble Avenue, Pymble (being the land shown edged heavy black on Sheet 1 of the Ku-ring-gai Reference Plan),
  - (b) site 2—the land comprising Nos 1A, 1, 5 and 7 Avon Road, No 1 Arilla Road, No 12 Mayfield Avenue and Nos 2–8 Beechworth Road, Pymble (being the land shown edged heavy black on Sheet 3 of the Ku-ring-gai Reference Plan),
  - (c) site 3—the land comprising Nos 9–25 Tryon Road, Lindfield (being the land shown edged heavy black on Sheet 6 of the Ku-ring-gai Reference Plan),
  - (d) site 4—the land comprising Nos 23–55A Lindfield Avenue, No 2 Kochia Lane, Lindfield, and other properties in Havilah Lane, Lindfield (being the land shown edged heavy black on Sheet 8 of the Ku-ring-gai Reference Plan),

State Environmental Planning Policy No 53—Metropolitan Residential  
Development (Amendment No 7)

Schedule 1 Amendments

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- (e) site 5—the land comprising Nos 1500 and 1502 Pacific Highway, and Nos 2 and 2A Marshall Avenue, Warrawee (being the land shown edged heavy black on Sheet 11 of the Ku-ring-gai Reference Plan),
  - (f) site 6—the land comprising Nos 4–14 Merriwa Street, and Nos 3–11 McIntyre Street, Gordon (being the land shown edged heavy black on Sheet 13 of the Ku-ring-gai Reference Plan).
- (2) Development for the purpose of multi unit housing may be carried out, with development consent, on a site specified in subclause (1), despite the provisions of any other environmental planning instrument applying to the site.
  - (3) The relevant consent authority for all development on the sites specified in subclause (1) for the purpose of multi unit housing, subdivision, or demolition related to multi unit housing (including the demolition of a heritage item) is the Minister.
  - (4) If a development application is made in respect of part of a site specified in subclause (1):
    - (a) the consent authority must take into consideration the effect that the proposed development will, or is reasonably likely to, have on the ability to develop the remainder of the site in the manner described in the Ku-ring-gai Reference Plan or the Ku-ring-gai Sites Report, and
    - (b) the consent authority must not grant development consent to the development application if the consent authority is of the opinion that the granting of consent would, or would be reasonably likely to, have a significantly adverse effect on the ability to develop the remainder of the site in the manner described in the Ku-ring-gai Reference Plan or the Ku-ring-gai Sites Report.
  - (5) Consent must not be granted to a development application for consent to carry out development for multi unit housing for a site specified in subclause (1) unless the Minister has considered the Ku-ring-gai Sites Report.
  - (6) Consent must not be granted to a development application for consent to carry out development for multi unit housing in relation to a site specified in subclause (1) unless the Minister



State Environmental Planning Policy No 53—Metropolitan Residential  
Development (Amendment No 7)

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Schedule 1

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is satisfied that the proposed development generally conforms to the deemed development standards set out in the sheets of the Ku-ring-gai Reference Plan that relate to the site, subject to subclause (7).

- (7) If it is necessary in order to conserve an item of the environmental heritage or threatened species, population or ecological community, consent may be granted to a development application for multi unit housing in relation to a site specified in subclause (1) if the Minister is satisfied that the proposed development will implement the relevant design principles set out in the Ku-ring-gai Sites Report.
- (8) Development for multi unit housing on site 4 specified in subclause (1) (d) may include development for retail or commercial purposes.
- (9) *State Environmental Planning Policy No 1—Development Standards* applies to and in respect of a deemed development standard in the same way as it applies to and in respect of a development standard, except that clause 7 of that Policy does not apply so as to require the concurrence of the Director-General to the granting of consent to a development application where an objection has been made under clause 6 of that Policy in respect of a deemed development standard.
- (10) In this clause:

***deemed development standard*** means a standard (such as a standard relating to a setback, building envelope or building height) adopted in the Ku-ring-gai Reference Plan that, if it were included as a provision in a local environmental plan, would be a development standard.

***development for multi unit housing*** means development for the purpose of multi unit housing, or development for the purpose of multi unit housing combined with development for any other purpose, and includes, in relation to site 4 specified in subclause (1) (d), development for the purpose of multi unit housing and development for retail or commercial purposes.

***Ku-ring-gai Reference Plan*** means the map comprising 14 sheets marked “State Environmental Planning Policy No 53—Amendment No 7” prepared by the Department of Planning and deposited in the Sydney office of the Department.

State Environmental Planning Policy No 53—Metropolitan Residential  
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Schedule 1      Amendments

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***Ku-ring-gai Sites Report*** means the report entitled *Draft development controls and design guidelines—six SEPP 53 sites in Ku-ring-gai* dated October 2002 and prepared by the Department of Planning, as modified by the report entitled *Development controls and design guidelines—six SEPP 53 sites in Ku-ring-gai—Schedule* dated January 2003.



New South Wales

## Canterbury Local Environmental Plan No 201

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/02645/S69)

DIANE BEAMER, M.P.,  
Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

Clause 1 Canterbury Local Environmental Plan No 201

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## Canterbury Local Environmental Plan No 201

under the

Environmental Planning and Assessment Act 1979

### 1 Name of plan

This plan is *Canterbury Local Environmental Plan No 201*.

### 2 Aims of plan

This plan aims to rezone the land to which this plan applies to Residential “C4” under the *Canterbury Planning Scheme Ordinance*.

### 3 Land to which plan applies

This plan applies to land known as 1089 Canterbury Road, Wiley Park, as shown coloured light scarlet with dark red edging and lettered “2 (c4)” on the map marked “Canterbury Local Environmental Plan No 201” deposited in the office of Canterbury City Council.

### 4 Amendment of Canterbury Planning Scheme Ordinance

The *Canterbury Planning Scheme Ordinance* is amended by inserting in appropriate order in the definition of *Scheme map* in clause 4 (1) the following words:

Canterbury Local Environmental Plan No 201



New South Wales

## **Fairfield Local Environmental Plan 1994 (Amendment No 88)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P02/00395/S69)

DIANE BEAMER, M.P.,  
Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

Clause 1          Fairfield Local Environmental Plan 1994 (Amendment No 88)

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## **Fairfield Local Environmental Plan 1994 (Amendment No 88)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Fairfield Local Environmental Plan 1994 (Amendment No 88)*.

### **2 Aims of plan**

This plan aims:

- (a) to improve the nature and style of allotments of the land to which this plan applies, and
- (b) to reduce possible environmental impacts from the subdivision of that land by implementing minimum requirements for the creation of lots from the land, and
- (c) to promote subdivision of that land that is consistent with the size, shape and site area of established allotments of land within the area of that land.

### **3 Land to which plan applies**

This plan applies to land in northwest and southwest Abbotsbury within the Residential A zone under *Fairfield Local Environmental Plan 1994*, as shown edged heavy black on Sheets 1 and 2 of the map marked "Fairfield Local Environmental Plan 1994 (Amendment No 88)" deposited in the office of Fairfield City Council.

### **4 Amendment of Fairfield Local Environmental Plan 1994**

*Fairfield Local Environmental Plan 1994* is amended by inserting after clause 22A (1):

- (1A) Despite subclause (1), the Council must not grant consent to the subdivision of land in northwest and southwest Abbotsbury, as shown edged heavy black on Sheets 1 and 2 of the map marked "Fairfield Local Environmental Plan 1994

Fairfield Local Environmental Plan 1994 (Amendment No 88)

Clause 4

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(Amendment No 88)” unless each allotment to be created will have an area of not less than 2,000 square metres. The area of an access handle serving an internal allotment is not to be taken into account for the purposes of this subclause.



New South Wales

## **Liverpool Local Environmental Plan 1997 (Amendment No 82)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P02/00666/S69)

DIANE BEAMER, M.P.,  
Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)



Clause 1          Liverpool Local Environmental Plan 1997 (Amendment No 82)

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## **Liverpool Local Environmental Plan 1997 (Amendment No 82)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Liverpool Local Environmental Plan 1997 (Amendment No 82)*.

### **2 Aims of plan**

This plan aims to adjust the zoning boundaries of the land to which this plan applies to accord with the existing subdivision pattern and land uses of the land under *Liverpool Local Environmental Plan 1997*.

### **3 Land to which plan applies**

This plan applies to land situated in the City of Liverpool, being land fronting Lycett Avenue, Prout Street, Bibb Place (including part of Bibb Place), Harraden Drive (including part of Harraden Drive) and Wainewright Avenue (including part of Wainewright Avenue), West Hoxton, as shown distinctively coloured and lettered "2 (a)" or "6 (a)" on the map marked "Liverpool Local Environmental Plan 1997 (Amendment No 82)" deposited in the office of the Council of the City of Liverpool.

### **4 Amendment of Liverpool Local Environmental Plan 1997**

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

Liverpool Local Environmental Plan 1997 (Amendment No 82)



## **Hornsby Shire Local Environmental Plan 1994 (Amendment No 77)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/01982/S69)

DIANE BEAMER, M.P.,  
Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

Clause 1           Hornsby Shire Local Environmental Plan 1994 (Amendment No 77)

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## **Hornsby Shire Local Environmental Plan 1994 (Amendment No 77)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Hornsby Shire Local Environmental Plan 1994 (Amendment No 77)*.

### **2 Aims of plan**

This plan aims:

- (a) to allow, with the consent of Hornsby Shire Council and subject to certain specified restrictions, the carrying out of development on the land referred to in clause 3 (1) for the purposes of playing fields, courts, a covered recreation area, a sports store, and ancillary buildings, each of which is to form part of the adjoining Pacific Hills Christian School, and
- (b) to allow, with the consent of the Council, subdivision resulting in the creation of allotments of less than the minimum area that would otherwise apply under *Hornsby Shire Local Environmental Plan 1994*, being allotments comprising the land referred to in clause 3 (2), but only if each such allotment has an area of not less than 8,000m<sup>2</sup> and the Council is satisfied that the subdivision is for the purpose of facilitating the development referred to in paragraph (a).

### **3 Land to which plan applies**

- (1) To the extent that this plan implements the aim referred to in clause 2 (a), it applies to the land shown edged heavy black on the map marked "Hornsby Shire Local Environmental Plan 1994 (Amendment No 77)" deposited in the office of Hornsby Shire Council.

Hornsby Shire Local Environmental Plan 1994 (Amendment No 77)

Clause 4

- 
- (2) To the extent that this plan implements the aim referred to in clause 2 (b), it applies to the land shown edged heavy black on Diagram 3, being the Diagram inserted into Schedule BA to *Hornsby Shire Local Environmental Plan 1994* by Schedule 1 [4] to this plan.

**4 Amendment of Hornsby Shire Local Environmental Plan 1994**

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

Hornsby Shire Local Environmental Plan 1994 (Amendment No 77)

Schedule 1 Amendments

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 14 Density

Insert after the Table to clause 14 (2):

#### Variations on minimum allotment size

- (2A) Regardless of subclause (2), the Council may consent to subdivision that results in the creation of allotments of less than the relevant minimum area specified in the Table to that subclause, being allotments that comprise the land shown edged heavy black in Diagram 3 in Schedule BA, but only if:
- (a) each such allotment has an area of not less than 8,000m<sup>2</sup>, and
  - (b) the Council is satisfied that the subdivision will facilitate development for the purposes of playing fields, courts, a covered recreation area, a sports store, and ancillary buildings on land shown edged heavy black on the map marked "Hornsby Shire Local Environmental Plan (Amendment No 77)", each of which is to form part of the adjoining Pacific Hills Christian School.

### [2] Clause 22 Exceptions

Insert at the end of the Table to clause 22 (1) in columns 1, 2 and 3, respectively:

Part of Nos 7-7A Quarry Road, and part of No 17 Quarry Lane, Dural	Part of Lot 11, DP 857463, and part of Lots 14 and 15, DP 1009080, as shown edged heavy black on the map marked "Hornsby Shire Local Environmental Plan (Amendment No 77)".	Development for the purposes of playing fields, courts, a covered recreation area, a sports store, and ancillary buildings, each of which is to form part of the adjoining Pacific Hills Christian School, but only if the Council is satisfied that:
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Hornsby Shire Local Environmental Plan 1994 (Amendment No 77)

Amendments

Schedule 1

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- (a) the total site area of the School will at no time (including after the development has been carried out) exceed 9.06 hectares, and
- (b) the total number of students enrolled at the School will at no time exceed 1360.

**[3] Schedule BA**

Omit “(Clause 14 (4A), 15 (3))”.

Insert instead “(Clauses 14 (2A), (4A) and (4B) and 15 (3))”.

Hornsby Shire Local Environmental Plan 1994 (Amendment No 77)

Schedule 1 Amendments

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**[4] Schedule BA**

Insert after Diagram 2:

**Diagram 3**





New South Wales

## **Lismore Local Environmental Plan 2000 (Amendment No 11)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G95/00438/S69)

DIANE BEAMER, M.P.,  
Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)



Clause 1 Lismore Local Environmental Plan 2000 (Amendment No 11)

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## **Lismore Local Environmental Plan 2000 (Amendment No 11)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Lismore Local Environmental Plan 2000 (Amendment No 11)*.

### **2 Aims of plan**

This plan aims to allow, with the consent of Lismore City Council, the carrying out of development on the land to which this plan applies for the purpose of a medical centre (with no more than 8 practitioners).

### **3 Land to which plan applies**

This plan applies to Lot 3, DP 595145 and Lot 61, DP 262478, being Nos 162 and 166 Ballina Road, Goonellabah, as shown edged heavy black on the map marked "Lismore Local Environmental Plan 2000 (Amendment No 11)" deposited in the office of Lismore City Council.

### **4 Amendment of Lismore Local Environmental Plan 2000**

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

Lismore Local Environmental Plan 2000 (Amendment No 11)

Amendment

Schedule 1

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## Schedule 1 Amendment

(Clause 4)

### Schedule 4 Additional development on certain land

Omit:

Lot 3, DP 595145, being No 162 Ballina Road, Goonellabah, as shown edged heavy black on the map marked “Lismore Local Environmental Plan 2000”	Development for the purpose of a medical centre	No more than 5 practitioners
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Insert instead:

Lot 3, DP 595145 and Lot 61, DP 262478, being Nos 162 and 166 Ballina Road, Goonellabah, as shown edged heavy black on the map marked “Lismore Local Environmental Plan 2000 (Amendment No 11)”	Development for the purpose of a medical centre	No more than 8 practitioners
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New South Wales

## **Pittwater Local Environmental Plan 1993 (Amendment No 67)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/02124/S69)

DIANE BEAMER, M.P.,  
Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

Clause 1 Pittwater Local Environmental Plan 1993 (Amendment No 67)

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## **Pittwater Local Environmental Plan 1993 (Amendment No 67)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Pittwater Local Environmental Plan 1993 (Amendment No 67)*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to rezone part of the land to which this plan applies to Zones Nos 2 (a) (Residential "A"), 6 (a) (Existing Recreation "A"), 6 (a1) (Waterways Recreation) and W2 (Residential Waterways) under *Pittwater Local Environmental Plan 1993 (the 1993 plan)*, and
- (b) to unzone the remaining land (currently within Zone No 5 (a) (Special Uses "A") under the 1993 plan), being land used as a public road and known as part of Esplanade, Mona Vale.

### **3 Land to which plan applies**

This plan applies to Lot 11, DP 1046745, Esplanade, Mona Vale, part of Winnererremy Bay and land being used as a public road and known as part of Esplanade, Mona Vale, as shown edged heavy black on Sheet 1 of the map marked "Pittwater Local Environmental Plan 1993 (Amendment No 67)" deposited in the office of Pittwater Council.

### **4 Amendment of Pittwater Local Environmental Plan 1993**

*Pittwater Local Environmental Plan 1993* is amended as set out in Schedule 1.

Pittwater Local Environmental Plan 1993 (Amendment No 67)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 5 Interpretation

Insert in appropriate order in the definition of *the Dual Occupancy Map* in clause 5 (1):

Pittwater Local Environmental Plan 1993 (Amendment No 67)—Sheet 3

### [2] Clause 5 (1), definition of “the Zoning Map”

Insert in appropriate order:

Pittwater Local Environmental Plan 1993 (Amendment No 67)—Sheet 2



## **Randwick Local Environmental Plan 1998 (Amendment No 23)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/01644/S69)

DIANE BEAMER, M.P.,  
Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

Clause 1            Randwick Local Environmental Plan 1998 (Amendment No 23)

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## **Randwick Local Environmental Plan 1998 (Amendment No 23)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Randwick Local Environmental Plan 1998 (Amendment No 23)*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to amend provisions of *Randwick Local Environmental Plan 1998* as they relate to the City of Randwick, and
- (b) to rezone certain land at Bundock Street, Kingsford, being Lots 11, 13, 14, 16, 17 and 18 in DP 1042814, for residential purposes, open space and environmental protection purposes.

### **3 Land to which this plan applies**

- (1) This plan applies to all land within the City of Randwick.
- (2) In so far as it rezones land, this plan applies to land known as the Department of Defence site Bundock Street, Randwick, being land shown edged in heavy black on the map marked "Randwick Local Environmental Plan 1998 (Amendment No 23)" deposited in the office of Randwick City Council.

### **4 Amendment of Randwick Local Environmental Plan 1998**

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

Randwick Local Environmental Plan 1998 (Amendment No 23)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 8 Zones

Insert in appropriate order in the table to the clause:

Zone No 2D (Residential D—Comprehensive Development Zone)—coloured medium pink with green vertical hatching

Zone No 7 (Environmental Protection—Natural Heritage Areas Zone)—coloured grey-green

### [2] Clause 12A

Insert after clause 12:

#### 12A Zone No 2D (Residential D—Comprehensive Development Zone)

- (1) The objectives of Zone No 2D are:
  - (a) to allow the comprehensive redevelopment of land for primarily residential and open space purposes, and
  - (b) to enable development that is not inconsistent with a master plan adopted under clause 40A, and
  - (c) to allow a range of community facilities to be provided to serve the needs of residents, workers and visitors, and
  - (d) to enable residential development in a variety of density and housing forms, where such development does not adversely affect the amenity and function of surrounding areas, and
  - (e) to allow people to carry out a range of activities from their homes, where such activities are not likely to adversely affect the environment of the locality, and
  - (f) to allow a limited range and scale of non-residential uses, that are compatible with residential amenity on land identified for those uses within a master plan adopted under clause 40A.



## Randwick Local Environmental Plan 1998 (Amendment No 23)

## Schedule 1 Amendments

- (2) Development for the purpose of the following does not require development consent:

Bushfire hazard reduction;	Recreation.
Public utility undertakings;	

- (3) Demolition, remediation or development for the purpose of the following requires development consent:

Bed and breakfast accommodation;	Home activities;
Boarding houses;	Multi-unit housing;
Car parks (ancillary to primary land use);	Outdoor advertising;
Child care facilities;	Places of worship;
Communication facilities;	Public transport;
Dwelling houses;	Recreation facilities;
Educational establishments;	Restaurants;
Group homes;	Residential care facilities;
Health consulting rooms;	Roads;
	Serviced apartments.

- (4) Any development not included in subclause (2) or (3) is prohibited.

**[3] Clause 19A**

Insert after clause 19:

**19A Zone No 7 (Environmental Protection—Natural Heritage Areas Zone)**

- (1) The objectives of Zone No 7 are:
- (a) to identify, protect, conserve and enhance land of natural heritage value, and
  - (b) to enable the sustainable management of land with natural heritage value over time, and
  - (c) to prohibit development that could adversely affect natural heritage values and significance, and
  - (d) to enable public access and passive recreation where appropriate, and

Randwick Local Environmental Plan 1998 (Amendment No 23)

Amendments

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- 
- (e) to provide for appropriate buffer areas, and
  - (f) to identify, protect, conserve and enhance land that acts as a habitat corridor, and
  - (g) to enable public utility undertakings that are compatible with natural heritage values where appropriate.
- (2) Development for the purpose of the following does not require development consent:
- |                                 |                              |
|---------------------------------|------------------------------|
| Bushfire hazard reduction;      | Public utility undertakings; |
| Environmental management works; | Recreation.                  |
- (3) Development that, in the opinion of the consent authority, is consistent with the objectives of this Zone and is defined as appropriate in an approved plan of management for the land requires development consent.
- (4) Any development not included in subclause (2) or (3) is prohibited.

**[4] Clause 21 Subdivision**

Insert “12A” after “12,”.

**[5] Clause 21**

Insert “, 19A” after “19”.

**[6] Clauses 30A and 30B**

Insert after clause 30:

**30A Development of certain Land in Zone No 2D**

- (1) This clause applies to land within Zone No 2D (Residential D—Comprehensive Development Zone).
- (2) The maximum floor space ratio for development of land within Zone No 2D is identified in the built form control maps applicable to the land supporting this plan.
- (3) The minimum landscaped area for development of land within Zone No 2D is identified in the built form control maps applicable to the land supporting this plan.

Randwick Local Environmental Plan 1998 (Amendment No 23)

Schedule 1 Amendments

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- (4) The maximum building and wall height for development on land within Zone No 2D is identified in the built form control maps applicable to the land supporting this plan.

**30B Traffic and transport measures for Zone No 2D**

- (1) This clause applies to land within Zone No 2D (Residential D—Comprehensive Development Zone).
- (2) Despite any other provision of this plan, the Council must not grant consent to development of land within Zone No 2D unless it is satisfied that any relevant traffic or transport measures that may apply will be met.

**[7] Clause 35A**

Insert after clause 35:

**35A Certain non-residential uses in Zone No 2D**

Despite clause 12A, the Council may grant consent to development for the purpose of business premises, local shops, medical centres or restaurants on land within Zone No 2D if it is satisfied that the development:

- (a) is located on land identified as an activity strip on the built form control maps supporting this plan, and
- (b) is limited to ground floor non-residential uses, and
- (c) is consistent with residential amenity, and
- (d) primarily serves the local community.

Purpose: To provide for the establishment of small scale businesses and services with active street frontages in locations identified in an adopted master plan.

**[8] Clause 40A Master plans**

Insert after clause 40A (5) (o):

- (p) identification, extent and management of buffer areas,
- (q) identification, extent and management of habitat corridor,
- (r) identification, extent and constraints of acid sulfate soils,
- (s) opportunities to apply integrated natural water cycle design,

Randwick Local Environmental Plan 1998 (Amendment No 23)

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- 
- (t) opportunities to apply integrated renewable energy design.

**[9] Clause 40A (13)**

Insert after clause 40A (12):

- (13) Subclause (5) (p), (q), (r), (s) and (t) do not apply:
  - (a) to a draft master plan lodged with the Council before the day on which *Randwick Local Environmental Plan 1998 (Amendment No 23)* commenced, or
  - (b) to a master plan adopted by the Council pursuant to subclause (7) before the day on which *Randwick Local Environmental Plan 1998 (Amendment No 23)* commenced.

**[10] Clause 42B**

Insert after clause 42A:

**42B Contaminated land**

Despite any other provisions of this plan, the Council must not grant consent to the development of contaminated land within any zone unless the Council is satisfied:

- (a) that the contaminated land will, after being remediated, be suitable for the purpose for which development is proposed to be carried out, and
- (b) that the contaminated land will be remediated before the land is used for that purpose, and
- (c) that the use of the land for that purpose is permissible in the zone.

Purpose: To ensure land will be suitable after remediation for the purpose for which the development is proposed and that the land will be remediated to that suitable standard before it is used.

Randwick Local Environmental Plan 1998 (Amendment No 23)

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**[11] Part 4A**

Insert after Part 4:

**Part 4A Natural heritage provisions**

Purpose: To establish sustainability provisions relating to the protection, conservation, enhancement and management of areas of natural heritage over time.

**48A Plan of management for land in Zone No 7 (Environmental Protection—Natural Heritage Areas Zone)**

- (1) The objectives of this clause are to ensure that natural heritage is sustainably managed over time and that management practices are consistent with the objectives of Zone No 7.
- (2) The Council must not determine an application for consent to carry out development of land within Zone No 7 unless the Council has approved a plan of management for the land that complies with this clause.
- (3) For the purposes of this clause, a plan of management is a document (consisting of written information, maps and diagrams), prepared by a suitably qualified person. Where appropriate and applicable, a plan of management for land within Zone No 7 must address (but need not be limited to) the following:
  - (a) any natural heritage studies that include the land,
  - (b) the natural heritage significance and value of the land,
  - (c) scale maps of natural heritage attributes and values,
  - (d) consistency of the plan of management with relevant Commonwealth, State or local plans and policies,
  - (e) consistency of the plan of management with relevant Council policies, plans and guidelines,
  - (f) the identification and management of threatening processes,
  - (g) the identification and management of buffer areas,
  - (h) a schedule of environmental management works,
  - (i) the provision and management of any public utility undertakings,
  - (j) any financial funding arrangements,

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- (k) any restrictive covenants on the land,
  - (l) performance monitoring and review criteria.

Purpose: To approve a management plan for environmental protection zones that will ensure the protection, conservation and enhancement of natural heritage over time.

**[12] Clause 49 Definitions**

Insert in alphabetical order in clause 49:

***acid sulfate soils (ASS)*** means soils that contain iron sulfides that are stable and do not cause an environmental or economic problem when waterlogged, but when exposed to air, after drainage or excavation, rapidly form sulfuric acid.

***biodiversity (or biological diversity)*** means the variety of life: the different plants, animals and micro-organisms, the genes they contain and the ecosystems of which they form a part.

***buffer area*** means an area of land that is managed in a way that ensures the protection, conservation and enhancement of natural heritage, rare species and threatened items, over time.

***building height*** means the vertical distance from the highest point on the building to the ground level and includes ancillary services, installations and works (including works to conceal and integrate services) unless the Council is satisfied that they will not adversely affect the amenity of adjoining or nearby land.

***contaminated land*** has the same meaning as in Part 7A of the Act.

***ecologically sustainable development (ESD)*** means development that uses, conserves and enhances the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased. These principles of ESD relate to precautionary decision making, intergenerational equity, conservation of biodiversity and improved valuation of resources.

***environmental management works*** means a structure or work identified in a plan of management for Zone No 7 that provides the following:

## Randwick Local Environmental Plan 1998 (Amendment No 23)

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- (a) nature study or display facilities such as walking tracks, board walks, observation decks, interpretation signage, bird hides, or the like,
  - (b) ongoing environmental management work such as bush restoration, wetland restoration, erosion and run off prevention works, bank stabilisation, dune restoration, bushfire hazard reduction, or the like,
  - (c) passive recreation areas such as picnic grounds and structures incidental to the functioning of the area, such as picnic shelters, play equipment, sheds and toilet facilities, roads and their maintenance,
  - (d) provision and management of public utility undertakings.

**ground level**, in relation to land shown edged heavy black on the map marked "Randwick Local Environmental Plan 1998 (Amendment No 23)", means the ground level that exists after completion of earthworks and re-contouring of the site as determined by the applicable Commonwealth works approval or by any development consent issued for the land. Any variation will require the approval of Council.

**habitat corridor** means an area of habitat that enables migration, colonisation, interbreeding within populations of native plants and animals, between two areas of habitat. Habitat corridors may consist of a sequence of discontinuous areas of habitat, such as feeding trees, caves, wetlands and roadside vegetation.

**local shop** means a building or place used for selling, exposing or offering for sale by retail, goods, services, merchandise or materials primarily to serve the needs of the surrounding residents.

**natural heritage areas** means land with natural heritage values that may include but are not limited to:

- (a) species, populations, ecological communities and habitats,
- (b) ecological and environmental processes,
- (c) natural or modified wetlands,
- (d) groundwater,
- (e) the soil and all its components, including seed banks,

Randwick Local Environmental Plan 1998 (Amendment No 23)

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- (f) ground surface features, including bush rock, etc,
  - (g) geological and topographical features, both above and below ground.

***natural heritage item or natural heritage conservation area*** means heritage items or conservation areas with natural heritage significance and values listed in Schedule 3 (Heritage Items) or included as a conservation area on the maps supporting this plan.

***natural water cycle design*** means the application of a wide variety of design and management practices that are complementary to the natural water cycle, minimise disturbance to natural water courses, minimise on-site water usage and maximise rainwater harvesting opportunities, such as water sensitive urban design and water smart design.

***plan of management*** means a plan of management approved by Council, for land within an Environmental Protection or Open Space Zone. It can include any plan of management, management plan or management statement adopted under the *Local Government Act 1993*, the *Crown Lands Act 1989*, the *National Parks and Wildlife Act 1974*, the *Threatened Species Conservation Act 1995*, the *Fisheries Management Act 1994*, the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth or the *Rural Fires Act 1997*, or prepared on behalf of a landowner.

***rare species*** means those species identified as rare species in *Rare or Threatened Australian Plants* (1995) by Briggs & Leigh, or in Appendix 8 of the Council's most current State of the Environment Report.

***renewable energy*** means alternative (non-fossil fuel) energy sources, such as solar technology for hot water heaters and lighting in open space areas.

***residential care facilities*** means accommodation for older people, including hostels and nursing homes, that includes:

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and



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- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

not being a dwelling, hospital or psychiatric facility.

**threatened items** means those species, populations and ecological communities listed as endangered or vulnerable in the schedules of the *Threatened Species Conservation Act 1995*, the *Fisheries Management Act 1994* and the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth.

**threatening processes** means processes that threaten, or have the capability to threaten, the survival or evolutionary development of species, populations or ecological community. Threatening processes include those identified as threatening processes in the appendices of Council's most current State of the Environment Report and threatening processes identified as 'key threatening processes' under the *Threatened Species Conservation Act 1995*, the *Fisheries Management Act 1994* and the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth.

**wall height** means the vertical distance from the highest point on an external wall to the ground level of that wall. Each external wall height measurement must include gable ends and attic walls with an area over 6 metres<sup>2</sup> and dormer windows that protrude horizontally from the roof more than 2.5 metres.

**wetland** means:

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

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inundated cyclically, intermittently or permanently with water, and are constructed and vegetated with wetland plant communities.

**[13] Clause 49, definition of “gross floor area”**

Omit the definition. Insert instead:

*gross floor area* means the sum of the areas of each level of a building where the area of each level is taken to be the area within the inner face of the external enclosing walls and the area of any attic measured at 2.1 metres above the floor level of the attic excluding:

- (a) columns, fin walls, shading devices, awnings, balconies and any other elements, projections or works outside the general lines of the outer face of the external wall, and
- (b) lift towers, cooling towers, machinery and plant rooms, and air-conditioning ducts, and
- (c) associated car parking and any internal vehicular or pedestrian access to that parking (to ground level), and
- (d) space for the loading and unloading of goods.

**[14] Clause 49, definition of “landscaped area”**

Omit the definition. Insert instead:

*landscaped area* means the part of a site area that is used, or capable of being used, for outdoor recreation or garden areas (such as lawns, gardens, unroofed swimming pools, clothes drying areas, barbecue areas, footpaths and the like) and includes landscaped podium areas and water tanks located at ground level. It does not include areas used for parking, driveways, balconies, rooftop gardens or areas used for garbage or recycling material storage or sorting.

Randwick Local Environmental Plan 1998 (Amendment No 23)

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**[15] Clause 49, definition of “the map”**

Insert in appropriate order:

Randwick Local Environmental Plan 1998 (Amendment No 23)

**[16] Schedule 2 Development of land for certain additional purposes**

Insert at the end of the Schedule:

Land within Zone No 6B, as shown coloured light green on the map entitled “Randwick Local Environmental Plan 1998 (Amendment No 23)”.	Defence purposes and public use and access	Public use of the oval for active recreation subject to the operational needs of the army and as identified in a plan of management for the oval.
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## **Randwick Local Environmental Plan 1998 (Amendment No 31)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/01640/S69)

DIANE BEAMER, M.P.,  
Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

Clause 1            Randwick Local Environmental Plan 1998 (Amendment No 31)

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## **Randwick Local Environmental Plan 1998 (Amendment No 31)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Randwick Local Environmental Plan 1998 (Amendment No 31)*.

### **2 Aim of plan**

The aim of this plan is to rezone certain land in Wentworth Street, Randwick for residential purposes, being Lot 2 DP 218688.

### **3 Land to which this plan applies**

This plan applies to land in the local government area of Randwick, comprising Lot 2 DP 218688, known as 68–76 Wentworth Street, Randwick.

### **4 Amendment of Randwick Local Environmental Plan 1998**

*Randwick Local Environmental Plan 1998* is amended by inserting at the end of the definition of *the map* in clause 49 the following words:

Randwick Local Environmental Plan 1998 (Amendment No 31)

## **City of Wollongong Local Environmental Plan 1990 (Amendment No 207)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (W00/00065/PC)

DIANE BEAMER, M.P.,  
Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

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Clause 1 City of Wollongong Local Environmental Plan 1990 (Amendment No 207)

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## **City of Wollongong Local Environmental Plan 1990 (Amendment No 207)**

### **1 Name of plan**

This plan is *City of Wollongong Local Environmental Plan 1990 (Amendment No 207)*.

### **2 Aims of plan**

The aim of this plan is to omit a provision of the *City of Wollongong Local Environmental Plan 1990* that permits certain development near zone boundaries where it would otherwise be prohibited.

### **3 Land to which plan applies**

This plan applies to all land within the City of Wollongong under the *City of Wollongong Local Environmental Plan 1990*.

### **4 Amendment of City of Wollongong Local Environmental Plan 1990**

The *City of Wollongong Local Environmental Plan 1990* is amended as set out in Schedule 1.

City of Wollongong Local Environmental Plan 1990 (Amendment No 207)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

**[1] Clause 33 Advertised development**

Omit clause 33 (b).

**[2] Clause 38A Development near zone boundaries**

Omit the clause.

**[3] Clause 42**

Insert after clause 41:

**42 Continued operation of cl 38A to certain development applications**

Clause 38A, as in force immediately before its repeal by *City of Wollongong Local Environmental Plan 1990 (Amendment No 207)*, continues to have effect in relation to any development application made before that repeal as if that clause had not been repealed.



## **City of Wollongong Local Environmental Plan 1990 (Amendment No 213)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (W97/00115/S69)

DIANE BEAMER, M.P.,  
Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

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Clause 1 City of Wollongong Local Environmental Plan 1990 (Amendment No 213)

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## **City of Wollongong Local Environmental Plan 1990 (Amendment No 213)**

### **1 Name of plan**

This plan is *City of Wollongong Local Environmental Plan 1990 (Amendment No 213)*.

### **2 Aims of plan**

This plan aims to rezone the land to which this plan applies from Zone No 1 (Non-Urban Zone) to partly Zone No 2 (a1) (Special Low Density Residential Zone) and partly Zone No 7 (b) (Environmental Protection Conservation Zone) under *City of Wollongong Local Environmental Plan 1990* in order to allow for residential development while ensuring that the environmental significance of the riparian corridor is maintained.

### **3 Land to which plan applies**

This plan applies to land situated in the City of Wollongong, being Lot A, DP 341708, O'Briens Road, Figtree, as shown edged heavy black on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 213)" deposited in the office of the Council of the City of Wollongong.

### **4 Amendment of City of Wollongong Local Environmental Plan 1990**

*City of Wollongong Local Environmental Plan 1990* is amended as set out in Schedule 1.

City of Wollongong Local Environmental Plan 1990 (Amendment No 213)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 6 Definitions

Insert in appropriate order in the definition of *the map* in clause 6 (1):

City of Wollongong Local Environmental Plan 1990  
(Amendment No 213)

### [2] Schedule 3A Prohibited development

Insert at the end of the Schedule:

Lot A, DP 341708 abutting O'Briens Road, Figtree, as shown edged heavy black on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 213)" and zoned 7 (b) (Environmental Protection Conservation Zone).

Any land use that is allowed only because of clause 38A.

### [3] Schedule 5 Restricted development

Insert at the end of the Schedule:

Lot A, DP 341708 abutting O'Briens Road, Figtree, as shown edged heavy black on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 213)" deposited in the office of the Council of the City of Wollongong.

Buildings used in conjunction with agriculture, dwelling-houses, educational establishments, granny flats, home employment, mines and restaurants.

The buildings must not be on land shown as "riparian corridor" on the map described in Column 1.

# Department of Lands and Rural Affairs

## Lands

### GOULBURN OFFICE

#### Department of Lands and Rural Affairs

159 Auburn Street (PO Box 748), Goulburn, NSW 2580

Phone: (02) 4828 6725 Fax: (02) 4828 6730

#### ROADS ACT 1993

##### ORDER

Transfer of Crown Road to a Council

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

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

##### SCHEDULE 1

*Parish – Marulan; County – Argyle;  
Land District – Goulburn; Shire – Mulwaree.*

Description: Part Crown public road on the eastern boundary of Lot 7, DP 588696, for a distance of about 65 metres from the south eastern corner of that lot (shown hatched on diagram below).



##### SCHEDULE 2

Roads Authority: The Council of the Shire of Mulwaree.

Council's Reference: 2003/187/DA.

File No.: GB03 H 117.

#### ROADS ACT 1993

##### ORDER

Transfer of Crown Road to a Council

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

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

##### SCHEDULE 1

*Parish – Wayo; County – Argyle  
Land District – Goulburn; Shire – Mulwaree.*

Description: Crown road north of Lots 84 and 85, DP 750054 (as shown in diagram hatched below).



##### SCHEDULE 2

Roads Authority: Mulwaree Shire Council.

Council's Reference: 989/128.

File No.: GB03 H 130.

**GRAFTON OFFICE**  
**Department of Lands and Rural Affairs**  
**76 Victoria Street (Locked Bag 10), Grafton, NSW 2460**  
**Phone: (02) 6640 2000 Fax: (02) 6640 2035**

**DEPARTMENT OF LANDS & RURAL AFFAIRS**

PLAN OF MANAGEMENT FOR A CROWN RESERVE  
 UNDER DIVISION 6 OF PART 5 OF THE CROWN LANDS  
 ACT 1989 AND CROWN LANDS REGULATION 2000

A DRAFT plan of management has been prepared for the Crown reserve described hereunder, which is under the trusteeship of the Tweed Heads (R59360) Reserve Trust.

Inspection of the draft plan can be made at:

1. Department of Lands & Rural Affairs  
76 Victoria Street, Grafton NSW 2460;
2. Tweed Shire Council Civic Centre  
Tumbulgum Rd, Murwillumbah NSW 2484;
3. Tweed Shire Council Civic Centre  
Brett St, Tweed Heads NSW 2485;

during normal business hours.

Representations are invited from the public on the draft plan. These may be made in writing for a period of 28 days commencing from 12 May 2003 and should be sent to the Land Access Manager, Department of Lands & Rural Affairs, Locked Bag 10, Grafton NSW 2460.

Tony Kelly, MLC,  
Minister Assisting the Minister for Natural  
Resources (Lands)

—————  
 DESCRIPTION OF RESERVE

Land District: Grafton

Parish: Terranora

Reserve 59360 notified in the *Government Gazette* of 3 December 1926 comprising Lot 319 DP 755740.

Location: Tweed Heads West

File No: GF03 R 11

Local Government Area: Tweed

County: Rous

Public Purpose: Public Recreation

—————

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

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

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

—————  
 SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Lachlan Francis McLEOD.	Yamba Pilot Station (R8920) Reserve Trust.	Reserve No.: 8920. Public Purpose: Pilot Station. Notified: 4 May 1889. File No.: GF01 R 56.

Term of Office

For a term commencing 15 May 2003 and expiring  
14 November 2003.

**MAITLAND OFFICE**  
**Department of Lands and Rural Affairs**  
**Cnr Newcastle Road & Banks Street (PO Box 6), East Maitland, NSW 2323**  
**Phone: (02) 4934 2280 Fax: (02) 4934 2252**

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

A DRAFT assessment has been prepared for Crown land situated as described hereunder.

Inspection of this draft assessment during normal business hours may be made at the following listed locations.

Department of Lands, Cnr Banks & Newcastle Road, East Maitland

Wyang Shire Council, Hely Street, Wyong.

Submissions in writing will be accepted by the Manager Resource Knowledge of the Newcastle Regional Office, Department of Sustainable Natural Resources, 464 King Street, Newcastle West 2302 until 4 p.m on 16 May 2003.

CRAIG KNOWLES, M.P.,  
Minister for Natural Resources

Description

Draft assessment of Crown land being land below the mean high water mark of Wyong River fronting lot 49 DP 10543 at Golding Grove Wyong, about 40 square metres, Parish Munmorah, County Northumberland. The Department of Lands is considering a waterfront licence application.

Land Assessment Number 561

File number MD 02 H 244.

**ESTABLISHMENT OF RESERVE TRUST**

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

ANTHONY BERNARD KELLY, M.L.C.,  
Minister Assisting the Minister for Natural Resources (Lands)

SCHEDULE

<p>COLUMN 1 Port Stephens Council Crown Reserves Trust</p>	<p>COLUMN 2 Reserve No. 87084 Public Purpose: Public Recreation Notified: 21 February 1969 Reserve No. 83850 Public Purpose: Public Recreation Access Notified: 1 June 1962 File Reference: MD94R14</p>
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**REVOCATION OF RESERVATION OF CROWN LAND**

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

ANTHONY BERNARD KELLY, M.L.C.,  
Minister Assisting the Minister for Natural Resources (Lands)

SCHEDULE

<p>COLUMN 1 Land District: Maitland Local Government Area: Maitland Locality: East Maitland Reserve No: 93661 Public Purpose: Future Public Requirements Notified: 26 September 1980 File Reference: MD01H61</p>	<p>COLUMN 2 The part being within: Lot 398 DP 755237 Parish: Maitland County: Northumberland Area: 3945 square metres</p>
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(Note: Land is to be sold by way of private treaty).

**DISSOLUTION OF RESERVE TRUST**

PURSUANT to section 92(3) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, which was established in respect of the reserve specified opposite thereto in Column 2 of the Schedule, is dissolved.

ANTHONY BERNARD KELLY, M.L.C.,  
Minister Assisting the Minister for Natural Resources (Lands)

SCHEDULE

<p>COLUMN 1 Dutchmans Bay (R83850) Reserve Trust</p>	<p>COLUMN 2 Reserve No. 83850 Public Purpose: Public Recreation Access Notified: 1 June 1962 File Reference: MD86R3</p>
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**APPOINTMENT OF CORPORATION TO MANAGE  
RESERVE TRUST**

ra150

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.

ANTHONY BERNARD KELLY, M.L.C.,  
Minister Assisting the Minister for Natural  
Resources (Lands)

**NOTIFICATION OF CLOSING OF ROAD**

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

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for Natural  
Resources (Lands)

**SCHEDULE**

COLUMN 1	COLUMN 2	COLUMN 3
Port Stephens Council	Port Stephens Council Crown Reserves Trust	Reserve No. 83850 Public Purpose: Public Recreation Access Notified: 1 June 1962 Reserve No. 87084 Public Purpose: Public Recreation Notified: 21 February 1969 File Reference: MD94R14

For a term commencing this day.

**Description**

*Parish – Hexham; County – Northumberland;  
Land District – Newcastle;  
Local Government Area – Newcastle*

Road Closed: Lot 1, DP1031523 at Black Hill (not being land under the Real Property Act).

File Reference: MD 97 H 260

Note: On closing the land within Lot 1, DP1031523 will remain land vested in Newcastle City Council as operational land.  
(Council's Reference 13/79183/ - /04).

**NOWRA OFFICE**  
**Department of Lands and Rural Affairs**  
**5 O'Keefe Avenue (PO Box 309), Nowra, NSW 2541**  
**Phone: (02) 4428 6900 Fax: (02) 4428 6988**

**ROADS ACT, 1993**

Order

Transfer of a Crown Road to a Council

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

ANTHONY BERNARD KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands).

Description

*Land District – Moruya; Council – Eurobodalla Shire;  
 Parish – Nerrigundah; County – Dampier*

Schedule 1

The Crown public road near Nerrigundah, adjoining the southeastern boundary of lot 106 DP752156 and within lot 1 DP876715, commencing fifty (50) metres southwest from the intersection of the eastern boundary of lot 106 DP752156 (aforesaid) with the Crown public road, then in a northeastern direction thence southeast to the Council public road. Ref. NA03H41.

Schedule 2

Roads Authority: Eurobodalla Shire Council.

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

PURSUANT to section 84 of the Crown Lands Act 1989, the dedication of Crown land specified in Column 1 of the Schedule hereunder is revoked to the extent specified opposite thereto in Column 2 of the Schedule.

TONY KELLY, MLC,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Nowra	The part being
Local Government Area: Shoalhaven City Council	Lot D.P. No. Parish County 7034 1031852 Nowra St Vincent
Locality: Nowra	of an area of 2135m2
Dedication No. 580056	
Public Purpose: Public Recreation	
Notified: 17 October 1876	
Lot D.P. No. Parish County 7031 1016687 Nowra St Vincent	
7032 1002793 Nowra St Vincent	
7034 1031852 Nowra St Vincent	
File Reference: NA02R17	
Notes: Lot 7034 DP 1031852 was notified as Reserve 1003208 for Community Purposes this day.	

**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.

TONY KELLY, MLC,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Nowra	Reserve No. 1003208
Local Government Area: Shoalhaven City	Public Purpose: Community Purposes.
Locality: Nowra	
Lot DP No. Parish County 7034 1031852 Nowra St Vincent	
Area: 2135m2	
File Reference: NA 02 R 17	
NOTES: Being the lot revoked from Dedication (D.580056) for Public Recreation, this day.	

**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.

TONY KELLY, MLC,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Shoalhaven City Council	Shoalhaven Street (R1003208) Reserve Trust	Reserve 1003208 Public Purpose: Community Purposes Notified: 9 May 2003 File Reference: NA02R17

For a term commencing this day.

**ESTABLISHMENT OF RESERVE TRUST**

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

TONY KELLY, MLC,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

SCHEDULE

COLUMN 1	COLUMN 2
Shoalhaven Street (R1003208) Reserve Trust	Reserve 1003208 for Community Purposes Notified 9 May 2003 Locality: Nowra File No.: NA03 R 17



**ORANGE OFFICE**  
**Department of Lands and Rural Affairs**  
**92 Kite Street (PO Box 2146), Orange NSW 2800**  
**Phone: (02) 6393 4300 Fax: (02) 6362 3896**

**ROADS ACT 1993****ORDER**

Transfer of Crown Road to a Council

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

**SCHEDULE 1**

The Crown public road being Lot 17 in Deposited Plan 1033361 in Parish Wyndham, County Georgiana and Land District of Lithgow.

File Reference: OE01H109.

**SCHEDULE 2**

Road Authority: Oberon Council

Council reference: R256.1.

**SYDNEY METROPOLITAN OFFICE**  
**Department of Lands and Rural Affairs**  
**Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta 2150**  
**(PO Box 3935), Parramatta, NSW 2124**  
**Phone: (02) 9895 7657 Fax: (02) 9895 6227**

**NOTIFICATION OF CLOSING OF ROADS**

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

**Descriptions**

*Land District – Penrith; L.G.A. – Blacktown*

Lot 1, DP 1047079 at Mt Druitt, Parish Rooty Hill, County Cumberland.

MN02H85

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

**Descriptions**

*Land District – Metropolitan; L.G.A. – Blacktown*

Lots 1 and 2, DP 1051926 at Blacktown, Parish Prospect, County Cumberland.

MN02H212

- Notes: 1. On closing, titles for the land in lots 1 & 2 remain vested in Blacktown City Council as operational land.
2. Lot 1 is limited in stratum.
3. The road is closed subject to the easement for underground cables 1 metre wide as shown in DP 1051926.

**Descriptions**

*Land District – Metropolitan; L.G.A. – City of Sydney*

Lot 1, DP 1051056 at Darling Harbour, Parish St. Philip, County Cumberland.

MN02H225

Note: On closing, title for the land in lot 1 remains vested in City of Sydney Council as operational land.

**TAREE OFFICE**  
**Department of Lands and Rural Affairs**  
**102-112 Victoria Street (PO Box 440), Taree, NSW 2430**  
**Phone: (02) 6552 2788 Fax: (02) 6552 2816**

**ASSIGNMENT OF NAME TO A RESERVE TRUST**

PURSUANT to clause 4(3) of Schedule 8 to the Crown Lands Act 1989, the name specified in Column 1 of the Schedule hereunder is assigned to the reserve trust constituted as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

**SCHEDULE**

COLUMN 1	COLUMN 2
Kempsey Kindergarten Reserve (R97333) Trust	Reserve No: 97333 Public Purpose: Kindergarten Notified: 29 June 1984 Parish: Kalateenee County: Dudley
File: TE03R27	

**SCHEDULE 1**

Australian Boy Scout Association, New South Wales Branch

**SCHEDULE 2**

Karuah Boy Scouts (R91430) Reserve Trust  
 Taree Boy Scouts (R90092) Reserve Trust

**SCHEDULE 3**

Reserve No: 91430  
 Public Purpose: Boy Scouts  
 Notified: 12 April 1979  
 File Reference: TE80R211

Reserve No: 90092  
 Public Purpose: Boy Scouts  
 Notified: 7 April 1972  
 File Reference: TE89R40

**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.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

**Description**

*Parish – Macquarie; County – Macquarie;  
 Land District – Port Macquarie;  
 Local Government Area – Hastings*

Road being Lot 1 DP1050775

Note: On closing the land within the former road remains vested in Hastings Council as operational land.

TE01 H 209 Council Ref: DA2001/0420.

**REMOVAL FROM OFFICE OF CORPORATION  
 MANAGER OF RESERVE TRUST**

PURSUANT to section 96(2) of the Crown Lands Act 1989, the corporation specified in Schedule 1 hereunder is removed from the office of manager of the reserve trusts specified in Schedule 2, which is trustee of the reserves referred to in Schedule 3.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

**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.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

**SCHEDULE**

Column 1	Column 2	Column 3
Karuah Progress Association Incorporation	Karuah Boy Scouts (R91430) Reserve Trust	Reserve No: 91430 Public Purpose: Boy Scouts Notified: 12 April 1979 File TE80R211
Greater Taree City Council	Taree Boy Scouts (R90092) Reserve Trust	Reserve No: 90092 Public Purpose: Boy Scouts Notified 7 April 1972 File: TE89R40
Greater Taree City Council	Greater Taree Community Reserves Reserve Trust	Reserve No: 700029 Public Purpose: Public Recreation and Community Purposes Notified: 16 May 1997 File TE97R9

## Department of Mineral Resources

NOTICE is given that the following applications have been received:

### EXPLORATION LICENCE APPLICATIONS

(T03-0046)

No. 2091, GOLDEN CROSS OPERATIONS PTY LTD (ACN 050 212 827), area of 6 units, for Group 1, dated 29 April 2003. (Sydney Mining Division).

(T03-0047)

No. 2092, MINEX (SA) PTY LTD (ACN 091 546 691), area of 50 units, for Group 1, dated 29 April 2003. (Broken Hill Mining Division).

(T03-0048)

No. 2093, MORELLO EARTHMOVING PTY LTD (ACN 055 015 051), area of 20 units, for Group 2, dated 30 April 2003. (Broken Hill Mining Division).

(T03-0049)

No. 2094, RUSSELL ROBERTS, area of 1 unit, for Group 1, dated 1 May 2003. (Orange Mining Division).

(T03-0050)

No. 2095, BASIN MINERALS HOLDINGS PTY LTD (ACN 078 944 564), area of 114 units, for Group 10, dated 1 May 2003. (Broken Hill Mining Division).

(T03-0051)

No. 2096, THE AUSTRAL BRICK COMPANY PROPRIETARY LIMITED (ACN 000 005 550), area of 33 units, for Group 5, dated 2 May 2003. (Sydney Mining Division).

The Honourable KERRY HICKEY, M.P.,  
Minister for Mineral Resources

NOTICE is given that the following applications have been granted:

### EXPLORATION LICENCE APPLICATIONS

(T02-0443)

No. 2014, now Exploration Licence No. 6070, BROKEN HILL OPERATIONS PTY LTD (ACN 054 920 893), County of Yancowinna, Map Sheet (7134), area of 25 units, for Group 1, dated 28 April 2003, for a term until 27 April 2005.

(T02-0444)

No. 2015, now Exploration Licence No. 6072, SIPA EXPLORATION NL (ACN 056 446 890), County of Yancowinna, Map Sheet (7234), area of 14 units, for Group 1, dated 1 May 2003, for a term until 30 April 2005.

(T02-0446)

No. 2017, now Exploration Licence No. 6067, BOHUON RESOURCES PTY LTD (ACN 102 533 817) and SOUTHERN CROSS EXPLORATION NL (ACN 000 716 012), County of Narromine, Map Sheet (8433, 8434, 8533, 8534), area of 25 units, for Group 1 and Group 2, dated 9 April 2003, for a term until 8 April 2005.

(T02-0455)

No. 2025, now Exploration Licence No. 6069, MUDGEY STONE CO. PTY LIMITED (ACN 100 974 365), County of Westmoreland, Map Sheet (8830), area of 1 unit, for Group 2, dated 11 April 2003, for a term until 10 April 2005.

(T02-0472)

No. 2039, now Exploration Licence No. 6068, EQUIGOLD NL (ACN 060 235 145), Counties of Bourke, Cooper and Gipps, Map Sheet (8230), area of 53 units, for Group 1, dated 11 April 2003, for a term until 10 April 2005.

The Honourable KERRY HICKEY, M.P.,  
Minister for Mineral Resources

NOTICE is given that the following applications have been withdrawn:

### EXPLORATION LICENCE APPLICATIONS

(T02-0452)

No. 2023, HERRESHOFF HOLDINGS PTY LTD (ACN 102 346 627), County of Phillip, County of Roxburgh and County of Wellington, Map Sheet (8832). Withdrawal took effect on 30 April 2003.

(T03-0042)

No. 2087, SIPA EXPLORATION NL (ACN 056 446 890), County of Yancowinna, Map Sheet (7233). Withdrawal took effect on 1 May 2003.

The Honourable KERRY HICKEY, M.P.,  
Minister for Mineral Resources

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

(T93-1008)

Exploration Licence No. 4846, PETER DAVID TIMMS, area of 1 unit. Application for renewal received 28 April 2003.

(C96-2388)

Exploration Licence No. 5306, BICKHAM COAL COMPANY PTY LIMITED (ACN 087 270 899), area of 3040 hectares. Application for renewal received 17 April 2003.

(T98-1080)

Exploration Licence No. 5574, STRAITS EXPLORATION (AUSTRALIA) PTY LTD (ACN 061 614 695), area of 46 units. Application for renewal received 2 May 2003.

(C00-1585)

Exploration Licence No. 5888, BICKHAM COAL COMPANY PTY LIMITED (ACN 087 270 899), area of 2040 hectares. Application for renewal received 17 April 2003.

The Honourable KERRY HICKEY, M.P.,  
Minister for Mineral Resources

**RENEWAL OF CERTAIN AUTHORITY**

NOTICE is given that the following authority has been renewed:

(C98-0305)

Exploration Licence No. 5701, EARTH TECHNICS PTY LTD (ACN 002 406 797), County of Northumberland, Map Sheet (9132), area of 97.5 hectares, for a further term until 17 February 2005. Renewal effective on and from 29 April 2003.

The Honourable KERRY HICKEY, M.P.,  
Minister for Mineral Resources

**CANCELLATION OF AUTHORITY AT REQUEST OF HOLDER**

NOTICE is given that the following authority has been cancelled:

(T94-0248)

Exploration Licence No. 4824, VULCAN MINES PTY LTD (ACN 002 555 446), County of Wynyard, Map Sheet (8527), area of 19 units. Cancellation took effect on 29 April 2003.

The Honourable KERRY HICKEY, M.P.,  
Minister for Mineral Resources

## Department of Sustainable Natural Resources

### SUBORDINATE LEGISLATION ACT 1989

NOTICE is given under the Subordinate Legislation Act 1989 of the Department's intention to make a Regulation under the Water Management Act 2000. This is a new regulation.

The proposed Water Management (Access Licences and Approvals) Regulation 2003, regulates the making of applications for licences and approvals, categories of licences and their priorities, the registers of access licences, available water determinations and approvals, water allocation accounts, exemptions from the requirement for an access licence or approval, advertising of applications, procedure for making objections and security deposits.

Copies of the draft Regulation and the Regulatory Impact Statement may be obtained from Mr Allan Mooy, Water Management Act Implementation Division, 33 Bridge Street, Sydney. Telephone: (02) 9228 6558. Fax: (02) 9228 6122, or website [www.dsnr.nsw.gov.au/](http://www.dsnr.nsw.gov.au/).

Submissions are invited and should be sent to the contact officer by 1 June 2003.

CHRIS GUEST,  
Acting Director General,  
Department of Sustainable Natural Resources.

### 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 licences under Section 10 of Part 2 of the Water Act 1912, has been received as follows:

#### *Murray River Valley*

David Phillip KIRWAN for 2 pumps on Dights Creek, on Lots 10/2540 and 11/2540, Parish of Bungowannah, County of Hume, for irrigation purposes (replacement licence due to a permanent transfer of water) (Reference: 50SL075557) (GA2:494934).

Nelson D. McINTOSH and Kathleen A. McINTOSH for a pump on the Murray River, on Lot 262/753744, Parish of Howlong, County of Hume, for stock and irrigation purposes (replacement licence due to a permanent transfer of water) (Reference: 50SL075551) (GA2:494933).

Any inquiries regarding the above should be directed to the undersigned (telephone: [02] 6041 6777).

Written objections to the applications specifying the grounds thereof, may be made by any statutory authority or local occupier within the proclaimed area whose interests may be affected, must be lodged with the Department's Office at Albury by no later than 6 June 2003.

C. PURTLE,  
Natural Resource Officer (Access),  
Murray Region.

Department of Sustainable Natural Resources,  
PO Box 829, Albury, NSW 2640.

### 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 licences under section 10 of Part 2 of the Water Act 1912, have been received as follows:

#### *Murray River Valley*

Deborah Louise WARNE for a pump on Eagle Creek on Lot 343, DP 800259, Parish of Nunnagoyt, County of Wakool, for water supply for stock and domestic purposes and irrigation (replacement licence due to a permanent transfer) (Reference: 50SL75556) (GA2:477265).

CONSTRUCT CO DEVELOPMENTS PTY LTD for a pump on the Murray River on Lot 8, DP 270076, Parish of Benarca, County of Cadell, for water supply for domestic purposes and irrigation (new licence due to a permanent transfer) (Reference: 50SL75558) (GA2:477266).

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

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

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

Department of Sustainable Natural Resources,  
PO Box 205, Deniliquin, NSW 2710.

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

A DRAFT assessment has been prepared for Crown land situated as described hereunder.

Inspection of this draft assessment during normal business hours may be made at the following listed locations.

Department of Lands, Cnr Banks & Newcastle Road, East Maitland

Lake Macquarie City Council Main Road Speers Point.

Submissions in writing will be accepted by the District Manager of the Department of Lands at the address shown above until 4 p.m. on 6 June 2003.

TONY KELLY, M.L.C.,  
Minister assisting the Minister for Natural  
Resources (Lands)

## Description

Draft assessment of Crown land below the mean high water mark of Dora Creek fronting Lots 27 & 28 DP 16770 and Lots 31 & 32 DP 21403, about 76 square metres. The Department of Lands is considering 3 licence applications for waterfront structures.

Land Assessment Number 581

file numbers MD 02 H 314, MD 02 H 348 & MD 03 H 18.

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,  
Water Access Manager  
Murrumbidgee Region

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

**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 license under Section 10 for works within a proclaimed (declared) local area as generally described hereunder has been received from:

*Murrumbidgee Valley*

Ian Robinson HOPE and Michael HOPE for a pump on Tarcutta Creek, lot 118 DP45408, Parish of Borambula, County of Wynyard for a water supply for stock purposes and irrigation of 10 Ha (pasture). Replacement license to alter pump site only. No increase in area or allocation. (Reference: 40SL70894).

Any enquiries regarding the above should be directed to the undersigned (telephone 0269 530700).

**WATER ACT 1912**

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

*Murrumbidgee Valley*

KIZQUEMPTY LIMITED for a bore on Lot 1 DP784502, Parish of Nelanglo, County of King for a water supply for stock and the irrigation of 14 hectares (Pastures). New License. Reference: 40BL189458.

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 6th June, 2003 as prescribed by the Act.

S.F. WEBB,  
Resource Access Manager  
Murrumbidgee Region

Department of Sustainable Natural Resources  
PO Box 156, LEETON NSW 2705

## Roads and Traffic Authority

### ROADS ACT 1993

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

Bankstown City Council, in pursuance of Division 2 of Part 3 of the Road Transport (Mass, Loading, 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.

Stephen Brown  
Traffic Engineer  
Bankstown City Council  
(by delegation from the Minister for Roads)

7 May 2003

#### Schedule

#### 1. Citation

This Notice may be cited as the Bankstown City Council B-Double Notice No 1/ 2003.

#### 2. Commencement

This Notice takes effect from the date of gazettal.

#### 3. Effect

This Notice remains in force until 1 July 2005 unless it is amended or repealed earlier.

#### 4. Application

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

#### 5. Routes

##### B-Double routes within the Bankstown City Council

Type	Road	Starting point	Finishing point	Condition
25	Miller Rd, Villawood	Christina St	Biloela St	
25	Biloela St, Villawood	Miller Rd	1 <sup>st</sup> Fleet Site, 44 Biloela St, Villawood	Exit must be via Miller Rd, Christina Rd to Woodville Rd

**ROADS ACT 1993**

Order – Section 31

Fixing or Varying of Levels of part of the Newell Highway  
north of Moree in the Moree Plains Shire Council area

The Roads and Traffic Authority of New South Wales, by this Order under section 31 of the Roads Act 1993, fixes or varies the levels of part of State Highway No 17 – Newell Highway between 68.68 km to 69.07 km north of Moree, as shown on Roads and Traffic Authority Plan No 0017.291.RC.0018.

P.DEARDEN  
Project Services Manager  
Roads and Traffic Authority of New South Wales  
51-55 Currajong Street  
Parkes NSW 2870

(RTA Papers FPP 291.5357; RO 17/291.1273)



## Other Notices

### CONTAMINATED LAND MANAGEMENT ACT 1997 – Section 21

Declaration of Remediation Site

Declaration Number 21046

THE Environment Protection Authority (EPA) declares the following land to be a remediation site under the Contaminated Land Management Act 1997 ('the Act'):

1. Land to which this declaration applies ('the site')

The site incorporates the following areas:

- 772 Pacific Highway, Marks Point, NSW, comprising Lots 9 and 10 of Deposited Plan 9926, known locally as the Mobil service station, Marks Point;
- 770 Pacific Highway, Marks Point, NSW, comprising Lot A of Deposited Plan 349778; and
- 768 Pacific Highway Marks Point, NSW, comprising Lot B of Deposited Plan 349778.

in the local government area of Lake Macquarie.

2. Nature of the substances causing the contamination ('the contaminants'):

Total petroleum hydrocarbons (TPHs) and benzene, toluene, ethyl benzene and xylenes (BTEX) in groundwater at the site.

3. Nature of harm that the substance may cause:

The EPA has considered the matters in s.9 of the Act and has found that

- TPHs and BTEX have been identified in the groundwater at the site and would not be expected to occur naturally at the site;
- The concentrations of BTEX in groundwater at the site exceed relevant criteria for the protection of aquatic ecosystems and drinking water quality;
- Groundwater at the site is contaminated with separate phase hydrocarbons; and
- Hydrocarbon contaminated groundwater has migrated from the Mobil service station on to adjoining land within the site and may potentially migrate beyond the site on to adjacent premises.

The EPA has found that the site is contaminated in such a way as to present a significant risk of harm to human health and the environment. In particular:

- Benzene is a known carcinogen;
- Harm may be caused to humans through exposure to the hydrocarbon contamination which may arise from excavations within the site or accidental contact or ingestion of groundwater from residential water bores;
- Harm may be caused to humans through accidental inhalation of volatile vapours, including benzene, which may accumulate in confined spaces such as trenches, pipes, within buildings and in voids beneath buildings; and
- There is a potential risk of explosion should volatile vapours accumulate in any confined spaces.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary remediation of the site and any person may submit a voluntary remediation proposal for the site to the EPA. If the proposal satisfies the requirements of s.26 of the Act, the EPA may agree not to issue a remediation order to the person or persons bringing the proposal.

5. Submissions invited

The EPA advises that the public may make written submissions to the EPA on:

- Whether the EPA should issue a remediation order in relation to the site or
- Any other matter concerning the site.

Submissions should be made in writing to:

Acting Director Contaminated Sites  
Environment Protection Authority  
PO Box A290  
SYDNEY SOUTH NSW 1232

or faxed to: 02 9995 5930

by not later than 6 June 2003

Carolyn Strange  
Acting Director Contaminated Sites  
Environment Protection Authority  
(by Delegation)

Date: 9 May 2003

NOTE:

Remediation order may follow

If remediation of the site or part of the site is required, the EPA may issue a remediation order under s.23 of the Act.

Variation/Revocation

This declaration remains in force until it is otherwise varied or revoked. A declaration may only be revoked when the EPA does not have reasonable grounds to believe that land is contaminated in such a way as to present a significant risk of harm (s.44 of the Act).

Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation declaration will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to inform the relevant local council that this declaration has been made, as soon as practicable. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently within a remediation area. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s149 (2) certificate should be removed.

**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:

Forbes, 10:00 a.m., 7 and 8 May 2003 (2 days).

Dated this 28th day of April 2003.

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:

Coonamble, 10:00 a.m., 9 February 2004 (3 weeks) (in lieu of 16 February 2004).

Dated this 2nd day of May 2003.

R. O. BLANCH,  
Chief Judge

**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., 7 October 2003 (5 weeks).

Dated this 2nd day of May 2003.

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:

Dubbo, 10:00am, 19 April 2004 (2 weeks) (in lieu of 24 May 2004).

Dated this 2nd day of May 2003.

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:

Parkes, 10:00 a.m., 26 April 2004 (3 weeks) (in lieu of 24 May 2004).

Dated this 2nd day of May 2003.

R. O. BLANCH,  
Chief Judge

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Office of the Commissioners of Inquiry for Environment and Planning

Notice of Commission of Inquiry into the proposed Remediation of the former Lednez site Canada Bay Local Government Area and part of the bed of Homebush Bay

PURSUANT to section 119 of the Environmental Planning and Assessment Act 1979, the Honourable Dr Andrew Refshauge, Deputy Premier and former Minister for Planning directed that a Commission of Inquiry be held with respect to 'all environmental aspects' of the proposed remediation of the former Lednez site at 40 Walker Street (Lot 10, DP1007931), Canada Bay local government area, and part of the bed of Homebush Bay (part residual lands comprised in Certificate of Title Volume 5018, Folio 1).

The former Minister for Planning appointed Commissioner Kevin Cleland, Deputy Chairperson to constitute the Commission of Inquiry. The Commissioners of Inquiry are independent of Government and its departments/agencies and Council.

The Honourable Craig Knowles, MP, Minister for Infrastructure and Planning and Minister for Natural Resources will determine the matter after considering the findings and recommendations of the Commission of Inquiry. Each party appearing before the Inquiry will be advised of the Commission's findings and recommendations.

**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:

Bourke, 10:00 a.m., 17 May 2004 (3 weeks) (in lieu of 19 April 2004).

Dated this 2nd day of May 2003.

R. O. BLANCH,  
Chief Judge

**INQUIRY SESSIONS:** The Inquiry will be held in the Hearing Room, Office of the Commissioners of Inquiry, Level 13, 301 George Street, Sydney and will be open to the public. It will be conducted in two sessions. The first session (primary submissions) will commence at 9:30am, Wednesday 11 June 2003 and continue as required. The second session (date to be advised at first session) is for the purpose of enabling parties to sum up their primary submissions and/or respond to submissions made by other parties to the first session.

**LODGING SUBMISSIONS AND REGISTERING FOR APPEARANCE:** Persons seeking to make a submission to the Commission of Inquiry are required to register by sending **FOUR COPIES** of their submission in writing, together with any supporting submissions to the Office of the Commissioners of Inquiry (GPO Box 3415, Sydney 2001) by 1:00pm, Wednesday 28 May 2003.

Submissions to the Inquiry are public documents and will be placed on public exhibition.

Please indicate in your submission if you wish to appear before the Commission of Inquiry and the estimated time necessary to present your submission.

**Note:** Submissions received by the Department of Urban and Transport Planning in relation to the Environmental Impact Statement will be considered as submissions to the Inquiry. Parties who have made these submissions will be notified by letter as to the procedures of the Inquiry. These parties need to notify the Commission if they wish to appear before the Inquiry.

**INSPECTING DOCUMENTS:** Any person may inspect the Development Application, Environmental Impact Statement and related documents from 2:00pm, Monday 28 April 2003 and submissions to the Inquiry from 2:00pm, Monday 2 June 2003 at the following locations:

- Office of the Commissioners of Inquiry, Level 13, 301 George Street, Sydney;
- Drummoyne Citizen Service Centre, City of Canada Bay, 1a Marlborough Street, Drummoyne; and
- Concord Area Library Service, 283 Concord Road, Concord.

**LODGING QUESTIONS:** Questions directed to other parties' submissions must be in writing. Questions must be submitted to the relevant party and a copy to Mrs Paula Poon, Office of the Commissioners of Inquiry, on a date to be advised at the Inquiry.

**RESPONSES:** Responses to questions are required to be submitted in writing direct to the relevant party and a copy to Mrs Paula Poon on a date to be advised at the Inquiry.

Further information on the preparation of submissions and conduct of the Inquiry is available on the Internet at <http://www.coi.nsw.gov.au> or from Mrs Paula Poon on (02) 9299 2904.

PAUL FREEMAN,  
Registrar

## ERRATUM

IN the *Government Gazette* of 25 August, 2000, folio 8425, under the heading of "Notification of Closing of Road" in the Land District of Metropolitan, the description where it states "(being land under the Real Property Act, Certificates of Title 926-180)" is amended to read "(being land under the Real Property Act, Certificate of Title, Volume 1090 Folio 8)". File No.NA99H34.

ANTHONY BERNARD KELLY, M.L.C.,  
Minister Assisting the Minister for Natural  
Resources (Lands)

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## GEOGRAPHICAL NAMES ACT 1966

Notice of Proposal to Amend a Suburb Boundary and Change the Designation of a Geographical Name within Hornsby Shire

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it seeks public comment on a proposal to amend the boundary between Arcadia and Fiddletown, increasing the extent of the suburb Arcadia to include Fiddletown, as shown on map GNB3707/B. The map may be viewed at Hornsby Shire Council Administrative Centre, Works Division 3rd floor, Hornsby Library, Galston Library, Pennant Hills Library, the Post Offices at Galston, Dural and Glenorie, and the office of the Geographical Names Board, Land and Property Information, Panorama Avenue, Bathurst.

SUBSEQUENT to the possible inclusion of Fiddletown into Arcadia the Board seeks public comment on a proposal to retain the name Fiddletown as an unbounded feature with the designation Rural Place.

Any person wishing to make comment upon this proposal may within one (1) month of the date of this notice write to the Secretary of the Board with that comment.

WARWICK WATKINS,  
Chairperson

Geographical Names Board  
PO Box 143  
BATHURST NSW 2795

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## GEOGRAPHICAL NAMES ACT 1966

### ERRATUM

IN the notices referring to the proposal and determination of locality boundaries in Bombala Council area in the *Government Gazettes* of 12 July 1996, folio 4031 and 16 August 1996, folio 4666, the name Bocco was misspelt. It should have read Boco.

WARWICK WATKINS,  
Chairperson

Geographical Names Board  
PO Box 143  
BATHURST NSW 2795

**HERITAGE ACT 1977**

Interim Heritage Order No. 00076

IN pursuance of section 24 of the Heritage Act 1977, I, the Minister assisting the Minister for Infrastructure and Planning (Planning Administration) do, by this my order:

- (i) make an interim heritage order in respect of the item of the environmental heritage specified or described in Schedule A; and
- (ii) declare that the interim heritage order shall apply to the curtilage or site of such item, being the land described in Schedule B.

DIANE BEAMER,

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

Sydney, 7 May, 2003

## Schedule A

The property known as 'The Evatt House', situated at 69 Junction Road, Wahroonga, on the land described in Schedule 'B'.

## Schedule B

All those pieces or parcels of land known as Lots 5, 6 and 7 in DP 16071.

**LOCAL GOVERNMENT ACT 1993 –  
PROCLAMATION**

(L.S.) M. BASHIR, Governor.

I, Professor MARIE BASHIR AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 218B of the Local Government Act 1993, do hereby alter the boundaries of the Area of Copmanhurst as described by proclamation in *Government Gazette* No. 141 of 25 September 1981 continued as an area and taken to be constituted under the Local Government Act 1993 by clause 21 of Schedule 7 to that Act, and the Area of Kyogle as described by proclamation in *Government Gazette* No. 138 of 22 October 1976, continued as an area and taken to be constituted under the Local Government Act 1993 by clause 21 of Schedule 7 to that Act, by taking the part of the Area of Copmanhurst described in Schedule "A" hereto and adding it to the Area of Kyogle so that the boundaries of the Area of Copmanhurst and the Area of Kyogle shall be as respectively described in Schedules "B" and "C" hereto with effect from 1 July 2003. (FF02/0241/01)

Signed and sealed at Sydney, this 30th day of April 2003.

By Her Excellency's Command,

THE HON TONY KELLY, M.L.C.,  
Minister for Local Government

GODSAVETHEQUEEN!

## Schedule A – Land Proposed to be transferred

Area about 9.3 ha. That part of Lot 80, DP 752364 lying within Copmanhurst Shire.

## Schedule B – Copmanhurst Shire (as altered).

Area about 3143.63 square kilometres: Commencing at the confluence of Mann River and Coombadjha Creek: and bounded thence by that creek upwards to the northern boundary of the Parish of Albert, County of Drake; by that boundary westerly to Gibraltar Range; by that range generally northerly to the source of Grasstree Creek; by that creek downwards to the generally eastern boundary of the Parish of Hong Kong; by part of that boundary generally northerly to the southern boundary of Portion 34; by part of that boundary westerly and the south-western and part of the generally north-western boundaries of that portion north-westerly and generally north-easterly to the southern prolongation of the generally western boundary of Portion 90, Parish of Hamilton; by that prolongation and boundary generally northerly and the southern boundary of that portion and its prolongation westerly to Timbarra River; by that river downwards to the generally northern boundary of the Parish of Hamilton; by that boundary generally easterly and the eastern prolongation of the northern boundary of Portion 54 easterly to the generally western boundary of Lot 80, DP 752364; by that boundary, the southern boundary and part of the eastern boundary of that lot generally southerly, easterly and northerly to again the eastern prolongation of the northern boundary of Portion 54; by that prolongation easterly to a point north of Mount Pickapene; by a line southerly to that mount; by the range forming the northern watershed of Surveyors Creek and Keembin Creek generally easterly and Richmond Range generally south-easterly to Mount Belmore; by a line northerly to the western prolongation of the southern boundary of Portion 24, Parish of Wyon, County of Richmond; by that prolongation, the western boundary of that portion, the westernmost western and part of the northern boundaries of Portion 3 easterly, northerly and again easterly, the western boundary of Portion 53, a line, the eastern boundaries of Lots 101, a line, and 100 (and its prolongation) D.P. 726569 northerly to Busby Creek; by that creek downwards to the north-eastern prolongation of the north-western boundary of Lot Pt B, D.P. 385537; by that prolongation and boundary, the north-western and part of the south-western boundaries of Lot 11, D.P. 710120, a line, the south-western boundaries of Lot 122, D.P. 713856 and Portion 3, Parish of Nandabah and its prolongation, south-westerly and south-easterly to Myrtle Creek; by that creek downwards to The Summerland Way; by that way, the road forming the eastern boundaries of Portions 82 and 17, Parish of Camira, the closed reserved roads within Portions 57 and 49, again The Summerland Way, the road forming the north-eastern and southern boundaries of Portion 104, again The Summerland Way and the original road from Casino to Grafton generally southerly to Richmond Range aforesaid; by that range generally easterly to the North Coast Railway; by that railway generally southerly to the western prolongation of the generally southern boundary of Portion 68, Parish of Richmond, County of Clarence; by that prolongation and part of that boundary generally easterly to the northern prolongation of the western boundary of Portion 67; by that prolongation, boundary and its prolongation southerly to McMillans Creek; by that creek downwards to the northern boundary of the Parish of Lawrence; by that boundary westerly and the generally western boundary of that parish generally southerly to Sportsman's Creek; by that creek downwards and Clarence River upwards to the north-western shore of Elizabeth Island; by that shore generally south-westerly to the eastern

prolongation of the northern side of North Street (Grafton); by that prolongation and side of that street westerly to Prince Street; by that street northerly to the eastern prolongation of the southern boundary of Lot 28, D.P. 160275; by that prolongation, boundary and its prolongation westerly to Southgate Road; by that road northerly to the eastern prolongation of the northern boundary of Lot 1, D.P. 700538; by that prolongation, boundary and its prolongation westerly to Alamy Creek; by that creek upwards to the eastern prolongation of Carrs Street; by that prolongation, street and its prolongation westerly to Carrs Creek; by that creek downwards and the Channel separating Susan Island from Carrs Island, Clarence River and Mann River, aforesaid, upwards to the point of commencement.

Schedule C – Kyogle Shire (as altered)

Area about 3589 square kilometres: Commencing at the junction of Tweed Range with the boundary between the States of New South Wales and Queensland: and bounded thence by that boundary generally westerly to the source of a western branch of Lindesay Creek; by that branch of that creek, Lindesay Creek, Tooloom Creek and Clarence River downwards to the eastern prolongation of the southern boundary of Portion 54, Parish of Hamilton, County of Drake; by that prolongation easterly to the generally western boundary of Lot 80, DP 752364; by that boundary, the southern boundary and part of the eastern boundary of that lot generally southerly, easterly and northerly to again the eastern prolongation of the northern boundary of Portion 54; by that prolongation easterly to a point north of Mount Pickapene; by a line southerly to that mount; by the range forming the northern watershed of Surveyors Creek and Keembin Creek generally easterly and Richmond Range generally northerly to the generally western boundary of the County of Richmond at the source of Oakey Creek; by part of that boundary generally north-easterly to Dyraaba Creek; by that creek downwards and Eden Creek upwards to the western prolongation of the northern boundary of Portion 135, Parish of Stratheden, County of Rous; by that prolongation, boundary and its prolongation easterly to the western boundary of Lot 3, D.P. 785732; by part of that boundary northerly to the western prolongation of Lot 2, D.P. 785732; by that prolongation and boundary and the northern boundaries of Portion 115, 116, 141 again 116, 142 again 116 and 119 and its prolongation easterly to Richmond River; by that river upwards to the generally southern boundary of the Parish of Runnymede; by that boundary generally easterly to Back Creek; by that creek and Boundary Creek upwards to the eastern boundary of Portion 62, Parish of Boorabee; by part of that boundary northerly, part of the northern boundary of that portion westerly and the westernmost western boundary of Lot 1, D.P. 358225 and the western boundary of Portion Pt 126 and its prolongation northerly to the northernmost northern boundary of Portion 117; by part of that boundary easterly, part of the western boundary of Lot 2, D.P. 734832 and the western boundaries of Lot 2, D.P. 803226 and Lot 5, D.P. 747157 northerly, the generally northern boundaries of the lastmentioned lot, a line, and Lot 1, D.P. 714970 and its prolongation generally easterly to Leicester Creek; by that creek and Websters Creek upwards to western prolongation of the southern boundary of Lot 11, D.P. 702527; by that prolongation and boundary easterly and the eastern boundary of that lot northerly to the generally southern side of the road forming the generally northern boundary of

Lot 11, D.P. 702527; by the generally southern side of that road and the road forming the generally northern boundaries of Lot 22 D.P. 713175, Lot 1 D.P. 376425 and Lots 3, 2 and 1 D.P. 574699 generally westerly to the generally north-eastern boundary of the Parish of Hanging Rock; by part of that boundary generally north-westerly to Tweed Range, aforesaid, and by that range generally north-westerly to the point of commencement.

**LOCAL GOVERNMENT ACT 1993 –  
PROCLAMATION**

(L.S.) M. BASHIR, Governor.

I, Professor MARIE BASHIR AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 218B of the Local Government Act 1993, do hereby alter the boundaries of the Area of Tenterfield as described by proclamation in Government Gazette No.141 of 25 September 1981 continued as an area and taken to be constituted under the Local Government Act 1993 by clause 21 of Schedule 7 to that Act, and the Area of Severn as described by proclamation in Government Gazette No. 94 of 19 June 1998 by taking the parts of the Area of Severn described in Schedule “A” hereto and adding it to the Area of Tenterfield and taking the parts of the Area of Tenterfield described in Schedule “B” hereto and adding it to the area of Severn so that the boundaries of the Area of Tenterfield and the Area of Severn shall be as respectively described in Schedules “C” and “D” hereto with effect from 1 July 2003. (FF02/0243/01).

Signed and sealed at Sydney, this 30th day of April 2003.

By Her Excellency’s Command,

HON TONY KELLY, MLC,  
Minister for Local Government

GODSAVE THE QUEEN!

Schedule A: Land Proposed to be transferred from  
Severn Area to Tenterfield Area

- Area 1 Area about 268.5 sq metres. Being Lot 100, DP 728561.
- Area 2 Area about 2000 sq metres. Being that part of Lot 87, DP 721145 in Severn Shire.

Schedule B: Land proposed to be transferred from  
Tenterfield Area to Severn Area

- Area 1 Area about 607 sq metres. Being that part of Lot 40, DP 753286 in Tenterfield Shire.
- Area 2 Area about 2.55 hectares. Being that part of Lot 534, DP 753323 in Tenterfield Shire.

Schedule C: Severn Area (as altered)

Area about 5825.76 square kilometres: Commencing on the Coombadjha Creek at a point east of the north-eastern corner of portion 6, parish of Albert, county of Drake; and bounded thence by that creek upwards to the westernmost south-western corner of portion 108, parish of Coombadjha; by the generally western and south-western boundaries of the parish of Coombadjha generally southerly and south-

easterly to Dandahra Creek; by that creek upwards to the westernmost north-western corner of the parish of Puhoi; by a line along the western boundary of that parish southerly to the middle of the Mitchell River; by that river, the Henry River and Roger Creek upwards to London Bridge; by a line easterly to Prairie Creek; by that creek and Razorback Creek downwards to the Boyd or Little River; by that river and the Sara River upwards to the generally north-eastern boundary of Portion 22, Parish of Towagal, County of Clarke; by part of that boundary generally north-westerly to a point east of Ben Lomond (Mountain); by part of that line westerly to the generally south-eastern boundary of Lot 61, D.P. 705133; by part of that boundary and part of the generally south-western boundary of that lot generally south-westerly and generally north-westerly to again the line to Ben Lomond (Mountain); by a line westerly to that mountain; by the Macleay Range generally south-westerly to the northern boundary of Lot 1, D.P. 554313; by part of that boundary and the western boundary of that lot and its southern prolongation westerly and southerly to Inn Road; by that road generally easterly to the Great Dividing Range; by that range generally north-westerly to the southern boundary of Portion 22, Parish of Ben Lomond; by part of that boundary, the western and part of the northern boundaries of that portion westerly, northerly and easterly to again the Great Dividing Range; by that range generally north-westerly to the southernmost south-eastern corner of portion 30, parish of Macintyre, County of Gough; by the Waterloo Range and its continuation dividing the waters of The Falls and Little Oak Creek generally northerly to the south-eastern corner of portion 114, parish of Balaclava; by the generally eastern and northern boundaries of that parish generally northerly and westerly to the north-western corner of portion 124 of the said parish of Balaclava; by part of the generally eastern boundary of the parish of Buckley, county of Arrawatta, generally northerly to the north-eastern corner of portion 197 of the said parish of Buckley; by a line east to the south-western corner of portion 97, parish of Wellingrove, county of Gough; by the western boundary of that portion and portion 96, and part of the northern boundary of portion 131, northerly and westerly to the western boundary of the parish of Wellingrove; by that boundary of that parish generally northerly to the southernmost south-western corner of portion 39, parish of Vivier, county of Arrawatta; by the south-western boundary of that portion and the ridge dividing the waters of Arrawatta Creek and Stony Creek, passing through the aforementioned portion 39 and portion 38, generally northerly to the south-western corner of portion 68, parish of Gordon, county of Gough; by part of the generally western boundary of that parish generally northerly to a point on the generally western boundary of T.S. and C.R. 61 731, notified 14th March 1930, about 210 chains south of the south-western corner of portion 1, parish of Strathbogie; by a line north to that corner; by the western boundary of the said portion 1 northerly to the north-western corner of that portion; by a line north-westerly to the south-eastern corner of portion 1, parish of Astley, county of Arrawatta; by the eastern boundary of that portion and portion 31 northerly to Swamp Oak Creek; by that creek and the Beardy River downwards to the southernmost corner of portion 4, parish of Muir, county of Gough; by the generally south-eastern boundary of that parish generally north-easterly to Carpet Snake Creek; by that creek upwards and an eastern boundary of the parish of Flagstone southerly to the north-western corner of portion 21 of that parish; by the boundary

of Severn Shire as described in *Government Gazette* No 131 of the 16th September 1927, to the westernmost north-western corner of portion 313, parish of Wellington Vale; by the generally northern boundary and part of the generally eastern boundary of that parish generally easterly and southerly to the southernmost corner of portion 345; by the boundary of Severn Shire as described in *Government Gazette* No. 131 of 16th September 1927, to the north-western corner of Lot 100, DP 728561; by the north-western, the generally south-western and the south-eastern boundaries of that lot south-westerly, generally south-easterly and north-easterly, the south-western boundary of Lot 4, DP 751488 south-easterly, the south-western and eastern boundaries of Lot 7004, DP 92740 south-easterly and northerly, part of the south-western, the south-eastern and part of the north-eastern boundaries of Lot 87, DP 721145 south-easterly, north-easterly and north-westerly to the generally north-eastern boundary of the County of Gough; by that boundary generally northerly to the south-western boundary of Lot 40, DP 753286; by part of that boundary and part of the north-western boundary of that lot north-westerly and north-easterly to the boundary of Severn Shire as described in *Government Gazette* No. 131, 16th September, 1927, aforesaid; by that boundary generally easterly to the westernmost north-western corner of portion 313, parish of Wellington Vale; by the generally northern boundary and part of the generally eastern boundary of that parish generally easterly and southerly to the southernmost corner of portion 345; by the boundary of Severn Shire as described in *Government Gazette* No. 131, 16th September 1927, aforesaid, to the eastern boundary of Lot 534, DP 753232; by part of that boundary and part of the southern boundary of that lot southerly and westerly to again the boundary of Severn Shire as described in *Government Gazette* No 131, 16th September 1927; by that boundary to the Nine Mile Spur; by that spur easterly to the Great Dividing Range; by that range north-easterly and the generally northern boundary of the parish of Capoompeta, county of Clive, generally easterly to the western boundary of portion 7, parish of Farnell; by a line east about 40 chains; by a line south about 20 chains; by a line east to Red Soil Creek; by that creek upwards to the generally northern boundary of the aforesaid parish of Farnell; by part of that boundary of that parish and the generally northern boundary of the parish of Moogem generally easterly to the range dividing the waters of the Rocky River from the Washpool Creek; by that range north-easterly to the north-western corner of the parish of Albert, county of Drake; by part of the northern boundary of that parish easterly to the western boundary of portion 15; by a line east to the north-western corner of portion 10; and by the northern boundary of that portion and portion 6 easterly to the point of commencement – but exclusive of the Municipality of Glen Innes.

#### Schedule D: Tenterfield Area (as altered)

Area about 7 123.49 square kilometres: Commencing on the boundary dividing the States of New South Wales and Queensland at the confluence of the Dumaresq River with Beardy Waters: and bounded thence by Beardy Waters upwards to the southernmost corner of portion 4, Parish of Muir, County of Gough; by the generally southeastern boundary of that parish generally northeasterly to Carpet Snake Creek; by that creek upwards and an eastern boundary of the Parish of Flagstone southerly to the northwestern corner of portion 21 of that parish; by the

boundary of Tenterfield Shire as described in *Government Gazette* No. 170 of 31st December, 1926, to the north-western corner of Lot 100, DP 728561; by the north-western, the generally south-western and the south-eastern boundaries of that lot south-westerly, generally south-easterly and north-easterly, the south-western boundary of Lot 4, DP 751488 south-easterly, the south-western and eastern boundaries of Lot 7004, DP 92740 south-easterly and northerly, part of the south-western, the south-eastern and part of the north-eastern boundaries of Lot 87, DP 721145 south-easterly, north-easterly and north-westerly to the generally north-eastern boundary of the County of Gough; by that boundary generally northerly to the south-western boundary of Lot 40, DP 753286; by part of that boundary and part of the north-western boundary of that lot north-westerly and north-easterly to the boundary of Tenterfield Shire as described in government gazette No. 170, 31<sup>st</sup> December, 1926, aforesaid; by that boundary generally easterly to the westernmost northwestern corner of portion 313, Parish of Wellington Vale; by the generally northern boundary and part of the generally eastern boundary of that parish generally easterly and southerly to the southernmost corner of portion 345; by that boundary of Tenterfield Shire as described in *Government Gazette* No. 170 of 31st December 1926, aforesaid, to the eastern boundary of Lot 534, DP 753232; by part of that boundary and part of the southern boundary of that lot southerly and westerly to again the boundary of Tenterfield Shire as described in *Government Gazette* No. 170, 31st December, 1926; by that boundary to the Nine Mile Spur; by that spur easterly to the Great Dividing Range; by that range northeasterly and the generally northern boundary of the parish of Capoompeta, County of Clive, generally easterly to the western boundary of lot 16, Deposited Plan 40200; by a line east about 804 metres; by a line south about 402 metres; by a line east to Red Soil Creek; by that creek upwards to the generally northern boundary of the Parish of Farnell; by part of that boundary and the generally northern boundary of the Parish of Moogem generally easterly of the range dividing the waters of the Timbarra River from the Washpool Creek and Little Nogrigo or grasstree Creek; by that range northwesterly and northerly to the source of the latter creek; by that creek downwards to the generally eastern boundary of the Parish of Hongkong, County of Drake; by part of that boundary generally northerly to the southern boundary of portion 34; by part of that boundary and the generally northwestern boundary of that portion westerly and generally northeasterly to the said generally eastern boundary of the Parish of Hongkong; by part of that boundary generally northerly to the northeastern corner of portion 26; by a line along the northern boundary of that portion westerly to the Timbarra River; by that river downwards to a point west of the northernmost northwestern corner of portion 34; Parish of Hamilton; by a line east to that corner; by part of the generally northern boundary of that parish generally easterly to the Clarence River; by that river, Tooloom Creek and Lindsay Creek upwards to the source of the latter creek in the Macpherson Range; and by the aforesaid boundary dividing the States of New South Wales and Queensland generally southwesterly to the point of commencement.

## LOCAL GOVERNMENT ACT 1993

### Determination

I, the Hon TONY KELLY M.L.C., Minister for Local Government, in pursuance of the Governor's Proclamation made under the Local Government Act 1993 and published in *Government Gazette* No. 47 of 19 February 2003, commencing at page 2173, do hereby make the following Determination relating to the transfer of assets, rights, and liabilities between the City of South Sydney and the City of Sydney to give effect to the boundary alteration made by the Proclamation transferring land from the Area of South Sydney to the Area of Sydney.

### Schedule

1. There is to be no alteration to the existing arrangements in relation to the Domain Car Park as a consequence of the Proclamation.
2. In relation to the lump sum payment received by the source Council from JC Decaux Australia in respect of the advertising agreement attached to public pay telephones for the period 1999 – 2002, a portion of the said lump sum payment shall be transferred to the destination Council in accordance with the following formula:  
 Payment to the destination Council =  $A \times B/C \times D/20$ 
  - (i) Where A = the lump sum payment to the source Council;
  - (ii) Where B = number of public pay telephones in the transfer area;
  - (iii) Where C = the number of public pay telephones in the source Council local government area immediately prior to the transfer date;
  - (iv) Where D = the unexpired term (in years) of the contract between the source Council and JC Decaux Australia in respect of the advertising agreement attached to public pay telephones.
3. The following properties and associated borrowings within the transfer area shall not be transferred from the source Council to the destination Council and shall remain the property of the source Council:
  - (a) 46-52 Mountain Street Ultimo
  - (b) 4-5 Kelly Street Ultimo
  - (c) 56-76 Oxford Street Darlinghurst
  - (d) 82-106 Oxford Street Darlinghurst
  - (e) 1-7 Elizabeth Bay Road Elizabeth Bay
  - (f) 101 William Street Darlinghurst
  - (g) 110-122 Oxford Street Darlinghurst
  - (h) 137 – 155 Palmer street Darlinghurst
  - (i) Unit 7 and Unit 8, 12 Springfield Avenue Potts Point
4. The property known as the Pine Street Creative Arts Centre at 64 Pine Street Chippendale is to be transferred from the source Council to the destination Council together with associated borrowings.
5. In relation to the source Council's current lease of office space at 280 Elizabeth Street, Surry Hills for the purposes of the source Council's Administrative Centre, to the extent that there is office space the subject of the current lease that becomes excess to the reasonable requirements of the source Council as a result of the transfer of staff from the source Council to the destination Council as a

result of the Proclamation, and to the extent that the excess office space cannot be re-let during the remaining term of the current lease despite all reasonable attempts by the source Council to do so, the destination Council shall reimburse the source Council an amount representing:

- (a) Rent on the excess space is to be calculated on the number of staff transferred from to the destination Council from 280 Elizabeth Street, Surry Hills as a proportion of the total number of staff of the source Council at 280 Elizabeth Street Surry Hills immediately prior to the transfer of staff.
6. An audit of the records of the source Council and the destination Council shall be undertaken by a suitably qualified independent person appointed by the Director General, Department of Local Government to determine the accuracy of the calculations of financial compensation to be paid as a result of the Proclamation. The audit report shall include comment on the appropriateness of the values ascribed to assets, rights and liabilities forming part of the transfer as a result of the Proclamation.
7. The net cash reserves of the source Council are to be calculated as cash and investments less bank overdrafts plus receivables less payables less restricted funds/reserves (defined in clause 8 below) as at midnight on 7 May 2003.
8. For the purposes of clause 7 above, restricted funds/reserves of the source Council are: contribution funds collected pursuant to section 94 of the Environmental Planning and Assessment Act 1979, and floor space/bonus contributions collected pursuant to the Environmental Planning and Assessment Act, and employee leave entitlement funds/reserves and those payments of compensation received by the source Council as a result of a claim on an insurance policy for storm damage resulting in the destruction of the source Council's former Administration Centre, Joynton Avenue, Zetland.
9. The net cash reserves as calculated in 7 above are to be apportioned between the source Council and the destination Council so that the balance of the net cash reserves is split such that:
  - (a) From 50% of the balance the destination Council receives a percentage of those funds equivalent to the percentage of the total yield of the source Council's rates that was raised in the year ended 30 June 2002 when compared with rates raised from properties in the transfer area;
  - (b) And from 50% of the balance the destination Council receives 18% of those funds, based on the proportion of the source Council's total area being transferred to the destination Council on 8 May 2003.
10. The destination Council is to receive a percentage of general purpose grants under the Financial Assistance Grants and a percentage of local roads grants under the Financial Assistance Grants applicable to the transfer area for the period 8 May 2003 to 30 June 2003. The percentage receivable by the source Council pursuant to this clause shall be calculated as follows:
  - (a) With respect to general purpose grants, the destination Council shall receive from the source Council a proportion equal to 54/365 of 28% of the source Council's general purpose grant for the 2002/2003 period;
  - (b) With respect to roads grants, the destination Council shall receive 54/365 of 18% of the source Council's roads grant for the 2002/2003 period.
11. Where the source Council has entered into a contract of service with a service provider with respect to the transfer area, the destination Council shall indemnify the source Council with respect to any action, including legal action, demand or claim arising from an allegation by the service provider of an act or omission by the destination Council on or in respect of the transfer of those contracts on or after 8 May 2003.
12. All archival records held by the source Council with respect to the transfer area are to be transferred to the destination Council.
13. A reasonable request by the source Council for access to the records referred to in clause 12 above should be granted by the destination Council and no fee is to be charged by the destination Council to the source Council for such access.
14. Unless otherwise agreed by the source Council and the destination Council or determined by the Minister, the source Council and the destination Council are to bear their own costs in relation to the transfer of assets, rights and liabilities within the transfer area as a result of the Proclamation.
15. Any payments to be made by the source Council to the destination Council and the destination Council to the source Council as a result of this Determination shall be made by 8 August 2003.
16. This Determination is made having regard to the principles enunciated in clause 11 of the Proclamation.

Dated this 7th day of May 2003

The Hon TONY KELLY M.L.C.,  
Minister for Local Government

### LOCAL GOVERNMENT ACT 1993

#### Determination

I, the Hon TONY KELLY M.L.C., Minister for Local Government, in pursuance of the Governor's Proclamation made under the Local Government Act 1993 and published in *Government Gazette* No. 47 of 19 February 2003, commencing at page 2173, do hereby make the following Determination relating to the transfer of staff between the Leichhardt Municipal Council and City of Sydney to give effect to the boundary alteration made by the Proclamation transferring land from the Area of South Sydney to the Area of Leichhardt.

#### Schedule

17. A staff member transferred from the Leichhardt Municipal Council (source Council) to the Sydney City Council (destination Council) as a result of the boundary alteration on 8 May 2003 shall continue their employment as if that staff member were continuing their employment with the source Council on the same terms and conditions as the terms and conditions that applied to the staff member immediately before 8 May 2003, subject to the provisions of this Determination.



18. A staff member referred to in (1) above continues to be employed in accordance with the industrial instrument (within the meaning of the Industrial Relations Act 1996) or contract of employment applying to the staff member immediately before 8 May 2003 and those terms and conditions of employment shall continue upon the transfer of the staff member to the destination Council for up to three years from 8 May 2003 and shall not be varied within the said three year period except with the consent of the staff member concerned or until a new industrial instrument or employment contract is agreed upon.
19. Where employment conditions applicable immediately before 8 May 2003 to staff to be transferred from the source Council to the destination Council are not consistent with the employment policies of the destination Council the benefit of those employment conditions shall be preserved and in the case where the conditions provide a future benefit or entitlement to a transferred staff member, such benefits and entitlements will continue to accrue for a period of up to three years from 8 May 2003 or until varied within the said three year period with the consent of the staff member concerned or until a new industrial instrument or employment contract is agreed upon. At the time the said variation or new industrial instrument or employment contract is agreed upon or expiration of the three year period, whichever is sooner, the entitlements under the preserved employment conditions will be frozen within the destination council for the benefit of the member concerned for a maximum of three years.
20. The cost of the inconsistent terms and conditions of employment as a result of the source Council's employment policies or employment contract referred to in (3) above shall continue to be met by the source Council, notwithstanding the transfer of the staff member to the destination Council, until such time as those additional terms and conditions cease to apply to that staff member's employment with the destination Council.
21. In the event that a staff member referred to in (1) above the subject of employment conditions referred to in (2) above voluntarily accepts another position with the destination Council, the industrial agreement applicable to that position and the employment policies of the destination Council shall apply at the commencement of the employment in that position.
22. Neither the contract of employment nor the period of employment of a staff member referred to in (1) above is taken to have been broken by the transfer from the source Council to the destination Council for the purposes of any law, award or agreement relating to the employment of that staff member.
23. The transfer of a staff member referred to in (1) above does not affect any accrued rights the staff member had immediately before the transfer, including but not limited to sick leave, recreation leave, long service leave and superannuation, but does not entitle the staff member to claim dual benefits of the same kind for the same period of service.
24. A staff member referred to in (1) above must not have their employment with the destination Council terminated, without the staff member's agreement, within 3 years after 8 May 2003 on the ground of redundancy arising from the transfer of the staff member's employment from the source Council to the destination Council.
25. A staff member referred to in (1) above must not be required, within 3 years after 8 May 2003, to be based outside the general locality in which the staff member was based immediately before 8 May 2003 if such a requirement would cause the staff member to suffer unreasonable hardship.
26. A staff member referred to in (1) above is not entitled to receive any payment or other benefit merely because the staff member ceases to be a staff member of the source Council.
27. A transferred staff member referred to in (1) above is to be transferred to substantially the same duties with the destination Council as were being performed with the source Council immediately before 8 April 2003.
28. Where the source Council and the destination Council have agreed to the transfer of staff as a result of the boundary alteration on 8 May 2003 and the staff the subject of the transfer have not agreed to the transfer and have appealed the decision to transfer them, those appeals shall be examined by the Minister's Nominee, who will then report on those matters to me for my consideration prior to making a determination as to the transfer of those staff pursuant to clause 10 of the Proclamation.
29. This determination is made having regard to the principles enunciated in clause 10 of the Proclamation.

Dated this 7th day of May 2003

The Hon TONY KELLY M.L.C.,  
Minister for Local Government

#### LOCAL GOVERNMENT ACT 1993

##### Determination

I, the Hon TONY KELLY M.L.C., Minister for Local Government, in pursuance of the Governor's Proclamation made under the Local Government Act 1993 and published in *Government Gazette* No. 47 of 19 February 2003, commencing at page 2173, do hereby make the following Determination relating to the transfer of staff between the City of South Sydney and the City of Sydney to give effect to the boundary alteration made by the Proclamation transferring land from the Area of South Sydney to the Area of Sydney.

##### Schedule

30. A staff member transferred from the South Sydney City Council (source Council) to the Sydney City Council (destination Council) as a result of the boundary alteration on 8 May 2003 shall continue their employment as if that staff member were continuing their employment with the source Council on the same terms and conditions as the terms and conditions that applied to the staff member immediately before 8 May 2003, subject to the provisions of this Determination.
31. A staff member referred to in (1) above continues to be employed in accordance with the industrial instrument (within the meaning of the Industrial Relations Act 1996) or contract of employment applying to the staff member immediately before 8 May 2003 and those terms and conditions of employment shall continue upon the transfer of the staff member to the destination Council for up to three years from 8 May 2003 and shall not be varied within the said three year period except with the consent of the

- staff member concerned or until a new industrial instrument or employment contract is agreed upon.
32. Where employment conditions applicable immediately before 8 May 2003 to staff to be transferred from the source Council to the destination Council are not consistent with the employment policies of the destination Council the benefit of those employment conditions shall be preserved and in the case where the conditions provide a future benefit or entitlement to a transferred staff member, such benefits and entitlements will continue to accrue for a period of up to three years from 8 May 2003 or until varied within the said three year period with the consent of the staff member concerned or until a new industrial instrument or employment contract is agreed upon. At the time the said variation or new industrial instrument or employment contract is agreed upon or expiration of the three year period, whichever is the sooner, the entitlements under the preserved employment conditions will be frozen within the destination council for the benefit of the member concerned for a maximum of three years.
33. The cost of the inconsistent terms and conditions of employment as a result of the source Council's employment policies or employment contract referred to in (3) above shall continue to be met by the source Council, notwithstanding the transfer of the staff member to the destination Council, until such time as those additional terms and conditions cease to apply to that staff member's employment with the destination Council.
34. In the event that a staff member referred to in (1) above the subject of employment conditions referred to in (2) above voluntarily accepts another position with the destination Council, the industrial agreement applicable to that position and the employment policies of the destination Council shall apply at the commencement of the employment in that position.
35. Neither the contract of employment nor the period of employment of a staff member referred to in (1) above is taken to have been broken by the transfer from the source Council to the destination Council for the purposes of any law, award or agreement relating to the employment of that staff member.
36. The transfer of a staff member referred to in (1) above does not affect any accrued rights the staff member had immediately before the transfer, including but not limited to sick leave, recreation leave, long service leave and superannuation, but does not entitle the staff member to claim dual benefits of the same kind for the same period of service.
37. A staff member referred to in (1) above must not have their employment with the destination Council terminated, without the staff member's agreement, within 3 years after 8 May 2003 on the ground of redundancy arising from the transfer of the staff member's employment from the source Council to the destination Council.
38. A staff member referred to in (1) above must not be required, within 3 years after 8 May 2003, to be based outside the general locality in which the staff member was based immediately before 8 May 2003 if such a requirement would cause the staff member to suffer unreasonable hardship.
39. A staff member referred to in (1) above is not entitled to receive any payment or other benefit merely because the staff member ceases to be a staff member of the source Council.
40. A transferred staff member referred to in (1) above is to be transferred to substantially the same duties with the destination Council as were being performed with the source Council immediately before 8 April 2003.
41. Where the source Council and the destination Council have agreed to the transfer of staff as a result of the boundary alteration on 8 May 2003 and the staff the subject of the transfer have not agreed to the transfer and have appealed the decision to transfer them, those appeals shall be examined by the Minister's Nominee, who will then report on those matters to me for my consideration prior to making a determination as to the transfer of those staff pursuant to clause 10 of the Proclamation.
42. his determination is made having regard to the principles enunciated in clause 10 of the Proclamation.

Dated this 7th day of May 2003

The Hon TONY KELLY M.L.C.,  
Minister for Local Government

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**PUBLIC WORKS ACT 1912**

**LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991**

**Compulsory Acquisition**

**Bathurst Water Supply – Ben Chifley Dam**

THE Minister for Land and Water Conservation, with the approval of Her Excellency the Governor, declares that the land and interest in land described in the Schedule hereto, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for an authorised work.

On publication of this notice in the *Government Gazette*, the land and interest in land, is vested in the Minister for Land and Water Conservation as Constructing Authority under section 4 of the Public Works Act 1912.

Minister for Land and Water Conservation

\_\_\_\_\_  
Schedule

Land

Lots 1 to 6, inclusive, in Deposited Plan 859300 (SB52130).

Interest In Land

Easement rights as described under the heading Easement to Flood in the terms set out hereunder over the site shown in:

Deposited Plan 859300 (SB52130) as:

'EASEMENT FOR FLOOD VARIABLE WIDTH' within Portion Part 125 of Parish LANGDALE (DP757061), Portion Part 15 of Parish LANGDALE (DP757061)

Easement to Flood

An easement or right to use the surface of the land by causing to flow, be and remain thereon such waters as shall from time to time flow, be and remain thereon as a consequence of the construction and maintenance of Ben Chifley Dam (part of the Bathurst Water Supply Scheme).

DPWS Reference 126

**PUBLIC WORKS ACT, 1912****LANDACQUISITION (JUST TERMS COMPENSATION)  
ACT 1991****Compulsory Acquisition  
Milton-Ulladulla Sewerage Augmentation**

THE Minister for Land and Water Conservation, with the approval of Her Excellency the Governor, declares that the interest in land described in the Schedule hereto, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for a public work.

On publication of this notice in the *Government Gazette* the interest in land is vested in the Minister for Land and Water Conservation as Constructing Authority under section 4 of the Public Works Act, 1912.

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

Schedule  
Interest in Land

Easement rights as described under the heading Sewer Pipeline in Memorandum E931212 filed in the Office of Land and Property Information NSW over the site shown in:

Deposited Plan 1042099 (SB55209) as:  
'(E) PROPOSED EASEMENT FOR SEWER PIPELINE  
5 WIDE'  
'(D) PROPOSED EASEMENT FOR SEWER PIPELINE  
VARIABLE WIDTH'

Easement rights as described under the heading Access in Memorandum E780099 filed in the Office of Land and Property Information NSW over the site shown in:

Deposited Plan 1042099 (SB55209) as:  
'(F) PROPOSED EASEMENT FOR ACCESS 10 WIDE'  
DoC Reference 166

**RETENTION OF TITLE**

HER Excellency the Governor, by deputation of Her Majesty the Queen, has been pleased to approve of the retention of the title "Honourable" by Mr Harry F. WOODS following his retirement as a Minister on 2 April 2003.

**WORKPLACE INJURY MANAGEMENT AND  
WORKERS COMPENSATION ACT 1998****WORKCOVER AUTHORITY OF NSW****Guidelines on the Appointment and Functions of Injury  
Management Consultants**

I, ROBERT SELKJAK, Acting General Manager of the WorkCover Authority of New South Wales, pursuant to section 376 and 45A of the Workplace Injury Management and Workers Compensation Act 1998, issue the following Guidelines.

Robert Seljak  
Acting General Manager  
WorkCover Authority

Date: 7 May 2003

This Guideline is issued pursuant to section 376 and 45A of the Workplace Injury Management and Workers Compensation Act 1998. The Guideline also sets out WorkCover's policy in relation to the appointment of Injury Management Consultants and complaints handling. This Guideline will come into effect on 12 May 2003.

**1. Role of Injury Management Consultants**

The Injury Management Consultant is appointed to promote successful injury management for workers who are experiencing difficulty in returning to work.

An Injury Management Consultant is required to assess a worker's fitness for work, to discuss return to work with the Nominated Treating Doctor, the employer and other parties involved in the return to work process in order to broker an agreement about the return to work plan for the injured worker.

The duties of the Injury Management Consultant will include some or all of the following:

- File review;
- Assessment of worker;
- Assessment of workplace, including discussion with employer;
- Discussion with Nominated treating Doctor (compulsory) and specialists (if involved);
- Discussion with other parties such as treatment and rehabilitation providers and insurer;
- Obtaining agreement of parties on duties, restrictions and time frames for the return to work plan;
- Provision of a report summarizing the actions and agreements or alternative recommendations in the event of non-agreement.
- Undertaking a workplace assessment and report to the Workers Compensation Commission, as required by S 306 (b) of the WIMWC Act 1998.

**2. Term of Appointment**

The term of appointment is for 3 years.

Prior to the expiration of this period, the Consultant provides information on his/her work as an Injury Management Consultant to enable WorkCover to determine whether the appointment should be renewed for a further three year term.

**3. Selection Criteria**

Persons who wish to apply for appointment as Injury Management Consultants are generally required to satisfy the following selection criteria:

- Medical practitioner registered in NSW;
- Experience/training in negotiation/mediation with workers, employers, insurers and other medical practitioners;
- Experience in workplace based rehabilitation;
- Knowledge of the NSW workers compensation system;
- References from employers/insurers and unions.

On appointment, Injury Management Consultants are required to undertake the WorkCover mediation training and other training as may be organized from time to time.

#### 4. Selection Process

- (1) WorkCover (Workplace Injury Management Branch) reviews application to ensure applicant meets all selection criteria and seeks further information as necessary;
- (2) WorkCover contacts referees to obtain reports on applicants who meet all selection criteria;
- (3) The Manager Workplace Injury Management Branch considers all information and, as the delegate under the Act, approves or rejects appointment;
- (4) Applicant advised of appointment and date of next mediation training; or
- (5) Applicant advised of rejection and advised of appeal process.

#### 5. Appeal Process for Non-Selection

A person who is not selected as an Injury Management Consultant can appeal against the decision by submitting additional information in support of their application to the Assistant General Manager, Insurance Division at WorkCover who will consider the original application and all additional information.

#### 6. Complaints Against Injury Management Consultants

Complaints received by WorkCover about Injury Management Consultants are investigated by the Workplace Injury Management Branch in accordance with the following:

- (1) Complaint received and details checked by WorkCover with complainant, and other parties, as appropriate;
- (2) Injury Management Consultant advised of details of complaint and invited to provide response;

- (3) WorkCover assesses information received and formulates response;
- (4) WorkCover advises complainant and Injury Management Consultant of outcome of complaint investigation and takes further action as necessary.
- (5) The investigation of a complaint can result in: no further action; a referral to the NSW Medical Board and Health Care Complaints Commission of a question of professional misconduct; referral to WorkCover's Compliance Branch of a question of fraud; revocation of appointment as an Injury Management Consultant.

#### 7. Revocation of Appointment

WorkCover may revoke the appointment of Injury Management Consultants on the following grounds:

- (1) Complaints about performance found to be justified;
- (2) Non-performance as an Injury Management Consultant for a consecutive period of 12 months;
- (3) Fraudulent conduct;
- (4) Withdrawal/suspension of registration as a medical practitioner.
- (5) Failure to perform the role of the Injury Management Consultant as outlined in 1 above;
- (6) Failure to attend mediation and other training as required by WorkCover;
- (7) Such other reason as the Authority thinks appropriate.

An Injury Management Consultant may apply to the Administrative Decisions Tribunal for a review of WorkCover's decision to revoke the Consultant's appointment.

# TENDERS

## Department of Commerce

### 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 Commerce, Level 3, McKell Building, 2-24 Rawson Place, Sydney NSW 2000, until 9.30 am on the dates shown below:

#### 15 May 2003

**024/901a** PHARMACEUTICALS – SUPPLEMENTARY TENDER. DOCUMENTS: NO CHARGE..

#### 14 May 2003

**S03/00031 (722)** BURWOOD, LIDCOMBE AND CAMPSIE COURT HOUSES. CATEGORY C. INSPECTION DATE AND TIME: 6 MAY 2003 AT 8:30 AM SHARP. AREA: 6015 SQUARE METRES. DOCUMENTS: \$27.50 PER SET

**0300479** ADMINISTRATION OF WORKERS' COMPENSATION CLAIMS. DOCUMENTS: \$110.00 PER SET

#### 15 May 2003

**036/2947** SUPPLY SAFETY CLOTHING FOR NSW STATE EMERGENCY SERVICE. DOCUMENTS: \$110.00 PER SET

#### 28 May 2003

**S02/00265 (143)** AGD OFFICE, SYDNEY. CATEGORY D. INSPECTION DATE AND TIME: 14 MAY 2003 AT 3:00 PM SHARP. AREA: APPROXIMATELY 2055 SQUARE METRES. DOCUMENTS: \$27.50 PER SET

#### 30 May 2003

**036/657** HIRE OF VEHICLES WITH DRIVERS. DOCUMENTS: \$110.00 PER SET

#### 4 June 2003

**S03/00046 (909)** CLEANING GOVERNMENT OFFICES AT PENRITH. CATEGORY C. INSPECTION DATE AND TIME: 9 MAY 2003 AT 11:00 AM SHARP. AREA: APPROXIMATELY 2600 SQUARE METERS. DOCUMENTS: \$27.50 PER SET

**0300086** BIOLOGICAL SAMPLES IDENTIFICATION SERVICES FOR NSW DLWC. DOCUMENTS: \$110.00 PER SET

**0203130** FACILITATION OF PAYMENT OF NSW GOVERNMENT 'BACK-TO-SCHOOL ALLOWANCE'. DOCUMENTS: \$110.00 PER SET

**IT/2965** SCANNING AND INDEXING OF REGISTRATIONS OF DEATHS AND MARRIAGES. DOCUMENTS: \$220.00 PER SET

#### TENDER DOCUMENT FEE

Tender documents for inspection and purchase, and application forms for Expression of Interest are available at the address above. Where charges apply for tender documents, they are not refundable, cheques and credit cards (Bankcard, Mastercard and Visa) only are acceptable, payable to Department of Public Works and Services. NO CASH payments will be accepted. Documents can be Express Posted on request at an extra cost. Non attendance of mandatory site meetings will render tenders informal.

Further Information is available on the Internet (<http://www.dpws.nsw.gov.au/tenders>).

## cmSolutions

### 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.

#### Two weeks closing Monday 12 May 2003

Tender documents were available from 28 April 2003

**Tender No. 36135** has been re-submitted for tender and new documents will be available for collection.

Tenders are invited on behalf of Q Stores for the printing and binding of the Q Stores Catalogue. This publication will be of the highest quality produced. Printing of the catalogue consists of two separate publications of between 520 and 528 full colour printed pages plus covers simultaneously produced and delivered. For further enquires contact David Brendish on 9743 8777.

# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### BATHURST CITY COUNCIL

Roads Act 1993

Naming of Roads

NOTICE is hereby given that Bathurst City Council, in pursuance of section 162 of the Roads Act 1993, has named the roads as follows:

New Street Name	Location
Howarth Close	The section of Ophir Road, Llanarth approximately 230 metres west of Oaklands Drive, Llanarth.

Authorised by resolution of the Council on 19 March 2003.

[0328]

### BLACKTOWN CITY COUNCIL

Roads Act 1993, Sections 39 & 40

Closure and Transfer of Temporary Road

THE Council declares, pursuant to Sections 39 & 40 of the Roads Act 1993, that the temporary roads comprised in the lots described in the schedule hereunder are closed and the lots are to be transferred to Mirvac Projects Pty Ltd. IAN REYNOLDS, Blacktown City Council Administration Centre, Flushcombe Road, Blacktown 2148.

Schedule

- Lots 108 & 125, DP 1018095, situated between Perfection Avenue and Footman Crescent, Kellyville Ridge.
- Lots 142 & 152, DP 1018095, situated between Perfection Avenue and Coachman Crescent, Kellyville Ridge.

[0351]

### BYRON SHIRE COUNCIL

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT, 1991

NOTICE OF COMPULSORY ACQUISITION OF LAND

THE Byron Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991, for the purposes of the Roads Act, 1993.

Dated at Mullumbimby this thirtieth day of April, 2003.

PAMELA WESTING, General Manager, Byron Shire Council, PO Box 219, Mullumbimby, NSW 2482.

SCHEDULE

Lot 1 DP 1046489

[0329]

### GOSFORD CITY COUNCIL

LOCAL GOVERNMENT ACT 1993

HASTINGS WHARF

THE public is notified that upon the publication of this Notice Hastings Wharf is declared to be a public wharf. The site of the wharf is at Bensville and covered by Permissive Occupancy 1971/3G.

P. WILSON, General Manager.

[0330]

### OBERON COUNCIL

Roads Act, 1993 Section 162 – Naming of Public Road  
NOTICE is hereby given that the Oberon Council, in pursuance of Section 162 of the Roads Act, 1993, resolved to name the roads as shown in the schedule hereunder.

New Road Name	Description
Lawrences Road	Road that runs adjacent to 2039 Beaconsfield Road, O'Connell, Parish of Baring.

Authorised by resolution of Council on 10 September 2002.

BRUCE FITZPATRICK, General Manager, Council Chambers, Oberon 2787.

[0345]

### OBERON COUNCIL

Roads Act, 1993, Section 162

Naming of Public Roads – Saunders Road and O'Briens Hill Road

NOTICE is hereby given that Council, in pursuance of Section 162 of the Roads Act, 1993, resolved to name the roads as shown in the schedule hereunder:

New Road Name	Description
Saunders Road	The road that runs off the Carlwood Road at O'Connell.
O'Briens Hill Road	The road that runs between Ryans Lane and Bloom Hill Road at O'Connell.

Authorised by resolution of Council on 13 November 2001.

BRUCE FITZPATRICK, General Manager, Council Chambers, Oberon 2787.

[0346]

### OBERON COUNCIL

Roads Act, 1993, Section 162 – Naming of Public Road  
NOTICE is hereby given that Council, in pursuance of Section 162 of the Roads Act, 1993, resolved to name the roads as shown in the schedule hereunder:

New Road Name	Description
Millers Lane	Road that runs off Springmount Road approximately 1.45 kilometres west of Gingkin Road.

Authorised by resolution of Council on 10 September 2002.

New Road Name	Description		
Mount Norway Road	Road that runs off Abercrombie Road and leads to the property known as Mount Norway, Oberon.	Emmaville, Rose Valley Road – Lot 71 DP753314	Potter Avenue
		Wellington Vale Road – Lot 1 DP753312, formerly Raynors Road	Rayners Road
	Authorised by resolution of Council on 12 March 2002.	Emmaville, Rose Valley Road – Lot 2 DP364771	Rocky Street
	BRUCE FITZPATRICK, General Manager, Council Chambers, Oberon 2787. [0347]	Emmaville, Off Rose Valley Road	Say Street
		Emmaville, Off Rose Valley Road	Scherf Street
		Emmaville, Rose Valley Road	Stark Street
		Emmaville, Deloraine Street – Moore Street	Wells Street
		Emmaville, Stark Street – Cadell Street	Wilcox Street

### SEVERN SHIRE COUNCIL

Roads Act 1993, Section 162(1)

Roads (General) Regulation 2000, Clause 9

Naming & Renaming of Public Roads

NOTICE is hereby given that the Severn Shire Council, by resolution of the Council dated 17th April 2003, has determined names for the roads shown hereunder:

Description	Adopted Name
Emmaville, Cap Street – Lot 2 DP959713	Brennan Avenue
Shannon Vale Road – Lot 46 DP753261, formerly Tullochard Road	Browns Road
Emmaville, Strathbogie Road – Lot A DP379177	Buffalo Street
Off Torrington Road, Torrington	Cemetery Road
Emmaville, Quirk Street – Lot 266 DP753314	Clifford Avenue
Pinkett Road – Lot 6 DP753539, formerly Holliss Road	East Lynne Road
Strathbogie Road – Inverell Boundary, formerly Bonshaw Road	Gordons Road
Torrington, Bates Road – Lot 83 DP753286	Lockwoods Lane
Torrington, Bates Road – Pt Lot 4 DP753286	McDowells Lane

No objections to the proposed names were received within the prescribed period of time.

R N LANGFORD, General Manager, Severn Shire Council, PO Box 447, GLEN INNES NSW 2370 [0341]

### WYONG SHIRE COUNCIL

Naming Of Roads In Subdivision

NOTICE is hereby given that in accordance with Part 162.1 of the Roads Act 1993, as amended, Council has named the roads shown hereunder:

Location	Name
Lot 231, DP 847847, Imga Street, Gwandalan	• Road No 3 – Windward Crescent
	• Road No 5 – Seabreeze Close

No objections to the proposed names were received within the prescribed period of time.

J. S. DAWSON, General Manager, PO Box 20, Wyong NSW 2259. [0350]

**NARROMINE SHIRE COUNCIL**

Local Government Act 1993, Section 713

Sale of Land for Unpaid Rates

NOTICE is hereby given to the persons named hereunder that the Narromine Shire Council has resolved in pursuance of Section 713 of the Local Government Act 1993, to sell the land described hereunder of which the person named appears to be the owner or in which they have an interest and on which the amount of rates stated in each case, as at 12 November, 2002 was due:

Owner(s) or person(s) having interest in the land	Description of subject land	Amount of rates and charges (including extra charges) overdue for more than five (5) years (\$)	Amount of all other rates and charges (including extra charges) payable and unpaid (\$)	Total (\$)
(a)	(b)	(c)	(d)	(e)
McGLYNN Oswald Harold McGLYNN Kathleen Mary	Lot 85 DP790344 (112 Moss Avenue, Narromine)	6,276.39	2,779.18	9,055.57

In default of payment to the Council of the amount stated in Column (e) above and any other rates (including extra charges) becoming due and payable after publication of this notice, or an arrangement satisfactory to the Council for payment of all such rates being entered into by the rateable person, before the time fixed for the sale, the said land will be offered for sale by public auction on Saturday, 6 December, 1997, at 10.00 a.m. at the Council Chambers, 124 Dandaloo Street, Narromine by W Burke & Co, Narromine. PAUL BENNETT, General Manager, Narromine Shire Council, 124 Dandaloo Street, Narromine, NSW 2821. [0344]



**ESTATE NOTICES**

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MARGIT KARACSONYI, late of 4 Craig Street, Blacktown, in the State of New South Wales, widow, who died on 1st March 2003, must send particulars of his/her claim to the Executrix, Diana Sheridan, c.o. Low Doherty & Strathford, Solicitors, 9 Campbell Street, Blacktown, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 23rd April 2003. LOW DOHERTY & STRATHFORD, Solicitors, 9 Campbell Street, Blacktown NSW 2148 (DX 8109, Blacktown), tel.: (02) 9622 4644.

[0342]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JOYCE ELSIE BARNES, late of Shangri-la Nursing Home, 107 Carrington Avenue, Hurstville, in the State of New South Wales, who died on 12th February 2003, must send particulars of his/her claim to the Executors, Geoffrey John Sloman and James Edward Sloman, c.o. Colin J. Duff, Solicitor, 7 Morts Road, Mortdale, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 8th April 2003. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale NSW 2223 (DX 11307, Hurstville), tel.: (02) 9570 2022.

[0343]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MARGARET ANNE BYRNE, late of 27 Coleridge Street, Leichhardt, in the State of New South Wales, administrator, who died on 4th August 2002, must send particulars of his/her claim to the Executors, Gerard Charles Byrne and Carmel Byrne, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 29th April 2003. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777.

[0348]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of SHEILLAH BURNSIDE, late of 95 Browns Road, Wahroonga, in the State of New South Wales, who died on 20th March 2003, must send particulars of his/her claim to the Executrix, Lorelly Helen Malletin, c.o. Collins & Thompson, Solicitors, 8 Coronation Street, Hornsby, 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 30th April 2003. COLLINS & THOMPSON, Solicitors, 8 Coronation Street, Hornsby NSW 2077 (DX 9691, Hornsby), tel.: (02) 9476 2788.

[0349]

**COMPANY NOTICES**

NOTICE of winding up.—P G FAMILY CO PTY LIMITED (In Liquidation) A.B.N. 89 052 327 385. — In the matter of the Corporations Law notice is hereby given that at an Extraordinary General Meeting of the abovenamed company duly convened and held at 396 Princes Highway, St Peters, on the 1st May 2003 at 10.00 a.m. the following Special Resolution was duly passed. “That the Company be wound up voluntarily and that Terry Bekiaris of 368 Forest Road, Hurstville NSW be appointed Liquidator”. Dated 1st May 2003 at 396 Princes Highway, St Peters. P. GIANNIKOURIS director and Chairman of Meeting.

[0331]

NOTICE of winding up.—N G FAMILY CO PTY LIMITED (In Liquidation) A.B.N. 33 052 327 965. — In the matter of the Corporations Law notice is hereby given that at an Extraordinary General Meeting of the abovenamed company duly convened and held at 396 Princes Highway, St Peters, on the 1st May 2003 at 10.00 a.m. the following Special Resolution was duly passed. “That the Company be wound up voluntarily and that Terry Bekiaris of 368 Forest Road, Hurstville NSW be appointed Liquidator”. Dated 1st May 2003 at 396 Princes Highway, St Peters. N. GIANNIKOURIS director and Chairman of Meeting.

[0332]

NOTICE of winding up.—N P FAMILY CO PTY LIMITED (In Liquidation) A.B.N. 70 052 328 051. — In the matter of the Corporations Law notice is hereby given that at an Extraordinary General Meeting of the abovenamed company duly convened and held at 396 Princes Highway, St Peters, on the 1st May 2003 at 10.00 a.m. the following Special Resolution was duly passed. “That the Company be wound up voluntarily and that Terry Bekiaris of 368 Forest Road, Hurstville NSW be appointed Liquidator”. Dated 1st May 2003 at 396 Princes Highway, St Peters. N. PEROS director and Chairman of Meeting.

[0333]

NOTICE of winding up.—E G FAMILY CO PTY LIMITED (In Liquidation) A.B.N. 87 052 328 186. — In the matter of the Corporations Law notice is hereby given that at an Extraordinary General Meeting of the abovenamed company duly convened and held at 396 Princes Highway, St Peters, on the 1st May 2003 at 10.00 a.m. the following Special Resolution was duly passed. “That the Company be wound up voluntarily and that Terry Bekiaris of 368 Forest Road, Hurstville NSW be appointed Liquidator”. Dated 1st May 2003 at 396 Princes Highway, St Peters. E. GIANNIKOURIS director and Chairman of Meeting.

[0334]

NOTICE of winding up.—C G FAMILY CO PTY LIMITED (In Liquidation) A.B.N. 17 052 328 266. — In the matter of the Corporations Law notice is hereby given that at an Extraordinary General Meeting of the abovenamed company duly convened and held at 396 Princes Highway, St Peters, on the 1st May 2003 at 10.00 a.m. the following Special Resolution was duly passed. “That the Company be wound up voluntarily and that Terry Bekiaris of 368 Forest Road, Hurstville NSW be appointed Liquidator”. Dated 1st May 2003 at 396 Princes Highway, St Peters. C. GIANNIKOURIS director and Chairman of Meeting.

[0335]

NOTICE of winding up.—CABOSE PTY LIMITED (In Liquidation) A.B.N. 26 065 256 733. — In the matter of the Corporations Law notice is hereby given that at an Extraordinary General Meeting of the abovenamed company duly convened and held at 396 Princes Highway, St Peters, on the 1st May 2003 at 10.00 a.m. the following Special Resolution was duly passed. “That the Company be wound up voluntarily and that Terry Bekiaris of 368 Forest Road, Hurstville NSW be appointed Liquidator”. Dated 1st May 2003 at 396 Princes Highway, St Peters. P. GIANNIKOURIS director and Chairman of Meeting.

[0336]

NOTICE of winding up.—THINE PTY LIMITED (In Liquidation) A.B.N. 85 065 258 666. — In the matter of the Corporations Law notice is hereby given that at an Extraordinary General Meeting of the abovenamed company duly convened and held at 396 Princes Highway, St Peters, on the 1st May 2003 at 10.00 a.m. the following Special Resolution was duly passed. “That the Company be wound up voluntarily and that Terry Bekiaris of 368 Forest Road, Hurstville NSW be appointed Liquidator”. Dated 1st May 2003 at 396 Princes Highway, St Peters. N. GIANNIKOURIS director and Chairman of Meeting.

[0337]

NOTICE of winding up.—OSMIUM PTY LIMITED (In Liquidation) A.B.N. 52 064 772 907. — In the matter of the Corporations Law notice is hereby given that at an Extraordinary General Meeting of the abovenamed company duly convened and held at 396 Princes Highway, St Peters, on the 1st May 2003 at 10.00 a.m. the following Special Resolution was duly passed. “That the Company be wound up voluntarily and that Terry Bekiaris of 368 Forest Road, Hurstville NSW be appointed Liquidator”. Dated 1st May 2003 at 396 Princes Highway, St Peters. N. PEROS director and Chairman of Meeting.

[0338]

NOTICE of winding up.—SYTHE PTY LIMITED (In Liquidation) A.B.N. 64 065 258 513. — In the matter of the Corporations Law notice is hereby given that at an Extraordinary General Meeting of the abovenamed company duly convened and held at 396 Princes Highway, St Peters, on the 1st May 2003 at 10.00 a.m. the following Special Resolution was duly passed. “That the Company be wound up voluntarily and that Terry Bekiaris of 368 Forest Road, Hurstville NSW be appointed Liquidator”. Dated 1st May 2003 at 396 Princes Highway, St Peters. E. GIANNIKOURIS director and Chairman of Meeting.

[0339]

NOTICE of winding up.—WALLABY PTY LIMITED (In Liquidation) A.B.N. 60 065 259 369. — In the matter of the Corporations Law notice is hereby given that at an Extraordinary General Meeting of the abovenamed company duly convened and held at 396 Princes Highway, St Peters, on the 1st May 2003 at 10.00 a.m. the following Special Resolution was duly passed. “That the Company be wound up voluntarily and that Terry Bekiaris of 368 Forest Road, Hurstville NSW be appointed Liquidator”. Dated 1st May 2003 at 396 Princes Highway, St Peters. C. GIANNIKOURIS director and Chairman of Meeting.

[0340]