



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 204
Friday, 24 December 2004

Published under authority by Government Advertising and Information

LEGISLATION

Assents to Acts

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney 10 December 2004

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

Act No. 90 2004 – An Act to amend the Special Commission of Inquiry (James Hardie Records) Act 2004 to make further provision with respect to transferred records; and for other purposes. [**Special Commission of Inquiry (James Hardie Records) Amendment Bill**]

Act No. 91 2004 – An Act to repeal certain Acts and instruments and provisions of Acts and to amend certain other Acts and instruments in various respects and for the purpose of effecting statute law revision; and to make certain savings. [**Statute Law (Miscellaneous Provisions) Bill (No 2)**]

Act No. 92 2004 – An Act to amend the Health Services Act 1997 with respect to the control and management of area health services and statutory health corporations; and for other purposes. [**Health Services Amendment Bill**]

RUSSELL D. GROVE, PSM,
Clerk of the Legislative Assembly

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney 15 December 2004

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

Act No. 94 2004 – An Act to amend the Crimes (Administration of Sentences) Act 1999 with respect to parole; and for other purposes. [**Crimes (Administration of Sentences) Amendment (Parole) Bill**]

Act No. 95 2004 – An Act to amend the Crimes Act 1900 in connection with offences relating to child pornography and use of children for pornographic purposes. [**Crimes Amendment (Child Pornography) Bill**]

Act No. 96 2004 – An Act to amend the Duties Act 1997 to make further provision with respect to the duty chargeable on certain transactions; and for other purposes. [**Duties Amendment (Land Rich) Bill**]

Act No. 97 2004 – An Act to amend the Gaming Machines Act 2001 in consequence of a requirement that TAB Limited, the specified holder of certain exclusive licences under the Act, divest itself of those licences; to facilitate the transfer of those licences; and for other purposes. [**Gaming Machines Amendment Bill**]

Act No. 98 2004 – An Act to amend the Health Care Complaints Act 1993 in relation to the procedure for dealing with complaints and the conciliation or resolution of complaints; to amend various other health Acts with respect to complaints and the reporting of unsatisfactory professional conduct; and for other purposes. [**Health Legislation Amendment (Complaints) Bill**]

Act No. 99 2004 – An Act to amend various Acts relating to the regulation of health professionals in relation to complaints; and for other purposes. [**Health Registration Legislation Amendment Bill**]

Act No. 100 2004 – An Act to amend the Nurses and Midwives Act 1991 with respect to the performance assessment of the professional performance of nurses and midwives; and for other purposes. [**Nurses and Midwives Amendment (Performance Assessment) Bill**]

Act No. 101 2004 – An Act to amend the Home Building Act 1989 to make further provision with respect to home warranty insurance and contractor licences and other authorities; and for other purposes. [**Home Building Amendment Bill**]

Act No. 102 2004 – An Act to amend the Jury Act 1977 to prohibit improper inquiries by jurors and the disclosure of information by jurors; and for other purposes. [**Jury Amendment Bill**]

Act No. 103 2004 – An Act to amend the Children (Criminal Proceedings) Act 1987, the Children (Detention Centres) Act 1987 and the Crimes (Administration of Sentences) Act 1999 in relation to juvenile offenders; and for other purposes. [**Juvenile Offenders Legislation Amendment Bill**]

Act No. 104 2004 – An Act to amend the Law Enforcement (Powers and Responsibilities) Act 2002 to make provision for the use of in-car video recording equipment by police; and for other purposes. [**Law Enforcement (Powers and Responsibilities) Amendment (In-car Video Systems) Bill**]

Act No. 105 2004 – An Act to amend the Licensing and Registration (Uniform Procedures) Act 2002 to make further provision for the provision of photographs by applicants; and for other purposes. [**Licensing and Registration (Uniform Procedures) Amendment (Photo ID) Bill**]

Act No. 106 2004 – An Act to reconstitute the NSW Insurance Ministerial Corporation as the NSW Self Insurance Corporation and to clarify its functions; and for related purposes. [**NSW Self Insurance Corporation Bill**]

Act No. 107 2004 – An Act to constitute the Redfern-Waterloo Authority and to specify its functions; to amend certain Acts consequentially; and for other purposes. [**Redfern-Waterloo Authority Bill**]

Act No. 108 2004 – An Act to amend the Necropolis Act 1901 with respect to the establishment and operation of certain crematoria; and for other purposes. [**Rookwood Necropolis Amendment Bill**]

Act No. 109 2004 – An Act to amend the Shops and Industries Act 1962 with respect to the closure of certain shops on Saturday 25 December 2004 and on Sunday 26 December 2004. [**Shops and Industries Amendment (Special Shop Closures) Bill**]

Act No. 110 2004 – An Act to amend the Smoke-free Environment Act 2000 to remove certain exemptions under that Act and to make consequential amendments to the Liquor Act 1982, the Registered Clubs Act 1976 and the Smoke-free Environment Regulation 2000; and for other purposes. [**Smoke-free Environment Amendment Bill**]

Act No. 111 2004 – An Act to make miscellaneous amendments to legislation dealing with workers compensation and occupational health and safety; and for other purposes. [**Workers compensation and Other Legislation Amendment Bill**]

RUSSELL D. GROVE, PSM,
Clerk of the Legislative Assembly

ACTS OF PARLIAMENT ASSENTED TO

Legislative Council Office, Sydney 15 December 2004

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

Act No. 93, 2004 – An Act to amend the Gene Technology (GM Crop Moratorium) Act 2003 in relation to the making of exemption orders; and for other purposes. [**Gene Technology (GM Crop Moratorium) Amendment Act 2004**]

JOHN EVANS,
Clerk of the Parliaments

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney 21 December 2004

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

Act No. 112 2004 – An Act to provide for the regulation of legal practice in New South Wales and to facilitate the regulation of legal practice on a national basis, to repeal the Legal Profession Act 1987; and for other purposes. [**Legal Profession Bill**]

Act No. 113 2004 – An Act to amend the Local Government Act 1993 in relation to the participation of councils in public-private partnerships; and for other purposes. [**Local Government Amendment (Public-Private Partnerships) Bill**]

Act No. 114 2004 – An Act to amend the Teaching Services Act 1980 to provide for merit appointment in relation to senior positions in the Teaching Service and for performance management in relation to school principals; and for other purposes. [**Teaching Services Amendment Bill**]

Act No. 115 2004 – An Act to amend certain Universities' Acts to enable the Universities to meet the requirements of the National Governance Protocols for higher education providers of the Commonwealth; and for other purposes. [**University Legislation Amendment Bill**]

RUSSELL D. GROVE, PSM,
Clerk of the Legislative Assembly

Proclamations



New South Wales

Proclamation

under the

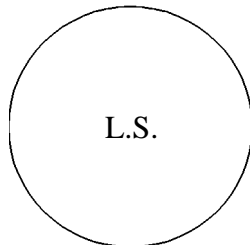
Redfern–Waterloo Authority Act 2004

JAMES JACOB SPIGELMAN,
By Deputation from Her Excellency the Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Redfern–Waterloo Authority Act 2004*, do, by this my Proclamation, appoint 17 January 2005 as the day on which that Act commences.

Signed and sealed at Sydney, this 15th day of December 2004.

By Her Excellency's Command,



FRANK ERNEST SARTOR, M.P.,
Minister for Energy and Utilities,
Minister for Science and Medical Research,
Minister Assisting the Minister for Health (Cancer)
and Minister Assisting the Premier on the Arts

GOD SAVE THE QUEEN!



New South Wales

Proclamation

under the

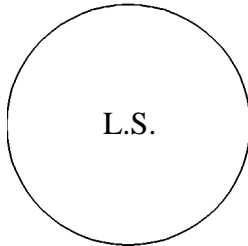
State Water Corporation Act 2004 No 40

JAMES JACOB SPIGELMAN,
By Deputation from Her Excellency the Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *State Water Corporation Act 2004*, do, by this my Proclamation, appoint 1 January 2005 as the day on which the uncommenced provisions of that Act commence.

Signed and sealed at Sydney, this 15th day of December 2004.

By Her Excellency's Command,



FRANK ERNEST SARTOR, M.P.,
Minister for Energy and Utilities

GOD SAVE THE QUEEN!

Explanatory note

The object of this Proclamation is to commence the provisions of the *State Water Corporation Act 2004* that deal with the Fish River water supply scheme.

Regulations



New South Wales

Environmental Planning and Assessment Amendment (Fishing Activities and Dredging) Regulation 2004

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Environmental Planning and Assessment Act 1979*.

CRAIG KNOWLES, M.P.,
Minister for Infrastructure and Planning

Explanatory note

Currently, designated fishing activities that are listed in Schedule 1A to the *Fisheries Management Act 1994* are not subject to the general provisions of Part 5 of the *Environmental Planning and Assessment Act 1979* (*the Act*). Designated fishing activities were to be brought within the scope of Division 5 of that Part on 31 December 2004.

The object of this Regulation is to extend the period during which the provisions of Part 5 of the Act do not apply, so as to allow additional time for fisheries management strategies to be developed for each designated fishing activity. This is necessary because a fisheries management strategy is the basis for environmental assessment under Division 5 of that Part. This Regulation extends the deadline to 31 December 2005.

Non-designated fishing activities are also exempt from the requirements of Part 5 of the Act. However, those activities were to be brought within the scope of the general provisions of Part 5 (other than Division 5) on 31 December 2004. This Regulation also extends that deadline to 31 December 2005.

The object of this Regulation is also to specify that certain dredging activity in Wallis Lake is not designated development.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 110 (1) (definition of *activity*), 115R (2) (b) and 157 (the general regulation-making power).

Clause 1 Environmental Planning and Assessment Amendment (Fishing Activities and Dredging) Regulation 2004

Environmental Planning and Assessment Amendment (Fishing Activities and Dredging) Regulation 2004

under the

Environmental Planning and Assessment Act 1979

1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Fishing Activities and Dredging) Regulation 2004*.

2 Commencement

This Regulation commences on 31 December 2004.

3 Amendment of Environmental Planning and Assessment Regulation 2000

The *Environmental Planning and Assessment Regulation 2000* is amended as set out in Schedule 1.

Environmental Planning and Assessment Amendment (Fishing Activities and Dredging) Regulation 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clauses 244B (1) and 244C

Omit “31 December 2004” wherever occurring.

Insert instead “31 December 2005”.

[2] Schedule 3 Designated development

Insert at the end of clause 19 (2) (f):

, or

- (g) maintenance dredging of alluvial material from oyster leases and adjacent areas in Wallis Lake, but only if the dredging is undertaken in accordance with the document entitled *Protocol for Wallis Lake Oyster Lease Maintenance Dredging* approved by the Director-General and published in the Gazette, as amended by the Director-General from time to time by publication of an amended Protocol in the Gazette.



New South Wales

Forestry Amendment (Fees) Regulation 2004

under the

Forestry Act 1916

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Forestry Act 1916*.

IAN MICHAEL MACDONALD, M.L.C.,
Minister for Primary Industries

Explanatory note

The object of this Regulation is to amend the *Forestry Regulation 2004 (the Principal Regulation)* so as to alter certain fees payable under the *Forestry Act 1916*.

The current fee structure for contractors' licences and operators' licences reflect the payment of fees for periods of 3, 6, 9 or 12 months. The new fee structure for those licences will extend up to 5 years. In addition, the new licence fees for contractors will differentiate between those contractors that are corporations and those who are not corporations.

Hunting licences are now issued under the *Game and Feral Animal Control Act 2002*. Accordingly, the fee for hunting permits under the Principal Regulation has been omitted from the schedule of fees to that Regulation and consequential amendments made to that Regulation.

This Regulation is made under the *Forestry Act 1916*, including section 41 (the general regulation-making power) and, in particular, section 41 (1) (b), (f) and (n).

Clause 1 Forestry Amendment (Fees) Regulation 2004

Forestry Amendment (Fees) Regulation 2004

under the

Forestry Act 1916

1 Name of Regulation

This Regulation is the *Forestry Amendment (Fees) Regulation 2004*.

2 Commencement

This Regulation commences on 1 January 2005.

3 Amendment of Forestry Regulation 2004

The *Forestry Regulation 2004* is amended as set out in Schedule 1.

Forestry Amendment (Fees) Regulation 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

- [1] **Clause 3 Interpretation**
Omit the definition of *hunting permit* from clause 3 (1).
- [2] **Clause 33 Definition**
Omit paragraph (k) from the definition of *written authority*.
- [3] **Clause 36 Payment of fees**
Omit clause 36 (1) (b).
- [4] **Part 4 Licences, permits and forest leases**
Omit Division 7 (Hunting permits) from the Part.
- [5] **Schedule 1**
Omit the Schedule. Insert instead:

Schedule 1 Fees

(Clause 3)

Column 1	Column 2
Description	Fee
Application for a sawmill licence	\$154
Application for an occupation permit where, in the opinion of the appropriate Regional Manager, no on-site inspection is required	\$104
Application for an occupation permit where an on-site inspection is, in the opinion of the appropriate Regional Manager, required	\$257
Application for a forest lease where, in the opinion of the appropriate Regional Manager, no on-site inspection is required	\$104
Application for a forest lease where an on-site inspection is, in the opinion of the appropriate Regional Manager, required	\$257
Timber licence	\$96 for a licence the duration of which is not more than 3 months

Page 3

Forestry Amendment (Fees) Regulation 2004

Schedule 1 Amendments

Column 1	Column 2
Description	Fee
	\$141 for a licence the duration of which is more than 3 months but not more than 6 months
	\$179 for a licence the duration of which is more than 6 months but not more than 9 months
	\$205 for a licence the duration of which is more than 9 months but not more than 12 months
	For a licence the duration of which is more than 12 months—\$205 for each year, or part of a year, of the duration of the licence
Products licence	\$90 for a licence the duration of which is not more than 3 months
	\$116 for a licence the duration of which is more than 3 months but not more than 6 months
	\$135 for a licence the duration of which is more than 6 months but not more than 9 months
	\$154 for a licence the duration of which is more than 9 months but not more than 12 months
	For a licence the duration of which is more than 12 months—\$154 for each year, or part of a year, of the duration of the licence
Forest materials licence	\$90 for a licence the duration of which is not more than 3 months
	\$116 for a licence the duration of which is more than 3 months but not more than 6 months
	\$135 for a licence the duration of which is more than 6 months but not more than 9 months
	\$154 for a licence the duration of which is more than 9 months but not more than 12 months

Forestry Amendment (Fees) Regulation 2004

Amendments

Schedule 1

Column 1	Column 2
Description	Fee
	For a licence the duration of which is more than 12 months—\$154 for each year, or part of a year, of the duration of the licence
Sawmill licence or any renewal of a sawmill licence	\$194 for each year ending 31 December, or any part of a year, of the duration of the licence
Grazing permit	\$7 per month, or part of a month, of the duration of the permit
Transfer of forest lease or occupation permit	\$123
Transfer of sawmill licence, timber licence, products licence or forest materials licence	\$129
Contractor's licence (where the contractor is a corporation)	\$20 for a licence the duration of which is not more than 12 months
	\$40 for a licence the duration of which is more than 12 months but not more than 3 years
	\$50 for a licence the duration of which is more than 3 years but not more than 5 years
	\$27 for a licence the duration of which is not more than 3 months
Contractor's licence (where the contractor is not a corporation)	\$45 for a licence the duration of which is more than 3 months but not more than 6 months
	\$58 for a licence the duration of which is more than 6 months but not more than 9 months
	\$65 for a licence the duration of which is more than 9 months but not more than 12 months
	\$133 for a licence the duration of which is more than 12 months but not more than 3 years
	\$167 for a licence the duration of which is more than 3 years but not more than 5 years

Forestry Amendment (Fees) Regulation 2004

Schedule 1 Amendments

Column 1	Column 2
Description	Fee
Operator's licence	\$27 for a licence the duration of which is not more than 3 months \$45 for a licence the duration of which is more than 3 months but not more than 6 months \$58 for a licence the duration of which is more than 6 months but not more than 9 months \$65 for a licence the duration of which is more than 9 months but not more than 12 months \$133 for a licence the duration of which is more than 12 months but not more than 3 years \$167 for a licence the duration of which is more than 3 years but not more than 5 years
Permission under section 29 (1) (b) of the Act to work a sawmill	\$96 for each year ending 31 December, or any part of a year, of the duration of the licence
Application to vary a condition of a forest lease where, in the opinion of the appropriate Regional Manager, no on-site inspection is required	\$65
Application to vary a condition of a forest lease where, in the opinion of the appropriate Regional Manager, an on-site inspection is required	\$194



New South Wales

Protection of the Environment Operations (Noise Control) Amendment (Motor Cycle Noise Control Equipment) Regulation 2004

under the

Protection of the Environment Operations Act 1997

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

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

Explanatory note

The objects of this Regulation are to amend the *Protection of the Environment Operations (Noise Control) Regulation 2000*:

- (a) to require motor cycles manufactured on or after 1 January 2005 to comply with *Australian Design Rule 83/00 External Noise* in respect of the labelling of noise control equipment and prescribed noise levels (except motor cycles manufactured before 1 January 2006 to comply with *Australian Design Rule 39/00 External Noise of Motor Cycles*), and
- (b) to retain the requirement that motor cycles manufactured before 1 January 2005 (and motor cycles that fall within the exception in paragraph (a)) comply with *Australian Design Rule 39/00 External Noise of Motor Cycles* in respect of the labelling of noise control equipment and prescribed noise levels, and
- (c) to clarify that the requirements referred to in paragraph (b) do not apply to motor cycles manufactured before 1 July 1988, and
- (d) to confirm that the provisions dealing with labelling requirements in respect of motor cycles fitted with original noise control equipment supplied by the motor cycle manufacturer do not require original labelling to be displayed (a label affixed by the owner or another person will be sufficient provided that it complies with the requirements set out in the relevant provisions), and
- (e) to provide that noise control equipment supplied by the manufacturer after the date of manufacture that was not used to determine compliance with the applicable design rule is subject to the same labelling requirements as other after market noise control equipment, and

Protection of the Environment Operations (Noise Control) Amendment (Motor Cycle Noise Control Equipment) Regulation 2004

Explanatory note

- (f) to prescribe testing procedures relating to *Australian Design Rule 83/00 External Noise*.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including section 323 (the general regulation-making power) and clauses 3 and 4 of Schedule 2.

Protection of the Environment Operations (Noise Control) Amendment
(Motor Cycle Noise Control Equipment) Regulation 2004

Clause 1

Protection of the Environment Operations (Noise Control) Amendment (Motor Cycle Noise Control Equipment) Regulation 2004

under the

Protection of the Environment Operations Act 1997

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (Noise Control) Amendment (Motor Cycle Noise Control Equipment) Regulation 2004*.

2 Amendment of Protection of the Environment Operations (Noise Control) Regulation 2000

The *Protection of the Environment Operations (Noise Control) Regulation 2000* is amended as set out in Schedule 1.

Protection of the Environment Operations (Noise Control) Amendment
(Motor Cycle Noise Control Equipment) Regulation 2004

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 2)

[1] Clause 19

Omit the clause. Insert instead:

19 Motor cycle noise control equipment to be labelled

- (1) A person must not cause or permit a motor cycle that was manufactured on or after 1 July 1988 but before 1 January 2005 to be used on a road or road related area unless:
 - (a) in the case of a motor cycle fitted with the original noise control equipment supplied by the motor cycle manufacturer (or equipment that is identical to that equipment)—the motor cycle complies with clause 39.2 (Marking requirements) and clause 39.3 (Labelling requirements) of *Australian Design Rule 39/00 External Noise of Motor Cycles*, or
 - (b) in any other case—the noise control equipment fitted to the motor cycle is clearly and indelibly marked with the following:
 - (i) the manufacturer's name,
 - (ii) the model of the motor cycle for which it is designed,
 - (iii) the noise rating information referred to in clause 39.3.1.4 of *Australian Design Rule 39/00 External Noise of Motor Cycles*.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

- (2) A person must not cause or permit a motor cycle that was manufactured on or after 1 January 2005 to be used on a road or road related area unless:
 - (a) in the case of a motor cycle fitted with the original noise control equipment supplied by the motor cycle manufacturer (or equipment that is identical to that equipment)—the motor cycle complies with clause 4 (Markings) and clause 6 (Specifications) of Appendix B to *Australian Design Rule 83/00 External Noise*, or
 - (b) in any other case—the noise control equipment fitted to the motor cycle is clearly and indelibly marked with the following:
 - (i) the manufacturer's name,

Protection of the Environment Operations (Noise Control) Amendment
(Motor Cycle Noise Control Equipment) Regulation 2004

Amendments

Schedule 1

-
- (ii) the model of the motor cycle for which it is designed,
 - (iii) the engine speed and the value in dB(A) as determined using the test method in Division 4 of Part 1 of Schedule 2.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

- (3) Despite subclauses (1) and (2):
 - (a) any motor cycle manufactured on or after 1 January 2005 and before 1 January 2006 that is manufactured to comply with *Australian Design Rule 39/00 External Noise of Motor Cycles* must comply with subclause (1), and
 - (b) any motor cycle manufactured before 1 January 2005 that is manufactured to comply with *Australian Design Rule 83/00 External Noise* must comply with subclause (2).
- (4) For the purposes of subclause (1) and (2), any label or a replacement label required to comply with those subclauses may be affixed by the manufacturer or any other person.
- (5) In this clause:

Australian Design Rule 39/00 External Noise of Motor Cycles means the national standard published under that title, being a standard determined under section 7 of the *Motor Vehicle Standards Act 1989* of the Commonwealth, as in force on 1 September 2000.

Note. A copy of *Australian Design Rule 39/00 External Noise of Motor Cycles* was published in Gazette No 112 of 1 September 2000 and is available for inspection at the head office of the Department of Environment and Conservation.

Australian Design Rule 83/00 External Noise means the national standard published under that title, being a standard determined under section 7 of the *Motor Vehicle Standards Act 1989* of the Commonwealth, as in force on 21 March 2003.

Note. A copy of *Australian Design Rule 83/00 External Noise* is available for inspection at the head office of the Department of Environment and Conservation.

original noise control equipment of a motor cycle means the noise control equipment that was fitted by the manufacturer at the time of manufacture of the motor cycle and approved under *Australian Design Rule 39/00 External Noise of Motor Cycles* or *Australian Design Rule 83/00 External Noise*.

Protection of the Environment Operations (Noise Control) Amendment
(Motor Cycle Noise Control Equipment) Regulation 2004

Schedule 1 Amendments

[2] Schedule 1 Prescribed noise levels of classes of motor vehicles

Omit the heading “**Period during which manufacture completed**” from the table.

Insert instead “**Period during which manufacture completed or Australian Design Rule to which the vehicle was manufactured**”.

[3] Schedule 1, columns 1 and 2

Omit the matter relating to motor cycles designed or manufactured for use on a road.

Insert instead:

Motor cycle designed or manufactured for use on a road	Any engine	Any mass	Any height	On or after 1 March 1984 and before 1 July 1988	94
				<i>Australian Design Rule 39/00 External Noise of Motor Cycles</i>	94
				<i>Australian Design Rule 83/00 External Noise</i>	The value in dB(A) measured for a motor cycle of that particular type during the stationary test required by clause 6.2.1.1 of Appendix B to <i>Australian Design Rule 83/00 External Noise</i>

Protection of the Environment Operations (Noise Control) Amendment
(Motor Cycle Noise Control Equipment) Regulation 2004

Amendments

Schedule 1

[4] Schedule 2 Testing procedures

Insert in alphabetical order in clause 1:

Australian Design Rule 39/00 External Noise of Motor Cycles means the national standard published under that title, being a standard determined under section 7 of the *Motor Vehicle Standards Act 1989* of the Commonwealth, as in force on 1 September 2000.

Note. A copy of *Australian Design Rule 39/00 External Noise of Motor Cycles* was published in Gazette No 112 of 1 September 2000 and is available for inspection at the head office of the Department of Environment and Conservation.

Australian Design Rule 83/00 External Noise means the national standard published under that title, being a standard determined under section 7 of the *Motor Vehicle Standards Act 1989* of the Commonwealth, as in force on 21 March 2003.

Note. A copy of *Australian Design Rule 83/00 External Noise* is available for inspection at the head office of the Department of Environment and Conservation.

[5] Schedule 2, clause 10 (9)

Insert after clause 10 (8):

- (9) For motor cycles manufactured to comply with *Australian Design Rule 83/00 External Noise* that have exhaust outlets spaced more than 300mm apart, each exhaust outlet must be treated separately as if it were the only one.

[6] Schedule 2, clause 11 (2) (b1)

Insert after clause 11 (2) (b):

- (b1) For motor cycles manufactured to comply with *Australian Design Rule 83/00 External Noise* the engine speed is to be held steady at one of the following values:
- (i) if the ESMP is more than 5000 rpm, the engine speed is to be held steady at half the ESMP, or
 - (ii) if the ESMP is not more than 5000 rpm, the engine speed is to be held steady at three quarters of ESMP, and when a constant engine speed is reached the throttle is to be returned swiftly to the idle position.

[7] Schedule 2, clause 11 (2) (c)

Omit "(a) and (b)". Insert instead "(a), (b) and (b1)".



New South Wales

Public Authorities (Financial Arrangements) Amendment (Prescribed Rating Agencies) Regulation 2004

under the

Public Authorities (Financial Arrangements) Act 1987

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

MICHAEL EGAN, M.L.C.,
Treasurer

Explanatory note

The object of this Regulation is to amend the *Public Authorities (Financial Arrangements) Regulation 2000* to include Fitch Australia Pty Ltd as a prescribed rating agency for the purposes of Schedule 4 to the *Public Authorities (Financial Arrangements) Act 1987*.

This Regulation is made under the *Public Authorities (Financial Arrangements) Act 1987*, including section 43 (the general regulation-making power) and the definitions of **eligible entity** and **eligible rating** in clause 1 (1) of Schedule 4.

Clause 1 Public Authorities (Financial Arrangements) Amendment (Prescribed Rating Agencies) Regulation 2004

Public Authorities (Financial Arrangements) Amendment (Prescribed Rating Agencies) Regulation 2004

under the

Public Authorities (Financial Arrangements) Act 1987

1 Name of Regulation

This Regulation is the *Public Authorities (Financial Arrangements) Amendment (Prescribed Rating Agencies) Regulation 2004*.

2 Amendment of Public Authorities (Financial Arrangements) Regulation 2000

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

Public Authorities (Financial Arrangements) Amendment (Prescribed Rating Agencies) Regulation 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 53 Prescribed rating agencies

Insert after clause 53 (b):

(c) Fitch Australia Pty Ltd.

[2] Clause 54 Eligible entities

Insert after clause 54 (b):

(b1) “AAA”, “AA+”, “AA”, “AA-”, “A+” or “A” given by Fitch Australia Pty Ltd,

[3] Clause 54 (c)

Omit “or (b)” wherever occurring. Insert instead “, (b) or (b1)”.

[4] Clause 55 Eligible ratings

Insert after clause 55 (b):

(b1) “AAA”, “AA+”, “AA”, “AA-”, “A+”, “A”, “F1+” or “F1” given by Fitch Australia Pty Ltd,

[5] Clause 55 (c)

Omit “or (b)” wherever occurring. Insert instead “, (b) or (b1)”.



New South Wales

Water Management (Water Supply Authorities) Amendment (Fish River) Regulation 2004

under the

Water Management Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Water Management Act 2000*.

FRANK ERNEST SARTOR, M.P.,
Minister for Energy and Utilities

Explanatory note

The *State Water Corporation Act 2004* included State Water Corporation in Schedule 3 to the *Water Management Act 2000* (the *Act*) as a water supply authority but only in relation to the Fish River water supply scheme.

The object of this Regulation is to prescribe the area of operations for, and to apply Parts 3 (Water supply) and 7 (Finance generally) of the *Water Management (Water Supply Authorities) Regulation 2004* to, State Water Corporation in relation to that scheme.

This Regulation also makes it a requirement that a water supply authority must comply with certain guidelines published under the *Local Government Act 1993*.

This Regulation is made under the *Water Management Act 2000*, including sections 289, 322 and 400 (the general regulation-making power).

Clause 1 Water Management (Water Supply Authorities) Amendment (Fish River)
 Regulation 2004

Water Management (Water Supply Authorities) Amendment (Fish River) Regulation 2004

under the

Water Management Act 2000

1 Name of Regulation

This Regulation is the *Water Management (Water Supply Authorities) Amendment (Fish River) Regulation 2004*.

2 Commencement

This Regulation commences on 1 January 2005.

3 Amendment of Water Management (Water Supply Authorities) Regulation 2004

The *Water Management (Water Supply Authorities) Regulation 2004* is amended as set out in Schedule 1.

Water Management (Water Supply Authorities) Amendment (Fish River)
Regulation 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 7A

Insert after clause 7:

7A State Water Corporation—Fish River water supply scheme

(1) State Water Corporation's area of operations (in relation to the Fish River water supply scheme) is the area of land shown by distinctive marking on the map marked "Area of Operations of Fish River water supply scheme" deposited in the offices of the Department, being all the land owned, occupied or used by State Water Corporation in relation to the Fish River water supply scheme (within the meaning of the *State Water Corporation Act 2004*) in the local government areas of Greater Lithgow City, Oberon and Blue Mountains City, and includes:

- (a) all land on which the following works are situated:
 - (i) the concrete dam on the Fish River at Oberon,
 - (ii) Duckmaloi weir,
 - (iii) Rydal storage, and
- (b) all land on, over, under or in which any water management works incidental or connected to those referred to in paragraph (a) (including tunnels, pipelines, service reservoirs, pumping stations and water treatment works) are situated from time to time, and
- (c) all land on, over, under or in which any access roads and easements in relation to the works referred to in paragraph (a) or (b) are situated from time to time.

Note. Certain land along the route of the pipelines referred to in paragraph (b) is supplied with water by those pipelines. Pursuant to sections 292 (2) and 311 of the Act, water service charges may be levied on that land even though it is not within the area of operations of State Water Corporation (in relation to the Fish River water supply scheme).

(2) State Water Corporation has and may exercise only the function of providing water services.

[2] Clause 12 Application

Insert after clause 12 (d):

- (d1) State Water Corporation,

Water Management (Water Supply Authorities) Amendment (Fish River)
Regulation 2004

Schedule 1 Amendments

[3] Clause 83 Application

Insert after clause 83 (d):

(d1) State Water Corporation,

[4] Clause 116A

Insert after clause 116:

116A Water supply authority to comply with guidelines

In carrying out its functions, a water supply authority is to comply, as far as is reasonably practicable, with the guidelines published under section 409 (6) (a) of the *Local Government Act 1993*.

Orders



New South Wales

Coal Acquisition (Re-acquisition Arrangements) Order 2004

under the

Coal Acquisition Act 1981

JAMES JACOB SPIGELMAN,

By Deputation from Her Excellency the 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 6 of the *Coal Acquisition Act 1981*, make the following Order.

Dated, this 15th day of December 2004.

By Her Excellency's Command,

KERRY ARTHUR HICKEY, M.P.,
Minister for Mineral Resources

Explanatory note

Section 6 (8) of the *Coal Acquisition Act 1981* requires the Minister administering that Act to review from time to time the arrangements made under that section to ensure that the amount of compensation payable under the arrangements in relation to the operation of section 5A of that Act or the refusal of certain applications under the *Coal Ownership (Restitution) Act 1990* is just and equitable. The object of this Order is to amend the *Coal Acquisition (Re-acquisition Arrangements) Order 1997*:

- (a) to clarify the methodology to be used to determine the compensation payable to an applicant because of the operation of section 5A of the *Coal Acquisition Act 1981* or the refusal of certain applications under the *Coal Ownership (Restitution) Act 1990* so as to take account of certain changes that have occurred, such as to royalty payable or rates of company taxation, and
- (b) to provide an indication as to the matters that might be relevant for the Coal Compensation Board to consider when making a determination in any particular case as to the values to be given to certain variables of the formulae used to determine that compensation while ensuring that the Board has flexibility to fulfil its obligation of determining just and equitable compensation for those applicants.

This Order is made under section 6 of the *Coal Acquisition Act 1981*.

Clause 1 Coal Acquisition (Re-acquisition Arrangements) Order 2004

Coal Acquisition (Re-acquisition Arrangements) Order 2004

under the

Coal Acquisition Act 1981

1 Name of Order

This Order is the *Coal Acquisition (Re-acquisition Arrangements) Order 2004*.

2 Commencement

This Order takes effect on the day it is published in the Gazette.

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

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

Coal Acquisition (Re-acquisition Arrangements) Order 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

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

Omit “A claim” from clause 7 (2). Insert instead “An application”.

[2] Clause 7 (3A)

Omit “a claim”. Insert instead “an application”.

[3] Clause 7 (3A)

Omit “the claim” wherever occurring. Insert instead “the application”.

[4] Schedule 1 Calculation of compensation

Omit the definition of *r* in clause 2 (3). Insert instead:

r is an amount in respect of a particular relevant period and a particular type of coal that the Board considers just and equitable in the circumstances of the case.

[5] Schedule 1, clause 2 (4)–(6)

Insert after clause 2 (3):

- (4) For the purposes of determining an amount for *e* in accordance with the methodology set out in the definition of *e* in subclause (3), the Board is to take account of the following procedure:
 - (a) the Board should calculate a base rate for each month in the particular relevant period,
 - (b) the base rate should be based on a weighted average cost of capital for the coal industry calculated in accordance with a formula determined by the Board,
 - (c) the Board should calculate an additional rate for the mine or proposed mine concerned having regard to the profitability ranking of operating collieries, as determined by the Board,
 - (d) the Board should calculate a further additional rate in relation to development risk and other factors considered by the Board to be relevant to the mine or proposed mine concerned,
 - (e) the sum of the base rate referred to in paragraph (a) plus the additional rates referred to in paragraphs (c) and (d) rounded to the nearest 0.5 per cent is to be used as the rate of interest referred to in that definition.

Coal Acquisition (Re-acquisition Arrangements) Order 2004

Schedule 1 Amendments

-
- (5) Subclause (4) does not limit the power of the Board to determine an amount for e on some other basis if the Board considers it is just and equitable to do so.
- (6) When determining an amount that is just and equitable for the purposes of the definition of r in subclause (3), the Board is to have regard to the following matters to the extent that they are relevant in the circumstances of the case (but is not limited to a consideration of those matters):
- (a) any amount, as determined by the Board, that would have been payable to the claimant in respect of royalty for the coal concerned under the *Coal Mining Act 1973* (as in force before its repeal) or the *Mining Act 1992*, taking into account any changes from time to time to the method of calculating that royalty,
 - (b) any additional amount of royalty, as determined by the Board, that would have been payable under section 283 (1) (b) of the *Mining Act 1992*, but only in relation to a period occurring before 1 July 2004,
 - (c) any amount of corporate tax (at the rates applying from time to time) by which the amounts referred to in paragraphs (a) and (b) should be reduced,
 - (d) any further reductions to the amount of royalty normally made under the *Coal Mining Act 1973* (as in force before its repeal) or the *Mining Act 1992* in the nature of administration expenses and the like.



New South Wales

First State Superannuation Amendment (ARTC Employees) Order (No 2) 2004

under the

First State Superannuation Act 1992

JAMES JACOB SPIGELMAN,
By Deputation from Her Excellency the 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 7 of the *First State Superannuation Act 1992*, make the following Order.

Dated, this 15th day of December 2004.

By Her Excellency's Command,

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

Explanatory note

The *First State Superannuation Act 1992* provides for certain former employees of Rail Infrastructure Corporation, RailCorp and the State Rail Authority who become employees of Australian Rail Track Corporation Ltd (*ARTC*) to continue to be members of the First State Superannuation Scheme in certain circumstances. The object of this Order is to amend the *First State Superannuation Act 1992* to extend this opportunity to former employees of those bodies who become employees of ARTC not later than 31 December 2007. Currently, the opportunity is only available to former employees who became employees of ARTC not later than 4 October 2004.

This Order is made under section 7 of the *First State Superannuation Act 1992*.

Clause 1 First State Superannuation Amendment (ARTC Employees) Order (No 2)
 2004

First State Superannuation Amendment (ARTC Employees) Order (No 2) 2004

under the

First State Superannuation Act 1992

1 Name of Order

This Order is the *First State Superannuation Amendment (ARTC Employees) Order (No 2) 2004*.

2 Commencement

This Order is taken to have commenced on 4 October 2004.

3 Amendment of First State Superannuation Act 1992

The *First State Superannuation Act 1992* is amended as set out in Schedule 1.

First State Superannuation Amendment (ARTC Employees) Order (No 2)
2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Schedule 1 Employers

Omit paragraph (a) of the matter relating to the Australian Rail Track Corporation Ltd.

Insert instead:

- (a) become employees of Australian Rail Track Corporation Ltd on or after 1 June 2004 and not later than 31 December 2007, and

[2] Schedule 1

Omit paragraph (c) of the matter relating to the Australian Rail Track Corporation Ltd.

Insert instead:

- (c) do not elect to cease to be contributors to the Fund within 30 days of commencing employment with Australian Rail Track Corporation Ltd).



New South Wales

State Authorities Non-contributory Superannuation Amendment (ARTC Employees) Order (No 2) 2004

under the

State Authorities Non-contributory Superannuation Act 1987

JAMES JACOB SPIGELMAN,
By Deputation from Her Excellency the 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 27 of the *State Authorities Non-contributory Superannuation Act 1987*, make the following Order.

Dated, this 15th day of December 2004.

By Her Excellency's Command,

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

Explanatory note

The *State Authorities Non-contributory Superannuation Act 1987* provides for certain former employees of Rail Infrastructure Corporation, RailCorp and the State Rail Authority who become employees of Australian Rail Track Corporation Ltd (*ARTC*) to continue to be employees for the purposes of the superannuation scheme established under that Act in certain circumstances. The object of this Order is to amend the *State Authorities Non-contributory Superannuation Act 1987* to extend this opportunity to former employees of those bodies who become employees of ARTC not later than 31 December 2007. Currently, the opportunity is only available to former employees who became employees of ARTC not later than 4 October 2004.

This Order is made under section 27 of the *State Authorities Non-contributory Superannuation Act 1987*.

Clause 1 State Authorities Non-contributory Superannuation Amendment (ARTC Employees) Order (No 2) 2004

State Authorities Non-contributory Superannuation Amendment (ARTC Employees) Order (No 2) 2004

under the

State Authorities Non-contributory Superannuation Act 1987

1 Name of Order

This Order is the *State Authorities Non-contributory Superannuation Amendment (ARTC Employees) Order (No 2) 2004*.

2 Commencement

This Order is taken to have commenced on 4 October 2004.

3 Amendment of State Authorities Non-contributory Superannuation Act 1987

The *State Authorities Non-contributory Superannuation Act 1987* is amended as set out in Schedule 1.

State Authorities Non-contributory Superannuation Amendment (ARTC Employees) Order (No 2) 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Schedule 1 Employers

Omit paragraph (a) of the matter relating to the Australian Rail Track Corporation Ltd in Part 1.

Insert instead:

- (a) become employees of Australian Rail Track Corporation Ltd on or after 1 June 2004 and not later than 31 December 2007, and

[2] Schedule 1, Part 1

Omit paragraph (c) of the matter relating to Australian Rail Track Corporation Ltd.

Insert instead:

- (c) do not elect to cease to be employees for the purposes of this Act within 30 days of commencing employment with Australian Rail Track Corporation Ltd).



New South Wales

State Authorities Superannuation Amendment (ARTC Employees) Order (No 2) 2004

under the

State Authorities Superannuation Act 1987

JAMES JACOB SPIGELMAN,
By Deputation from Her Excellency the 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 46 of the *State Authorities Superannuation Act 1987*, make the following Order.

Dated, this 15th day of December 2004.

By Her Excellency's Command,

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

Explanatory note

The *State Authorities Superannuation Act 1987* provides for certain former employees of Rail Infrastructure Corporation, RailCorp and the State Rail Authority who become employees of Australian Rail Track Corporation Ltd (*ARTC*) to continue to be contributors to the State Authorities Superannuation Scheme in certain circumstances. The object of this Order is to amend the *State Authorities Superannuation Act 1987* to extend this opportunity to former employees of those bodies who become employees of ARTC not later than 31 December 2007. Currently, the opportunity is only available to former employees who became employees of ARTC not later than 4 October 2004.

This Order is made under section 46 of the *State Authorities Superannuation Act 1987*.

Clause 1 State Authorities Superannuation Amendment (ARTC Employees) Order
 (No 2) 2004

State Authorities Superannuation Amendment (ARTC Employees) Order (No 2) 2004

under the

State Authorities Superannuation Act 1987

1 Name of Order

This Order is the *State Authorities Superannuation Amendment (ARTC Employees) Order (No 2) 2004*.

2 Commencement

This Order is taken to have commenced on 4 October 2004.

3 Amendment of State Authorities Superannuation Act 1987

The *State Authorities Superannuation Act 1987* is amended as set out in Schedule 1.

State Authorities Superannuation Amendment (ARTC Employees) Order
(No 2) 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Schedule 1 Employers

Omit paragraph (a) of the matter relating to the Australian Rail Track Corporation Ltd in Part 1.

Insert instead:

- (a) become employees of Australian Rail Track Corporation Ltd on or after 1 June 2004 and not later than 31 December 2007, and

[2] Schedule 1, Part 1

Omit paragraph (c) of the matter relating to the Australian Rail Track Corporation Ltd.

Insert instead:

- (c) do not elect to cease to be contributors to the Fund within 30 days of commencing employment with Australian Rail Track Corporation Ltd).



New South Wales

Superannuation Amendment (ARTC Employees) Order (No 2) 2004

under the

Superannuation Act 1916

JAMES JACOB SPIGELMAN,
By Deputation from Her Excellency the 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 92 of the *Superannuation Act 1916*, make the following Order.

Dated, this 15th day of December 2004.

By Her Excellency's Command,

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

Explanatory note

The *Superannuation Act 1916* provides for certain former employees of Rail Infrastructure Corporation, RailCorp and the State Rail Authority who become employees of Australian Rail Track Corporation Ltd (*ARTC*) to continue to be contributors to the State Superannuation Scheme in certain circumstances. The object of this Order is to amend the *Superannuation Act 1916* to extend this opportunity to former employees of those bodies who become employees of ARTC not later than 31 December 2007. Currently, the opportunity is only available to former employees who became employees of ARTC not later than 4 October 2004.

This Order is made under section 92 of the *Superannuation Act 1916*.

Clause 1 Superannuation Amendment (ARTC Employees) Order (No 2) 2004

Superannuation Amendment (ARTC Employees) Order (No 2) 2004

under the

Superannuation Act 1916

1 Name of Order

This Order is the *Superannuation Amendment (ARTC Employees) Order (No 2) 2004*.

2 Commencement

This Order is taken to have commenced on 4 October 2004.

3 Amendment of Superannuation Act 1916

The *Superannuation Act 1916* is amended as set out in Schedule 1.

Superannuation Amendment (ARTC Employees) Order (No 2) 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Schedule 3 List of Employers

Omit paragraph (a) of the matter relating to the Australian Rail Track Corporation Ltd in Part 1.

Insert instead:

- (a) become employees of Australian Rail Track Corporation Ltd on or after 1 June 2004 and not later than 31 December 2007, and

[2] Schedule 3, Part 1

Omit paragraph (c) of the matter relating to the Australian Rail Track Corporation Ltd.

Insert instead:

- (c) do not elect to cease to be contributors to the Fund within 30 days of commencing employment with Australian Rail Track Corporation Ltd).

Barbara Lamrock	Mid Western Area Health Service
Andrew Roberts	Mid Western Area Health Service
Linda Adams	New England Area Health Service
Warren Isaac	New England Area Health Service
Roderic Keith	New England Area Health Service
Paul de Jong	Northern Rivers Area Health Service
Michael Du Sautoy	Northern Rivers Area Health Service
Karen Little	Northern Rivers Area Health Service
David Pollard	Northern Rivers Area Health Service
Kim Sully	Northern Rivers Area Health Service
Melissa	
Woodroffe-Hill	Northern Rivers Area Health Service
Martin Collis	Northern Sydney Area Health Service
Jessie Logan	Northern Sydney Area Health Service
Sheila Nicolson	Northern Sydney Area Health Service
Sonia Reilly	Northern Sydney Area Health Service
Joe Chuong	South Western Sydney Area Health Service
Michael Guymer	South Western Sydney Area Health Service
Carolyn Leslie	South Western Sydney Area Health Service
Jack Muller	South Western Sydney Area Health Service
Jayne Ross	South Western Sydney Area Health Service
Noel Timbs	South Western Sydney Area Health Service
Sylvia Fitzgerald	Southern Area Health Service
Kathy Parsons	Southern Area Health Service
Samantha Pearce	Southern Area Health Service
Bronwyne Bevan	Western Sydney Area Health Service

Signed this sixteenth day of December 2004

ROBYN KRUK,
Director-General

TRANSPORT ADMINISTRATION ACT 1988

Chief Executive Service
Appointment Under Section 27 (1)

HER Excellency the Governor and the Executive Council upon the recommendation of the Minister for Transport and Minister for Transport Services, have approved, pursuant to the provisions of the Transport Administration Act 1988, that John LEE be appointed to the position of Chief Executive of the State Transit Authority, commencing on and from 10 November 2004.

The Hon. MICHAEL COSTA, M.L.C.,
Minister for Transport Services,
Minister for the Hunter
and Minister Assisting the Minister
for State Development

VALUATION OF LAND ACT 1916

Appointment of Acting Valuer General

Office of the Valuer General

HER Excellency, the Governor, with the advice of the Executive Council has been pleased to appoint Mr Simon GILKES, Chief Valuer, Land and Property Information Division, Department of Lands, to act as Valuer General for the period from Monday, 17 January 2005, to Friday, 4 February 2005, inclusive.

TONY KELLY, M.L.C.,
Minister for Lands

Department of Infrastructure, Planning and Natural Resources

Infrastructure and Planning



New South Wales

State Environmental Planning Policy (Sydney Metropolitan Water Supply) 2004

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 Infrastructure and Planning.

ROBERT JOHN DEBUS, M.P.,
Acting Minister for Infrastructure and Planning
and Minister for Natural Resources

State Environmental Planning Policy (Sydney Metropolitan Water Supply) 2004

Contents

	Page
1 Name of Policy	3
2 Aims of Policy	3
3 Definitions	3
4 Land to which Policy applies	4
5 Relationship to other environmental planning instruments	4
6 Development for deep water access infrastructure	4
7 Development for groundwater investigations	4
8 Suspension of certain laws	5

State Environmental Planning Policy (Sydney Metropolitan Water Supply)
2004

Clause 1

State Environmental Planning Policy (Sydney Metropolitan Water Supply) 2004

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy (Sydney Metropolitan Water Supply) 2004*.

2 Aims of Policy

- (1) The aims of this Policy are:
 - (a) to facilitate development for water supply infrastructure to enable deep water extraction from dams supplying water to the Sydney metropolitan area, and
 - (b) to facilitate investigation into the availability of groundwater to augment water supply to the Sydney metropolitan area (including the carrying out of exploratory drilling), and
 - (c) to suspend the operation of certain laws for the purposes of enabling the development referred to in paragraph (a) to be carried out promptly having regard to current water supply reserves.
- (2) This Policy provides that any development carried out by or on behalf of the Sydney Catchment Authority for the purposes referred to in subclause (1) may be carried out without development consent. Consequently that development will be assessed under Part 5 of the Act.

3 Definitions

In this Policy:

deep water access infrastructure means infrastructure (including water intakes, pumping stations, pipelines and electricity supply) to enable deep water extraction from Warragamba, Avon and other dams under the control of SCA.

groundwater investigations means investigations into the availability of groundwater (including the carrying out of exploratory drilling).

Clause 4 State Environmental Planning Policy (Sydney Metropolitan Water Supply)
2004

SCA means the Sydney Catchment Authority.

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

4 Land to which Policy applies

This Policy applies to the State.

5 Relationship to other environmental planning instruments

In the event of an inconsistency between this Policy and another environmental planning instrument, whether made before or after this Policy, this Policy prevails to the extent of the inconsistency, subject to section 36 (4) of the Act.

6 Development for deep water access infrastructure

- (1) Development for the purposes of deep water access infrastructure may be carried out by or on behalf of SCA without development consent or any other approval, permit or authorisation required by an environmental planning instrument.
- (2) This clause extends to development that is necessary for or incidental to deep water access infrastructure, including:
 - (a) access, investigations, temporary structures, the clearing of vegetation and other works associated with the construction of the infrastructure, and
 - (b) environmental management works, and
 - (c) the demolition, refurbishment or alteration of existing pumping stations, pipelines and other water supply infrastructure (such as the Megarritys Creek Water Pumping Station and other Warragamba Emergency Scheme works).
- (3) This clause applies even if the development would otherwise be prohibited by another environmental planning instrument.

7 Development for groundwater investigations

- (1) Development for the purposes of groundwater investigations may be carried out by or on behalf of SCA without development consent or any other approval, permit or authorisation required by an environmental planning instrument.
- (2) This clause extends to development that is necessary for or incidental to groundwater investigations, including:
 - (a) access, temporary structures, the clearing of vegetation and other works associated with the investigations, and
 - (b) environmental management works.

State Environmental Planning Policy (Sydney Metropolitan Water Supply)
2004

Clause 8

-
- (3) This clause applies even if the development would otherwise be prohibited by another environmental planning instrument.

8 Suspension of certain laws

- (1) For the purposes of enabling development referred to in clause 6 to be carried out in accordance with this Policy, Part 4 and Divisions 8 and 9 of Part 6 of the *Heritage Act 1977*, to the extent necessary to serve that purpose, do not apply to the development.
- (2) In accordance with section 28 of the Act, before the making of this Policy, the Governor approved the making of this clause on the recommendation of the Minister for Infrastructure and Planning, with the concurrence in writing of the Minister administering the *Heritage Act 1977*.



New South Wales

State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development (Amendment No 16)

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 Infrastructure and Planning.

CRAIG JOHN KNOWLES, M.P.,
Minister for Infrastructure and Planning

Clause 1 State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development (Amendment No 16)

State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development (Amendment No 16)

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development (Amendment No 16)*.

2 Aims of Policy

The aim of this Policy is to clarify the ambit of:

- (a) clause 11C of *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development*, and
- (b) Schedule 2 to *State Environmental Planning Policy No 58—Protecting Sydney's Water Supply*,

in relation to the carrying out of development for the purposes of classified roads within the meaning of the *Roads Act 1993*.

3 Land to which Policy applies

This Policy applies to the whole of the State.

4 Amendment of State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development

State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development is amended by omitting clause 11C and by inserting instead the following clause:

11C Classified roads

- (1) If, in the absence of this clause, development for the purposes of a classified road or proposed classified road may be carried out only with development consent, that development may be carried out without that consent.

State Environmental Planning Policy No 4—Development Without Consent
and Miscellaneous Exempt and Complying Development (Amendment Clause 5
No 16)

(2) In this clause, *classified road* has the same meaning as it has in the *Roads Act 1993*.

5 Amendment of State Environmental Planning Policy No 58—Protecting Sydney’s Water Supply

Schedule 2 to *State Environmental Planning Policy No 58—Protecting Sydney’s Water Supply* is amended by omitting the words “on classified roads” from the matter relating to road work and by inserting instead the words “with respect to classified roads”.



New South Wales

Armidale Local Environmental Plan 1988 (Amendment No 28)

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*. (S03/02562/PC)

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

Clause 1 Armidale Local Environmental Plan 1988 (Amendment No 28)

Armidale Local Environmental Plan 1988 (Amendment No 28)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Armidale Local Environmental Plan 1988 (Amendment No 28)*.

2 Aims of plan

- (1) The aims of this plan are:
 - (a) to reclassify part of the land to which this plan applies, being land no longer required for use by the Armidale Dumaresq Council for open space and access restriction purposes, from community land to operational land within the meaning of the *Local Government Act 1993*, and
 - (b) to rezone part of the land to Zone No 2 (Residential) under *Armidale Local Environmental Plan 1988 (the 1988 plan)*, and
 - (c) to rezone the remaining land to Zone No 6 (a) (Public Open Space) under the 1988 plan.
- (2) This plan also gives effect to some minor law revision to the 1988 plan.

3 Land to which plan applies

- (1) To the extent that this plan reclassifies land, it applies to Lots 14 and 15, DP 569694, Link Road, Armidale, and part Lot 56, DP 616895 and part Lot 82, DP 785077, near Ash Tree Drive, Armidale, as shown edged heavy black on Sheets 1 and 2, respectively, of the map marked "Armidale Local Environmental Plan 1988 (Amendment No 28)" deposited in the offices of Armidale Dumaresq Council.

Armidale Local Environmental Plan 1988 (Amendment No 28)

Clause 4

-
- (2) To the extent that this plan rezones land to Zone No 2, it applies to part Lot 56, DP 616895, part Lot 82, DP 785077, part Lot 1, DP 738275 and part Lot 37, DP 1058915, near Ash Tree Drive, Armidale, as shown edged heavy black and lettered "2" on Sheet 3 of that map.
 - (3) To the extent that this plan rezones land to Zone No 6 (a), it applies to part Lot 37, DP 1058915, near Ash Tree Drive, Armidale, as shown edged heavy black and lettered "6 (a)" on Sheet 3 of that map.

4 Amendment of Armidale Local Environmental Plan 1988

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

Armidale Local Environmental Plan 1988 (Amendment No 28)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in appropriate order in the definition of *zoning map* in clause 5 (1):

Armidale Local Environmental Plan 1988 (Amendment No 28)—Sheet 3

[2] Clause 31 Classification and reclassification of public land as operational land

Omit “cited at the end of the description of the land” from clause 31 (5).

Insert instead “that inserted the description of the land in that Part”.

[3] Schedule 3

Omit the heading to the Schedule. Insert instead:

Schedule 3 Classification and reclassification of public land as operational land

[4] Schedule 3, Parts 2 and 3

Omit the headings to the Parts. Insert instead:

Part 2 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests not changed

Part 3 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests changed

Armidale Local Environmental Plan 1988 (Amendment No 28)

Amendments

Schedule 1

[5] Schedule 3, Part 3

Insert in alphabetical order of street name under the heading “**Armidale**” in Columns 1, 2 and 3, respectively:

Near Ash Tree Drive	Part Lot 56, DP 616895 and part Lot 82, DP 785077, as shown edged heavy black on Sheet 2 of the map marked “Armidale Local Environmental Plan 1988 (Amendment No 28)”	Easements to drain water as noted on Certificates of Title Folio Identifiers 56/616895 and 82/785077.
Link Road	Lots 14 and 15, DP 569694, as shown edged heavy black on Sheet 1 of the map marked “Armidale Local Environmental Plan 1988 (Amendment No 28)”	Easement to drain water as noted on Certificate of Title Folio Identifier 14/569694.



Cessnock Local Environmental Plan 1989 (Amendment No 107)

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*. (N04/00153/S69)

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

Clause 1 Cessnock Local Environmental Plan 1989 (Amendment No 107)

Cessnock Local Environmental Plan 1989 (Amendment No 107)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Cessnock Local Environmental Plan 1989 (Amendment No 107)*.

2 Aims of plan

- (1) This plan aims:
 - (a) to reclassify the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*, and
 - (b) to rezone the land from Zone No 6 (a) (the Open Space Zone) to Zone No 2 (a) (the Residential “A” Zone) under *Cessnock Local Environmental Plan 1989 (the 1989 plan)*.
- (2) This plan also gives effect to minor law revision to the 1989 plan.

3 Land to which plan applies

This plan applies to land situated in the City of Cessnock, being Lot 2, DP 575554, McGrane Street, Cessnock, as shown edged heavy black on the map marked “Cessnock Local Environmental Plan 1989 (Amendment No 107)” deposited in the office of Cessnock City Council.

4 Amendment of Cessnock Local Environmental Plan 1989

Cessnock Local Environmental Plan 1989 is amended as set out in Schedule 1.

Cessnock Local Environmental Plan 1989 (Amendment No 107)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in appropriate order in the definition of *the map* in clause 5 (1):

Cessnock Local Environmental Plan 1989 (Amendment No 107)

[2] Schedule 6 Classification and reclassification of public land

Omit the headings to Parts 1–4 of the Schedule. Insert instead:

- Part 1** Land classified, or reclassified, as operational land under original section 30 of Local Government Act 1993
- Part 2** Land classified, or reclassified, as operational land under amended section 30 of Local Government Act 1993—interests not changed
- Part 3** Land classified, or reclassified, as operational land under amended section 30 of Local Government Act 1993—interests changed
- Part 4** Land classified, or reclassified, as community land

Cessnock Local Environmental Plan 1989 (Amendment No 107)

Schedule 1 Amendments

[3] Schedule 6, Part 3

Insert in alphabetical order of locality:

Cessnock

McGrane Street	Lot 2, DP 575554, as shown edged heavy black on the map marked "Cessnock Local Environmental Plan 1989 (Amendment No 107)".
----------------	---



New South Wales

Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 5)

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*. (S01/00761/S69)

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

Clause 1 Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 5)

Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 5)*.

2 Aims of plan

- (1) This plan aims:
 - (a) to reclassify the public land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993 (the 1993 Act)*, and
 - (b) to ensure the public is aware that the reclassification may include the following effects:
 - (i) if the land is a public reserve, it may cease to be a public reserve,
 - (ii) if the land (or part of the land) is affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants, those trusts, estates, interests, dedications, conditions, restrictions or covenants may be discharged except for those that are specifically retained.
- (2) This plan also aims to incidentally make more extensive provisions in *Dubbo Local Environmental Plan 1998—Urban Areas* for the classification or reclassification of public land as operational land as a consequence of major changes to the statutory scheme in section 30 (Reclassification of community land as operational) of the 1993 Act.

Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 5) Clause 3

3 Land to which plan applies

This plan applies to the following land in the local government area of the City of Dubbo:

- (a) driveways fronting Wheelers Lane (near Birch Avenue) and Cobra Street (Mitchell Highway), Dubbo, as shown hatched on Drawing No 6817–L01 prepared by Barnson Engineers on 13 January 2004 and marked “*Reclassification of Access Driveways Dubbo LEP 1998 Amendment No 5*” deposited in the office of the Council of the City of Dubbo, and
- (b) Lot 24, DP 715331, Fitzroy Street, Dubbo, as shown edged heavy red and coloured light green or light purple on Sheet 2 of the map marked “Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 5)” deposited in the office the Council, and
- (c) Lot 10, DP 258615, Fitzroy Street (near Johnson Street), Dubbo, as shown edged heavy red and coloured light purple on Sheet 2 of that map.

4 Amendment of Dubbo Local Environmental Plan 1998—Urban Areas

Dubbo Local Environmental Plan 1998—Urban Areas is amended as set out in Schedule 1.

Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 5)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 17A

Omit the clause. Insert instead:

17A Classification and reclassification of public land as operational land

- (1) The public land described in Schedule 8 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.
- (2) Land described in Part 1 of Schedule 8:
 - (a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.
- (3) Land described in Columns 1 and 2 of Part 2 of Schedule 8, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except for:
 - (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 8, and
 - (b) any reservations that except land out of a Crown grant relating to the land, and
 - (c) reservation of minerals (within the meaning of the *Crown Lands Act 1989*).
- (4) In this clause, *the relevant amending plan*, in relation to land described in Part 2 of Schedule 8, means the local environmental plan that inserted the description of land in that Part.
- (5) Before the relevant amending plan inserted the description of land into Part 2 of Schedule 8, the Governor approved of subclause (3) applying to the land.

Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 5)

Amendments

Schedule 1

[2] **Schedule 8**

Omit the Schedule. Insert instead:

Schedule 8 Classification and reclassification of public land as operational land

(Clause 17A)

Part 1 Interests not changed

Column 1	Column 2
Locality	Description
Dubbo	
Wheeler Lane (near Birch Avenue) and Cobra Street (Mitchell Highway)	Land comprising driveways, as shown hatched on Drawing No 6817-L01 prepared by Barnson Engineers on 13 January 2004 and marked " <i>Reclassification of Access Driveways Dubbo LEP 1998 Amendment No 5</i> " deposited in the office of the Council.

Part 2 Interests changed

Column 1	Column 2	Column 3
Locality	Description	Trusts etc not discharged
Dubbo		
Fitzroy Street	Lot 24, DP 715331, as shown edged heavy red and coloured light green or light purple on Sheet 2 of the map marked "Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 5)".	Nil.
Fitzroy Street (near Johnson Street)	Lot 10, DP 258615, as shown edged heavy red and coloured light purple on Sheet 2 of the map marked "Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 5)".	Nil.



Gilgandra Local Environmental Plan 2004

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*. (S99/01041/PC)

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

Gilgandra Local Environmental Plan 2004

Contents

	Page
Part 1 Preliminary	
1 Name of plan	4
2 Aim of plan	4
3 Definitions	5
4 Land to which plan applies	5
5 Relationship to other environmental planning instruments	5
6 Consent authority	5
7 What is exempt development and complying development?	6
8 What development is not restricted or prohibited by this plan?	6
9 Designated development needs consent	6
Part 2 Zoning and development control table	
10 What zones apply?	7
11 Zone objectives and development control table	7
Part 3 Special provisions	
Division 1 Subdivision	
12 Consent required for subdivision	16
13 Factors to be considered before consent to subdivision	16
14 Control of subdivision for agriculture	16
15 Control of subdivision for dwelling-houses	17
16 Control of subdivision for permissible purposes other than agriculture or dwelling-houses	17
17 Control of subdivision for industrial purposes	18
18 Restriction on frontages to certain highways and roads	18
19 Boundary changes	18
Division 2 Dwelling-houses	
20 Dwelling-houses on land in general	18
21 Dwelling-houses in the Rural Zone	19
22 Dwelling-houses in Small Rural Holdings Zone	20
23 Dwelling-houses in the Village Zone at Gilgandra	21
24 Dwelling-houses in the Village Zone at Tooraweenah and Armatree	21
25 Additional dwelling-house in the Rural Zone	22
26 Additional dwelling-house in Small Rural Holdings and Village Zones	23
27 Dwelling-houses ancillary to permissible uses	23

Gilgandra Local Environmental Plan 2004

Contents

		Page
<hr/>		
Division 3	Conservation of heritage items	
28	Protection of heritage items and relics	24
29	Demolition of heritage items	25
30	Conservation incentives relating to heritage items	25
31	Heritage advertisements and notifications	25
32	Development in the vicinity of heritage items	26
33	Archaeology	26
Division 4	Miscellaneous	
34	Land subject to flooding	27
35	Land subject to bushfire hazards	28
36	Development along National Highways, State Highways, main roads or collector roads	29
37	Landforming	29
38	Advertisements and advertising structures	29
39	Access	29
40	Roads, drainage, recreation areas and parking	30
41	Temporary use of land	30
42	Development near Gilgandra and Tooraweenah Airports	30
43	Covenants, agreements and similar instruments	31
44	Advertised development	31
45	Additional use of land	31
Schedule 1	Development that does not require consent	32
Schedule 2	Advertised development	36
Schedule 3	Additional use of land	38
Schedule 4	Heritage items	39
Dictionary		40

Clause 1 Gilgandra Local Environmental Plan 2004

Part 1 Preliminary

Gilgandra Local Environmental Plan 2004

under the

Environmental Planning and Assessment Act 1979

Part 1 Preliminary

1 Name of plan

This plan is *Gilgandra Local Environmental Plan 2004*.

2 Aim of plan

The aim of this plan is to provide a framework of controls for development that will:

- (a) promote the orderly and economic use and development of land within the Gilgandra local government area, and
- (b) encourage the proper management of the natural and human-made resources of the Gilgandra local government area by protecting, enhancing or conserving:
 - (i) agricultural land, and
 - (ii) timber, minerals, soils, water and other natural resources, and
 - (iii) areas of significance for nature conservation, and
 - (iv) areas of high scenic or recreational value, and
 - (v) places and buildings of archaeological or heritage significance, and
- (c) result in development that will benefit the community by providing a range of development opportunities in ways that contribute to the social, economic and environmental resources of the Gilgandra local government area and that are consistent with the principles of ecologically sustainable development, and
- (d) minimise land use conflicts and adverse environmental impacts, and

Gilgandra Local Environmental Plan 2004

Clause 3

Preliminary

Part 1

-
- (e) reduce the incidence of damage and hazards in areas subject to flooding by restricting inappropriate development on land below the flood planning level (that is, the level 500 millimetres above the designated flood level, in this case being the 1% AEP), and
 - (f) increase employment opportunities within the Gilgandra local government area through the efficient use of resources and the expansion of the tourism industry, and
 - (g) provide a secure future for agriculture by expanding Gilgandra's economic base and minimising the loss or fragmentation of agricultural land, and
 - (h) allow development control plans to supplement the broad controls in this plan.

3 Definitions

- (1) The Dictionary at the end of this plan defines certain words used in this plan.
- (2) In this plan, a reference to a map is a reference to a map kept in the office of the Council.

4 Land to which plan applies

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

5 Relationship to other environmental planning instruments

- (1) This plan repeals *Gilgandra Local Environmental Plan 1998*.
Note. Maps from 1998 LEP are being retained. See definition of **zoning map**.
- (2) This plan amends *State Environmental Planning Policy No 60—Exempt and Complying Development* by omitting “Gilgandra” from Part 2 of Schedule 1.
- (3) *Orana Regional Environmental Plan No 1—Siding Spring* prevails to the extent of any inconsistency between that plan and this plan.

6 Consent authority

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

Clause 7 Gilgandra Local Environmental Plan 2004

Part 1 Preliminary

7 What is exempt development and complying development?

- (1) Development of minimal environmental impact listed as exempt development in *Gilgandra Development Control Plan No 1—Exempt and Complying Development* as adopted by the Council on 17 July 2003 is **exempt development** despite any other provision of this plan.
- (2) Development listed as complying development in *Gilgandra Development Control Plan No 1—Exempt and Complying Development* as adopted by the Council on 17 July 2003 is **complying development** if:
 - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) is not an existing use, as defined in section 106 of the Act.
- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by *Gilgandra Development Control Plan No 1—Exempt and Complying Development* as adopted by the Council on 17 July 2003.
- (4) A complying development certificate issued for any development is to be subject to the conditions for the development specified in *Gilgandra Development Control Plan No 1—Exempt and Complying Development* adopted by the Council as in force when the certificate is issued.

8 What development is not restricted or prohibited by this plan?

Nothing in this plan prohibits, restricts or requires development consent for, or allows the Council to prohibit or restrict:

- (a) the use of existing buildings of the Crown by the Crown, or
- (b) the carrying out by any public authority of any development described in Schedule 1.

9 Designated development needs consent

Despite any other provision of this plan (except clause 8), development that is declared to be designated development by the *Environmental Planning and Assessment Regulation 2000* may be carried out only with development consent.

Gilgandra Local Environmental Plan 2004

Clause 10

Zoning and development control table

Part 2

Part 2 Zoning and development control table

10 What zones apply?

Land is within one of the following zones if shown as within that zone on the zoning map:

Zone 1 (r)—Rural Zone, shown edged heavy black and lettered “1 (r)”,

Zone 1 (s)—Small Rural Holdings Zone, shown edged heavy black and lettered “1 (s)”,

Zone 2 (v)—Village Zone, shown edged heavy black and lettered “2 (v)”,

Note. The locality of land in the Village Zone is also specified on the zoning map.

Zone 4 (i)—Industrial Zone, shown edged heavy black and lettered “4 (i)”,

Zone 8 (a)—National Parks Zone, shown edged heavy black and lettered “8 (a)”.

11 Zone objectives and development control table

- (1) The objectives of a zone are set out in the Table to this clause under the heading “Objectives of zone” relating to the zone.
- (2) Except as otherwise provided by this plan, the development (if any):
 - (a) that may be carried out in a zone without development consent, or
 - (b) that may be carried out in a zone only with development consent, or
 - (c) that is prohibited in a zone,
 is specified in the Table to this clause under the headings “Without development consent”, “Only with development consent” and “Prohibited”, respectively, appearing in the matter relating to the zone.
- (3) Consent must not be granted to development in a zone unless the consent authority has considered whether the development is consistent with the zone objectives.

Note. Before granting a consent, the consent authority must also take into consideration all development control plans that have been approved by the Council.

Clause 11	Gilgandra Local Environmental Plan 2004
Part 2	Zoning and development control table

Table

Zone 1 (r) Rural Zone

1 Objectives of zone

This zone applies to all agricultural land in the Gilgandra local government area that has varying degrees of capability for agricultural production and has the potential to cater for a wide range of land uses.

The objectives of this zone are:

- (a) to promote the proper management and utilisation of resources, and
- (b) to enable development for the purpose of land uses that are:
 - (i) appropriate in a rural location, and
 - (ii) appropriate for agriculturally productive lands, and
 - (iii) sympathetic with the environmental characteristics of the land, and
- (c) to provide a secure future for agriculture by expanding Gilgandra's economic base and to minimise the loss or fragmentation of agricultural land, and
- (d) to encourage development that will contribute to economic growth and employment opportunities, particularly by value-adding to agricultural products and tourism, and
- (e) to ensure development proposals are based on sustainable resource management principles.

2 Without development consent

Exempt development.

Development for the purpose of:

agriculture (other than intensive agriculture or ancillary dwelling-houses)

biosolid waste disposal

bushfire hazard reduction works

environmental conservation

forestry (other than ancillary dwelling-houses or pine plantations)

home based childcare establishments

home occupations

utility undertakings

3 Only with development consent

Any development not included in item 2 or 4.

4 Prohibited

Development for the purpose of:

brothels

bulky goods sales rooms or showrooms

business premises

Gilgandra Local Environmental Plan 2004

Clause 11

Zoning and development control table

Part 2

entertainment facilities
hotels
industries
material recycling depots
medical centres
motels
motor vehicle dealerships
offices
passenger transport terminals
places of assembly
professional consulting rooms
residential flat buildings
restaurants (except where ancillary to a use granted consent)
restricted premises
semi-detached housing
shops (except where ancillary to a use granted consent)
taverns
vehicle body repair workshops
vehicle repair workshops
warehouses
waste disposal facilities

Zone 1 (s) Small Rural Holdings Zone

1 Objectives of zone

This zone applies to land that has been identified by the Council as being suitable for small rural holding development and suitable for lifestyle pursuits.

The objectives of this zone are:

- (a) to promote the development of land identified as suitable for hobby farm or lifestyle purposes and low density rural residential development, and
- (b) to provide an increased range of living options, and
- (c) to enable a range of land uses to be carried out in association with the rural residential or lifestyle use of the land where those land uses are compatible with the environmental capability of the land and the amenity of the area, and
- (d) to ensure development is based on sustainable natural resource management principles.

2 Without development consent

Exempt development.

Development for the purpose of:
bush fire hazard reduction works
environmental conservation

Clause 11	Gilgandra Local Environmental Plan 2004
Part 2	Zoning and development control table

home based child care establishments
home occupations
utility undertakings

3 Only with development consent
Any development not included in item 2 or 4.

4 Prohibited
Development for the purpose of:

- abattoirs
- aerodromes
- aircraft facilities
- animal establishments
- biosolid waste disposal
- boarding houses
- brothels
- bulk stores
- bulky goods sales rooms or showrooms
- business premises
- cabin or caravan sites
- camp sites
- caravan parks
- cemeteries
- clubs
- correctional centres
- educational establishments
- entertainment facilities
- extractive industries
- fast food outlets
- fuel depots
- generating works
- hazardous industries
- hazardous storage facilities
- helicopter landing sites
- heliports
- hotels
- industry
- institutions
- intensive agriculture
- intensive livestock keeping establishments
- kennels
- light industries
- machinery dealerships

Gilgandra Local Environmental Plan 2004

Clause 11

Zoning and development control table

Part 2

materials recycling depots
medical centres
mines
motels
motor vehicle dealerships
offensive industries
offensive storage facilities
offices
passenger transport terminals
places of assembly
places of worship
professional consulting rooms
public buildings
recreation facilities
residential flat buildings
restaurants
restricted premises
road transport depots
sawmills
semi-detached housing
serviced apartments
service stations
shops
stock and sale yards
taverns
technology centres
transfer stations
treated waste applications
vehicle body repair workshops
vehicle repair workshops
veterinary hospitals
warehouses
waste disposal facilities
waste management facilities
water treatment sludge applications

Clause 11	Gilgandra Local Environmental Plan 2004
Part 2	Zoning and development control table

Zone 2 (v) Village Zone

1 Objectives of zone

This zone applies to land that provides the main urban functions for the Gilgandra local government area.

The objectives of this zone are:

- (a) to promote development in existing villages in a manner that is compatible with their urban function, and
- (b) to promote development in a manner that is consistent with the role of servicing the needs of the Gilgandra local government area, and
- (c) to ensure development proposals are based on sustainable natural resource management principles, and
- (d) to permit service activities that meet the recreational, cultural and commercial needs of the community, and
- (e) to assist in meeting the needs of the tourist industry.

2 Without development consent

Exempt development.

Development for the purpose of:

bushfire hazard reduction works
environmental conservation
home based child care establishments
home occupations
utility undertakings

3 Only with development consent

Any development not included in item 2 or 4.

4 Prohibited

Development for the purpose of:

abattoirs
aerodromes
aircraft facilities
animal establishments
biosolid waste disposal
brothels
extractive industries
forestry
fuel depots
hazardous industries
hazardous storage facilities
helicopter landing sites (other than for emergency and medical purposes)
heliports

Gilgandra Local Environmental Plan 2004

Clause 11

Zoning and development control table

Part 2

intensive agriculture
intensive livestock keeping establishments
kennels
landforming
materials recycling depots
mines
offensive industries
offensive storage facilities
residential flat buildings on land in Tooraweenah and Armatree
road transport depots
sawmills
stock and sale yards
transfer stations
treated waste applications
waste disposal facilities
waste management facilities
water treatment sludge applications

Zone 4 (i) Industrial Zone

1 Objectives of zone

This zone applies to land identified as being suitable for industrial development.

The objectives of this zone are:

- (a) to provide fully serviced land that is suitable for industrial and ancillary uses, and
- (b) to encourage new development that will generate employment and contribute to the needs of the locality, and
- (c) to provide suitable protection to industries and ancillary uses that presently exist within the zone, and
- (d) to ensure development is based on sustainable natural resource management principles.

2 Without development consent

Exempt development.

Development for the purpose of:

bushfire hazard reduction works
environmental conservation
utility undertakings

3 Only with development consent

Any development not included in item 2 or 4.

Clause 11	Gilgandra Local Environmental Plan 2004
Part 2	Zoning and development control table

4 Prohibited

Development for the purpose of:

- bed and breakfast accommodation
- boarding houses
- cabin and caravan sites
- camp sites
- caravan parks
- cemeteries
- child care centres
- dwelling-houses (except where ancillary to a use granted consent and located on the same land as that use)
- exhibition homes (except where ancillary to a use granted consent and located on the same land as that use)
- farmstay establishments
- group homes
- guest houses or hostels
- home based child care establishments
- hospitals
- housing for seniors or people with a disability
- intensive agriculture
- intensive livestock keeping establishments
- medical centres
- motels
- offices (except where ancillary to a use granted consent and located on the same land as that use)
- professional consulting rooms refreshment areas (except where ancillary to a use granted consent)
- residential flat buildings
- semi-detached housing
- serviced apartments
- shops (except where ancillary to a use granted consent)
- waste disposal facilities

Zone 8 (a) National Parks Zone

1 Objectives of zone

The objectives of this zone are:

- (a) to identify land that is reserved or dedicated under the *National Parks and Wildlife Act 1974*, and
- (b) to allow for the management and appropriate use of the land in accordance with that Act.

Gilgandra Local Environmental Plan 2004

Clause 11

Zoning and development control table

Part 2

2 Without development consent

Development for the purpose of:
any building, work, place or land use authorised by or under the
National Parks and Wildlife Act 1974
environmental conservation

3 Only with development consent

Nil.

4 Prohibited

Development not included in item 2.

Clause 12 Gilgandra Local Environmental Plan 2004

Part 3 Special provisions

Part 3 Special provisions

Division 1 Subdivision

12 Consent required for subdivision

Land may be subdivided only with development consent.

13 Factors to be considered before consent to subdivision

Consent must not be granted to the subdivision of land within Zone 1 (r), 1 (s), 2 (v) or 4 (i) unless the consent authority has considered all relevant information in relation to all of the following:

- (a) the primary purpose for which each allotment to be created by the subdivision is intended to be used under the provisions of this plan,
- (b) whether there is a dwelling-house on any proposed allotment and the location of any such dwelling-house,
- (c) whether the proposed subdivision maintains sustainable natural resource management principles.

14 Control of subdivision for agriculture

- (1) Consent may be granted to the creation of a vacant allotment of any area for the purpose of agriculture.
- (2) Consent may be granted to the creation of an allotment for the purpose of agriculture that is occupied or will be occupied by an ancillary dwelling-house only if the allotment has an area of not less than 500 hectares.
- (3) However, consent may be granted to the creation of an allotment of land within Zone 1 (r) that has an area of less than 500 hectares that is occupied by a dwelling-house and that is being or will be used for agriculture, but only if the consent authority is satisfied that the requirements of clause 21 are satisfied.
- (4) On and from the fifth anniversary of the commencement of this plan, the references in subclause (2) and (3) to 500 hectares are to be read as references to 1,000 hectares if the Director-General has not, before that day, approved a land use strategy for the local government area of Gilgandra.

Gilgandra Local Environmental Plan 2004

Clause 15

Special provisions

Part 3

15 Control of subdivision for dwelling-houses

Land in a zone may be subdivided, where it is occupied or is intended to be occupied by a dwelling-house, if each allotment created has an area not less than the area specified for the zone as follows:

- (a) 2 hectares in Zone 1 (s),
- (b) 700 metres² in Zone 2 (v), where the allotment is serviced by a reticulated sewer system,
- (c) 2,000 metres² in Zone 2 (v), where the allotment is not serviced by a reticulated sewer system.

16 Control of subdivision for permissible purposes other than agriculture or dwelling-houses

Despite clauses 14 and 15, land in a zone may be subdivided to create an allotment of any area, either vacant or occupied by a dwelling-house that is ancillary to a use granted consent, if the consent authority is satisfied that the allotment is being used or will be used for a purpose (other than agriculture or a dwelling-house) permitted on the land in that zone, but only if the consent authority is also satisfied that:

- (a) the size and purpose of the proposed allotment is consistent with the objectives of the zone, and
- (b) the level of demand for the goods or services that are to be supplied from the allotment, and the extent to which that allotment is proposed to be used to meet that demand, justifies the creation of the allotment, and
- (c) the purpose for which the allotment is to be used can meet sustainable natural resource management principles, and
- (d) the creation of the allotment is unlikely to adversely affect the existing and potential capability of the adjoining and adjacent land to be used for other permissible purposes in that zone, and
- (e) the allotment to be created and any subsequent development on the allotment is unlikely to have the effect of creating a demand for uneconomic provision of services by the Council.

Clause 17 Gilgandra Local Environmental Plan 2004

Part 3 Special provisions

17 Control of subdivision for industrial purposes

Consent must not be granted to the subdivision of land for industrial purposes unless that subdivision creates an allotment of at least 2,000 metres².

18 Restriction on frontages to certain highways and roads

Consent must not be granted to the subdivision of land in Zone 1 (r) or 1 (s) if any allotment created by the subdivision will have a frontage of 200 metres or less to any State Highway, National Highway, main road or collector road.

19 Boundary changes

Nothing in this plan prevents consent being granted to a subdivision that changes a boundary between allotments if the boundary change is consistent with the objectives of the zone and:

- (a) does not create an additional allotment, and
- (b) does not create an allotment with an area less than the minimum area specified for the zone, and
- (c) does not facilitate the transfer of a second dwelling onto a separate allotment that is below the minimum area for the zone, and
- (d) ensures there is sufficient land within each allotment, on which a dwelling-house exists or could exist, for the satisfactory disposal of effluent on each allotment, and
- (e) ensures there is a separation (where possible) between dwelling-houses or dwelling-house sites and adjoining agricultural property boundaries of at least 150 metres on land in Zone 1 (r).

Division 2 Dwelling-houses

20 Dwelling-houses on land in general

- (1) Despite any other provision of this plan, a dwelling-house may be erected on vacant land only with development consent.
- (2) Despite any other provision of this plan, consent may be granted to the erection of a dwelling-house on an allotment of land:

Gilgandra Local Environmental Plan 2004

Clause 21

Special provisions

Part 3

- (a) if the consent authority is satisfied that a dwelling-house could have been lawfully erected on that allotment immediately before the date of commencement of this plan by reason that the allotment was created by a subdivision for which consent was granted in accordance with a previous environmental planning instrument or deemed environmental planning instrument, or
 - (b) that comprises an allotment created for the purpose of a dwelling-house by a subdivision for which consent was granted under this plan.
- (3) Despite any other provision of this plan, consent may be granted to the erection of a dwelling-house on land to replace an existing habitable dwelling-house on the land but only if the consent authority imposes a condition on the consent that, prior to occupation of the new dwelling-house, the existing dwelling-house:
- (a) will be demolished, or
 - (b) will be altered so that it may be used as a building that is not a dwelling, or
 - (c) will become the subject of development consent for a use that is permitted in the zone.

21 Dwelling-houses in the Rural Zone

- (1) Consent may be granted to the erection of a dwelling-house on land within Zone 1 (r) only if:
- (a) the use of the dwelling-house will be ancillary to and necessary for use of the land for the purpose of agriculture, and
 - (b) either:
 - (i) the land is, or will be consolidated into, a single vacant allotment that has an area of not less than 500 hectares, or
 - (ii) the land is, or will be consolidated into, a single vacant allotment that has an area of less than 500 hectares and:
 - (A) the Council is satisfied that the land is being or will be used for the purpose of agriculture as identified in a property development plan that has been approved by the Council and was prepared in accordance with *Gilgandra Shire Council Development Control Plan No 2B—Guidelines for Preparing Property Development Plans*, as

Clause 22 Gilgandra Local Environmental Plan 2004

Part 3 Special provisions

adopted by the Council on 18 September 2003, demonstrating that the proposed dwelling-house will be ancillary to sustainable agricultural production, and

- (B) a condition is imposed on that consent that prohibits the erection of a dwelling-house before the commencement of the use of the land for the purpose of that sustainable agricultural activity, and
- (c) the land has an adequate area suitable for the disposal of effluent on site as demonstrated by a geotechnical or water balance report, prepared by a person who is considered by the Council to be suitably qualified, and
 - (d) an adequate potable and fire fighting water supply is available for the proposed dwelling-house, and
 - (e) adequate access can be provided to the allotment and dwelling-house site, and
 - (f) adequate provision can be made for electricity and telecommunications services to the dwelling-house to the requirements of the relevant supply authorities.
- (2) On and from the fifth anniversary of the commencement of this plan, the references in subclause (1) (b) to 500 hectares are to be read as references to 1,000 hectares if the Director-General has not, before that day, approved a land use strategy for the local government area of Gilgandra.

22 Dwelling-houses in Small Rural Holdings Zone

Consent must not be granted to the erection of a dwelling-house on land within Zone 1 (s) unless:

- (a) the land comprises, or will be consolidated into, a single allotment that has an area of not less than 2 hectares, and
- (b) the consent authority is satisfied:
 - (i) by a geotechnical or water balance report, prepared by a person who is considered by the Council to be suitably qualified, that the land has adequate area and is suitable for the disposal of effluent on site, and
 - (ii) that an adequate water supply is available for domestic and fire fighting purposes, and

Gilgandra Local Environmental Plan 2004

Clause 23

Special provisions

Part 3

-
- (iii) that adequate access can be provided to the allotment and dwelling-house site, and
 - (iv) that adequate provision can be made for electricity and telecommunications services.

23 Dwelling-houses in the Village Zone at Gilgandra

Consent must not be granted to the erection of a dwelling-house on land within Zone 2 (v) identified on the zoning map as Gilgandra unless:

- (a) the land comprises, or will be consolidated into, a single allotment that has an area of not less than 700 metres² that is serviced by a reticulated sewer system, or
- (b) if a reticulated sewer system is not available or connected to the land—the land comprises, or will be consolidated into, a single allotment that has an area of not less than 2,000 metres² and the Council is satisfied by a geotechnical or water balance report, prepared by a person who is considered by the Council to be suitably qualified, that the land has adequate area and is suitable for the disposal of effluent on site,

and the Council is satisfied that:

- (c) the dwelling-house will have an adequate water supply for domestic and fire fighting purposes, and
- (d) adequate access can be provided to the allotment and dwelling-house site, and
- (e) adequate provision can be made for electricity and telecommunications services.

24 Dwelling-houses in the Village Zone at Tooraweenah and Armatree

Consent must not be granted to the erection of a dwelling-house on vacant land within Zone 2 (v) identified on the zoning map as Tooraweenah or Armatree unless:

- (a) the land comprises, or will be consolidated into, a single allotment that has an area of not less than 2,000 metres², and
- (b) if a reticulated sewer system is not available to the land, the Council is satisfied by a geotechnical or water balance report, prepared by a person who is considered by the Council to be suitably qualified, that the land has adequate area and is suitable for the disposal of effluent on site, and

Clause 25 Gilgandra Local Environmental Plan 2004

Part 3 Special provisions

- (c) the Council is satisfied that:
 - (i) an adequate water supply is available for domestic and fire fighting purposes, and
 - (ii) adequate access can be provided to the allotment and dwelling-house site, and
 - (iii) adequate provision can be made for electricity and telecommunications services.

25 Additional dwelling-house in the Rural Zone

Consent may be granted to the erection of one additional dwelling-house on land within Zone 1 (r) but only if:

- (a) the land on which the additional dwelling-house will be erected will not be capable of being excised by way of transfer of a new or existing title, and
- (b) the dwelling-houses share a common access to a public road, and
- (c) the Council is satisfied:
 - (i) that the nature of the agricultural activity being undertaken on the land can financially support and requires a rural worker to be on site as a permanent resident, or
 - (ii) that the additional dwelling-house will be inhabited by a member of the landowner's family, and
- (d) the Council is also satisfied:
 - (i) by a geotechnical or water balance report, prepared by a person who is considered to be suitably qualified by the Council, that the land has adequate area and is suitable for the disposal of effluent on site (having regard to sustainable natural resource management principles), and
 - (ii) that an adequate water supply is available for domestic and fire fighting purposes, and
 - (iii) that electricity and telecommunications services can be provided to the land.

Gilgandra Local Environmental Plan 2004

Clause 26

Special provisions

Part 3

26 Additional dwelling-house in Small Rural Holdings and Village Zones

Consent may be granted to the erection of one additional dwelling-house on land within Zone 1 (s) or 2 (v) but only if:

- (a) the land on which the additional dwelling-house will be erected will not be capable of being excised by way of transfer of a new or existing title, and
- (b) the dwelling-houses share a common access to a public road, and
- (c) the Council is satisfied that the additional dwelling-house will be occupied by a member of the family of the landowner, and
- (d) the capacity of the urban reticulated sewer service is sufficient to cater for the proposed additional development or, where a reticulated sewerage system is not available to the land, the Council is satisfied by a geotechnical or water balance report, prepared by a person who is considered by the Council to be suitably qualified, that the land has adequate area and is suitable for the disposal of effluent on site (having regard to sustainable resource management principles), and
- (e) an adequate water supply is available for domestic and fire fighting purposes, and
- (f) the Council is satisfied that adequate area is provided on the land for recreation by the occupants of the dwelling-houses.

27 Dwelling-houses ancillary to permissible uses

Consent may be granted to the erection of additional dwelling-houses the use of which will be ancillary to another use of the land for which consent has been granted (not being agriculture), but only if:

- (a) the use of the dwelling-houses will be necessary for the other use of the land for which consent has been granted and sustainable resource management principles can be met, and
- (b) the dwelling-houses will be located on the same parcel of land as the other land use for which consent has been granted, and
- (c) the capacity of the urban reticulated sewer service is sufficient to cater for the proposed additional development or, where a reticulated sewerage system is not available to the land, the Council is satisfied by a geotechnical or water balance report prepared by a person who is considered by the Council to be suitably qualified, that the land has adequate area and is

Clause 28 Gilgandra Local Environmental Plan 2004

Part 3 Special provisions

- suitable for the disposal of effluent on site having regard to sustainable resource management principles, and
- (d) an adequate water supply is available for domestic and fire fighting purposes, and
 - (e) the dwelling-houses share a common access to a public road with the other land use for which consent has been granted, and
 - (f) electricity and telecommunications services can be provided to the dwelling-houses.

Division 3 Conservation of heritage items

28 Protection of heritage items and relics

- (1) The following development may be carried out only with development consent:
 - (a) demolishing, defacing, damaging or moving a heritage item,
 - (b) altering a heritage item by making structural changes to its exterior,
 - (c) altering a heritage item by making non-structural changes to the detail, fabric, finish or appearance of its exterior, except changes resulting from any maintenance necessary for its ongoing protective care that does not adversely affect its heritage significance,
 - (d) moving a relic, or excavating land for the purpose of discovering, exposing or moving a relic,
 - (e) erecting a building on, or subdividing, land on which a heritage item is located.
- (2) Development consent is not required by this clause if the Council is of the opinion that the proposed development would not adversely affect the heritage significance of the heritage item or relic concerned.
- (3) Consent must not be granted to a development application required by subclause (1) unless the consent authority has taken into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item.

Gilgandra Local Environmental Plan 2004

Clause 29

Special provisions

Part 3

29 Demolition of heritage items

Consent must not be granted to the demolition of a heritage item unless the consent authority has taken into consideration a plan or description of any building that is proposed to take the place of the heritage item to be demolished.

30 Conservation incentives relating to heritage items

- (1) Nothing in this plan prevents consent from being granted to the use, for any purpose, of a building that is a heritage item or of the land on which any such building is erected, if the consent authority is satisfied that:
 - (a) the proposed use would have little or no adverse effect on the use of adjoining or adjacent land, and
 - (b) the conservation of the building depends on consent being granted as referred to in this clause.
- (2) When considering an application for consent for the erection of a building on a site on which there is a building that is a heritage item, the consent authority may:
 - (a) exclude the floor space of the heritage item from its calculation of the floor space of the buildings erected on the land for the purpose of determining the number of parking spaces to be provided on the land, or
 - (b) reduce the minimum site area requirements for the purpose of determining the number of dwellings permissible on the land,but only if the consent authority is satisfied that the conservation of the building depends on the exclusion of the floor space of the item or on reducing the minimum site area requirements.

31 Heritage advertisements and notifications

- (1) The following development is identified as advertised development for the purposes of the Act:
 - (a) the demolition of a building or work that is a heritage item,
 - (b) the use of a building that is a heritage item for a purpose that would not be consistent with the zone objectives of the zone in which the building is located,
 - (c) the use of land on which there is a building that is a heritage item for a purpose that would not be consistent with the zone objectives of the zone in which the land is located.

Clause 32 Gilgandra Local Environmental Plan 2004

Part 3 Special provisions

- (2) Consent must not be granted to the demolition of a building or work that is a heritage item unless the consent authority:
 - (a) has notified the Heritage Council of its intention to grant consent, and
 - (b) has taken into consideration any objection notified to it by the Heritage Council not later than 30 days after the Heritage Council received notice of the intention to grant consent.
- (3) This clause does not apply to the partial demolition of a heritage item if, in the opinion of the consent authority, the partial demolition:
 - (a) will be of a minor nature, and
 - (b) will not adversely affect the heritage significance of the heritage item, building or work in relation to the environmental heritage of the Gilgandra local government area, and
 - (c) is likely to facilitate the sympathetic redevelopment of the remainder of the heritage item or its site.

32 Development in the vicinity of heritage items

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

33 Archaeology

- (1) Consent must not be granted to the carrying out of development on an archaeological site that has Aboriginal heritage significance (such as a site that is the location of an Aboriginal place, or an Aboriginal object, within the meaning of the *National Parks and Wildlife Act 1974*) or a potential archaeological site that is reasonably likely to have Aboriginal heritage significance unless the consent authority:
 - (a) has considered an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site prepared in accordance with any guidelines for the time being notified to it by the Director-General of the Department of Environment and Conservation, and

Gilgandra Local Environmental Plan 2004

Clause 34

Special provisions

Part 3

- (b) has notified that Director-General of its intention to do so and taken into consideration any comments received from that Director-General within 28 days after the notice was sent.
- (2) Consent may be granted to the carrying out of development on an archaeological site that has non-Aboriginal heritage significance or a potential archaeological site that is reasonably likely to have non-Aboriginal heritage significance only if the consent authority:
 - (a) has considered an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site prepared in accordance with any guidelines for the time being notified to it by the Heritage Council, and
 - (b) has notified the Heritage Council of its intention to do so and taken into consideration any comments received from the Heritage Council within 28 days after the notice was sent.

Division 4 Miscellaneous

34 Land subject to flooding

- (1) In this clause, *flood prone land* means:
 - (a) land in the area of flood inundation as shown on the map marked "Gilgandra Flood Inundation Map 1984", or
 - (b) land inundated by the 1955 flood event.
- (2) A person must not carry out any development for the purpose of the erection of a building or the carrying out of works on flood prone land except with development consent.
- (3) Before granting a consent required by subclause (2), the consent authority must be satisfied that the development is unlikely:
 - (a) to alter significantly the flow of flood water on the land or on adjoining land, or
 - (b) to imperil the safety of persons on the land or on adjoining land in the event of those lands being inundated, or
 - (c) to aggravate the consequences of floodwater flowing on the land or adjoining land with regard to erosion, siltation or the destruction of vegetation, or
 - (d) to have an adverse effect on the water table in relation to the land or adjoining land.

Clause 35 Gilgandra Local Environmental Plan 2004

Part 3 Special provisions

- (4) Before granting a consent required by subclause (2), the consent authority must take the following into consideration:
- (a) the cumulative effect of the proposed development on flood behaviour,
 - (b) the risk of pollution to waterways caused by the proposed development,
 - (c) the availability of flood free sites on the land,
 - (d) the availability of access to the proposed development.

35 Land subject to bushfire hazards

- (1) Consent must not be granted to development on land that is subject to bushfire hazards or any adjacent land that may be susceptible to bush fire unless, in the opinion of the consent authority:
- (a) the design of the subdivision and the siting of future dwellings on the land conforms with the specifications and requirements set out in the December 2001 publication *Planning for Bush Fire Protection* produced by the Department and the Rural Fire Service, and
 - (b) adequate provision is made for safe access for fire fighting and emergency vehicles at all times, and
 - (c) adequate safeguards are adopted in the form of fire breaks, reserves, asset protection zones and alternate access routes, and
 - (d) adequate water supplies are readily available from a reticulated water supply or, where a reticulated water supply is not available, from a reliable supplementary water supply.
- (2) Consent must not be granted to development on land that is subject to bushfire hazards unless the development incorporates effective measures within the boundaries of the site that are satisfactory to the Council to ensure that the development is designed and sited, taking into account site conditions, to minimise:
- (a) the potential for loss of life or property, and
 - (b) any environmental impact from the bush fire hazard reduction work.
- (3) For the purposes of this clause, land is ***subject to bushfire hazards*** if it is identified as such by the Gilgandra LGA—Bush Fire Prone Land Map (a copy of which is held in the office of the Council).

Gilgandra Local Environmental Plan 2004

Clause 36

Special provisions

Part 3

36 Development along National Highways, State Highways, main roads or collector roads

Consent must not be granted to the development of land with frontage to a National Highway, State Highway, main road or collector road unless the consent authority has considered:

- (a) any comments made by the Roads and Traffic Authority, and
- (b) the likely impact of the development, including its visual impact, on the safety, efficiency and function of the road, and
- (c) whether access can be provided to the site of the development by another road, and
- (d) the adequacy of the access location and whether any measures are required to alleviate noise impacts from the adjoining road.

37 Landforming

Consent must not be granted to landforming unless the consent authority has made an assessment of:

- (a) the flooding characteristics of the land, and
- (b) the likely effect of flooding on adjoining land or other land in the locality, as a result of the proposed landforming or use of the land, and
- (c) the risk of soil erosion or other land degradation, and
- (d) any likely loss of significant vegetation systems and native wildlife habitats, and
- (e) the allowance for suitable water distribution to and from flood dependent environments.

38 Advertisements and advertising structures

A person must not display an advertisement, except with development consent and as provided by *State Environmental Planning Policy No 64—Advertising and Signage*.

39 Access

A person, other than the Council, must not construct a road that has access to a public road except with development consent.

Clause 40 Gilgandra Local Environmental Plan 2004

Part 3 Special provisions

40 Roads, drainage, recreation areas and parking

The Council or any other public authority may carry out development on land within any zone for the purpose of roads, stormwater drainage, recreation areas, landscaping, gardening, bushfire hazard reduction or parking without development consent.

41 Temporary use of land

Despite any other provision of this plan, consent may be granted for the temporary use of land for any purpose (other than designated development, or development contrary to the provisions of any other environmental planning instrument) for a maximum period of 28 days, whether consecutive or not consecutive, in any one year.

42 Development near Gilgandra and Tooraweenah Airports

- (1) Consent must not be granted to the carrying out of development on land that is within the flight path of Gilgandra and Tooraweenah Airports, as identified on a map held in the office of the Council, unless the consent authority has made an assessment of:
 - (a) the effect of the development on aerodrome height limitations and runway surface conditions, and
 - (b) the effect of aircraft noise on the development, and
 - (c) the effect of the lighting associated with carrying out the development on local night-time flying operations, and
 - (d) any bird hazard likely to be generated by carrying out the development in respect of the aerodrome.
- (2) A person must not, on land identified as being within the flight path of Gilgandra and Tooraweenah Airports on a map held in the office of the Council:
 - (a) erect a structure that exceeds the height limitations identified on the Gilgandra and Tooraweenah airport flight path maps held in the office of the Council, or
 - (b) carry out development for the purpose of:
 - (i) a dam or reservoir, or
 - (ii) the handling or storage of grain, or
 - (iii) the disposal of refuse, or
 - (iv) a sewage treatment plant or effluent ponds, or
 - (v) an abattoir, or
 - (vi) a stock yard complex, or

Gilgandra Local Environmental Plan 2004

Clause 43

Special provisions

Part 3

- (vii) the provision or enhancement of a habitat likely to attract birds that may be a hazard to aircraft, or
- (viii) any other land use that as a result of the creation or disposal of waste foodstuffs could, in the opinion of the Council, constitute an attraction to birds,

except with development consent.

- (3) The consent authority must refer to the Civil Aviation Safety Authority any application for consent to carry out development referred to in subclause (2) where a building or structure is proposed the height of which would exceed the height of the obstacle limitation surface, if any, that has been specified by that Authority.
- (4) Before granting consent to development referred to in subclause (3), the consent authority must take into consideration any comments furnished by the Civil Aviation Safety Authority to the Council within 30 days after referral of the application to that Authority.

43 Covenants, agreements and similar instruments

- (1) If any covenant, agreement or similar instrument prohibits a use of land allowed by this plan, then that covenant, agreement or similar instrument does not apply to that use to the extent necessary to allow that use.
- (2) Nothing in subclause (1) affects the rights or interests under any registered instrument in favour of the Council or any other public authority.
- (3) In accordance with section 28 of the Act, the Governor approved of subclauses (1) and (2) before this plan was made.

44 Advertised development

Development described in Schedule 2 is advertised development for the purposes of the Act.

45 Additional use of land

- (1) Despite any other provision of this plan, a dwelling-house may be erected, with development consent, on land identified in Schedule 3.
- (2) Consent must not be granted to the erection of a dwelling-house as referred to in subclause (1) if the development application is lodged after the fifth anniversary of the date of commencement of this plan.

Gilgandra Local Environmental Plan 2004

Schedule 1 Development that does not require consent

Schedule 1 Development that does not require consent

(Clause 8 (b))

Development by public authorities

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

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

but excluding:

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

- 2** The carrying out by persons carrying on public utility undertakings, being water, sewerage, drainage, electricity or gas undertakings, of any of the following development, being development required for the purpose of their undertakings, that is to say:

 - (a) development of any description at or below the surface of the ground,
 - (b) the installation of any plant inside a building or the installation or erection within the premises of a generating station or substation established before the appointed day of any plant or other structures or erections required in connection with the station or substation,

Gilgandra Local Environmental Plan 2004

Development that does not require consent

Schedule 1

-
- (c) the installation or erection of any plant or other structures or erections by way of addition to or replacement or extension of plant or structures or erections already installed or erected, including the installation in an electrical transmission line of substations, feeder-pillars or transformer housing, but not including the erection of overhead lines for the supply of electricity or pipes above the surface of the ground for the supply of water, or the installation of substations, feeder-pillars or transformer housings of stone, concrete or brickworks,
 - (d) the provision of overhead service lines in pursuance of any statutory power to provide a supply of electricity,
 - (e) the erection of service reservoirs on land acquired or in process of being acquired for the purposes thereof before the appointed day, provided reasonable notice of the proposed erection is given to the council, or
 - (f) any other development except:
 - (i) the erection of buildings, the installation or erection of plant or other structures or erections and the reconstruction or alteration, so as materially to affect the design or external appearance thereof, of buildings, or
 - (ii) the formation or alteration of any means of access to a road.
- 3** The carrying out by persons carrying on public utility undertakings, being water transport undertakings, on land comprised in their undertakings, of any development required in connection with the movement of traffic by water, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, wharves, works and plant required for that purpose, except:
- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect the design or external appearance thereof, or
 - (b) the formation or alteration of any means of access to a road.
- 4** The carrying out by persons carrying on public utility undertakings, being wharf or river undertakings, on land comprised in their undertakings, of any development required for the purposes of shipping or in connection with the embarking, loading, discharging

Gilgandra Local Environmental Plan 2004

Schedule 1 Development that does not require consent

or transport of passengers, livestock or goods at a wharf or the movement of traffic by a railway forming part of the undertaking, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, works and plant for those purposes, except:

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

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

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

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

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

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

- (a) the erection of buildings (not being plant or other structures or erections required for the mining, working, treatment or disposal of minerals) and the reconstruction, alteration or

Gilgandra Local Environmental Plan 2004

Development that does not require consent

Schedule 1

-
- extension of buildings, so as materially to affect the design or external appearance thereof, or
- (b) the formation or alteration of any means of access to a road.
- 8** The carrying out of any development required in connection with the construction, reconstruction, improvement, maintenance or repair of any road, except the widening, realignment or relocation of such road.
- 9** The carrying out of any forestry work by the Forestry Commission or school forest trust empowered under relevant Acts to undertake afforestation, roading, protection, cutting and marketing of timber, and other forestry purposes under such Acts or upon any Crown land temporarily reserved from sale as a timber reserve under the *Forestry Act 1916*.
- 10** The carrying out by a rural lands protection board of any development required for the improvement and maintenance of travelling stock and water reserves, except:
- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect the design or purposes thereof,
- (b) any development designed to change the use or purpose of any such reserve.
- 11** The carrying out or causing to be carried out by a council engaged in flood mitigation works or by the Department of Land and Water Conservation of any work for the purposes of soil conservation, irrigation, afforestation, reforestation, flood mitigation, water conservation or river improvement in pursuance of the provisions of the *Water Act 1912*, the *Soil Conservation Act 1938*, the *Farm Water Supplies Act 1946*, the *Rivers and Foreshores Improvement Act 1948* or the *Water Management Act 2000*, except:
- (a) the erection of buildings, the installation or erection of plant or other structures or erections and the reconstruction or alteration of buildings so as materially to affect the design or external appearance thereof,
- (b) the formation or alteration of any means of access to a road.

Gilgandra Local Environmental Plan 2004

Schedule 2 Advertised development

Schedule 2 Advertised development

(Clause 44)

- 1 Development for the purpose of the following, but only if carried out on land within Zone 2 (v) other than the area identified for business on the map marked “Gilgandra Development Control Map”:
- animal cemeteries,
 - aquaculture,
 - artificial waterbodies,
 - bulk stores,
 - bulky goods sales rooms or showrooms,
 - bus depots,
 - cabin or caravan sites,
 - camp sites,
 - caravan parks,
 - cemeteries,
 - clubs,
 - convenience service stations,
 - corner stores,
 - correctional centres,
 - dams,
 - depots,
 - educational establishments,
 - energy generation facilities,
 - entertainment facilities,
 - generating works,
 - guest houses or hostels,
 - home industries,
 - hospitals,
 - hotels,
 - industries,
 - institutions,
 - kennels,
 - light industries,

Gilgandra Local Environmental Plan 2004

Advertised development

Schedule 2

machinery dealerships,
offices,
passenger transport terminals,
places of assembly,
places of worship,
plant nurseries,
professional consulting rooms,
public buildings,
recreation areas,
recreation facilities,
residential flat buildings,
restricted premises,
restaurants,
rural industries,
service stations,
shops,
taverns,
technology centres,
tourist facilities,
turf farming,
vehicle body repair workshops,
vehicle repair workshops,
veterinary hospitals,
warehouses.

- 2** Development for the purpose of the following, but only if carried out on land within Zone 4 (i):
- animal cemeteries,
 - aquaculture,
 - artificial waterbodies,
 - brothels,
 - correctional centres,
 - energy generation facilities.

Gilgandra Local Environmental Plan 2004

Schedule 3 Additional use of land

Schedule 3 Additional use of land

(Clause 45)

Reference	Address	Property description
1849.0082	394 Doorambah Road	Lot 50 DP 876761, Parish of Tonderbrine
0173.0	439 Castlereagh Highway	Lot 2662 DP 719235, Gilgandra
1317.02	5940 Newell Highway	Lot 292 DP 264112, Gilgandra
2060.1	23 Flora Reserve Road	Lot 492 DP 576349
2053.1	186 Avondale Road	Lot 39 DP 753411, Parish Bidon
1891.0	233 Jack Renshaw Parkway	Lot 100 DP 1007379, Tooraweenah

Gilgandra Local Environmental Plan 2004

Heritage items

Schedule 4

Schedule 4 Heritage items

(Dictionary)

Note.

There were no heritage items at the commencement of this plan.

Gilgandra Local Environmental Plan 2004

Dictionary

Dictionary

(Clause 3 (1))

abattoir means a building or place used for the slaughter of animals, whether or not animal by-products are processed, manufactured or distributed there, and includes a knackery.

additional dwelling means a dwelling-house located on land on which another dwelling-house is or is intended to be located.

aerodrome has the same meaning as in the *Civil Aviation Act 1988* of the Commonwealth.

agriculture means the broad scale production of crops or fodder, or the grazing of livestock, or both, but (in the Table to clause 11) does not include any other use elsewhere defined in this Dictionary.

aircraft facility means a place used for the taking off and landing of aircraft, whether or not it includes:

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

ancillary use means a use that is secondary or subsidiary to, and supportive of, the primary use on the same site, but does not include designated development as identified in Schedule 3 to the *Environmental Planning and Assessment Regulation 2000*.

animal cemetery means premises used on a commercial basis for the interment of deceased pets, including dogs, cats and other animals kept as domestic pets.

animal establishment means a building or place used for the breeding, boarding or training of, or keeping of, or caring for, animals for commercial purposes and includes stables and riding schools, horse training facilities and catteries, but does not include kennels, intensive livestock keeping establishments or veterinary hospitals.

aquaculture has the same meaning as in Schedule 3 to the *Environmental Planning and Assessment Regulation 2000*.

artificial waterbody has the same meaning as in Schedule 3 to the *Environmental Planning and Assessment Regulation 2000*.

asset protection zone means an area surrounding a development designed to reduce the bush fire hazard to an acceptable level.

Gilgandra Local Environmental Plan 2004

Dictionary

bed and breakfast accommodation means a dwelling-house that:

- (a) provides temporary overnight accommodation for the short-term traveller, and
- (b) offers at least breakfast for guests, and
- (c) does not accommodate more than 8 guests, and does not contain facilities in rooms for the preparation of meals by guests, and
- (d) is not used in whole or in part for the permanent or long-term accommodation of any person other than the person or persons who operate and manage the temporary accommodation and who normally reside in the dwelling-house.

biological diversity means the diversity of life and is made up of the following 3 components:

- (a) genetic diversity—the variety of genes (or units of heredity) in any population,
- (b) species diversity—the variety of species,
- (c) ecosystem diversity—the variety of communities or ecosystems.

biosolid waste disposal refers to the application of sludge or other semi-solid products from human sewage treatment plants on land for the purpose of improving land productivity that is undertaken in accordance with the NSW Environment Protection Authority's guidelines entitled *Environmental Guidelines: Use and Disposal of Biosolids Products* dated October 1997, but does not include the use of land for the disposal of biosolids.

boarding house means a building or place where accommodation, meals and laundry facilities are provided to long-stay residents of the building or place, but (in the Table to clause 11) does not include a building or place elsewhere specifically defined in this Dictionary.

brothel means premises used for the purpose of prostitution or, on a commercial basis, for sexual gratification, including those where only one person is engaged in prostitution or any such sexual gratification at any one time.

Gilgandra Local Environmental Plan 2004

Dictionary

bulk store means a building or place used for the bulk storage of goods where the goods stored or to be stored are not required for use in a shop or commercial premises on the same parcel of land or on adjoining land in the same ownership but (in the Table to clause 11) does not include a building or place elsewhere specifically defined in this Dictionary.

bulky goods sales room or showroom means a building or place used for the sale of goods by retail or auction, the hire or the display of items (whether goods or materials) that are of such a size, shape or weight as to require:

- (a) a large area for handling, storage or display, or
- (b) direct vehicular access to the site of the building or place by members of the public, for the purpose of loading items into their vehicles after purchase or hire,

and that may also be used for the display and sale of motor powered or motor drawn vehicles, but is not used for any sale of foodstuffs or clothing.

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

bush fire hazard means the potential for a bushfire, the severity of which is usually measured in terms of intensity (kW/m), and which is influenced by weather patterns, vegetation (fuel quantity, distribution and moisture) and slope.

bush fire hazard reduction work means a reduction or modification (by controlled burning or mechanical or manual means) of material that constitutes a bush fire hazard and where the main purpose is to reduce such hazards.

business identification sign has the same meaning as in *State Environmental Planning Policy No 64—Advertising and Signage* and includes a sign:

- (a) that indicates:
 - (i) the name of the person, and
 - (ii) the business carried on by the person,at the premises or place at which the sign is displayed, and

Gilgandra Local Environmental Plan 2004

Dictionary

-
- (b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

but does not include any advertising relating to a person who does not carry on business at the premises or place.

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

cabin or caravan site means a site used for the purpose of:

- (a) placing moveable dwelling-houses for the temporary accommodation of tourists, or
- (b) the erection, assembly or placement of cabins for the temporary accommodation of tourists.

camp site means a place used for the pitching of tents or other like portable, lightweight and temporary shelter for the short-term shelter of visitors or tourists.

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

caravan park means land (including a camping ground) on which moveable dwelling-houses, including tents and caravans and other vehicles used for temporary or permanent accommodation, are, or are to be, placed or erected.

cemetery means a place used for interment of the deceased, but does not include an animal cemetery.

child care centre means a building or place used (whether or not for profit) for the purpose of educating, supervising, minding or caring for 6 or more children (whether or not any of the children are related to the owner or operator) who are aged under 6 years or who do not normally attend school, and includes an early childhood centre, long day care centre, preschool, occasional care centre, children's neighbourhood centre, or multi-purpose child care centre, but:

- (a) (in the Table to clause 11) does not include a home based childcare establishment or a dwelling-house, and
- (b) does not include a building or place providing residential care for those children.

Gilgandra Local Environmental Plan 2004

Dictionary

club means a building used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purposes, whether of the same or of a different kind and whether or not the whole or a part of such building is the premises of a club registered under the *Registered Clubs Act 1976*, that may in addition offer refreshment, entertainment and leisure facilities to members and guests.

collector road means a road identified as such on a map that is held in the office of the Council.

communications facilities means a building, structure, work or place used primarily for transmitting or receiving signals for the purposes of communication, and includes radio masts and towers and satellite disks, and similar structures.

community centre means a building or place owned, leased or subleased by the Council, another public authority or any other body, being a building or place that provides for the physical, social, cultural or intellectual development or welfare of the local community, but (in the Table to clause 11) does not include a building or place elsewhere defined in this Dictionary.

contaminated land has the same meaning as in Part 7A of the Act and includes land in, on or under which any substance is present at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents risk of harm to human health or any other aspect of the environment.

convenience service station means a retail establishment where motorists refuel vehicles and that includes a shop with an area in excess of 50 square metres in which food and household necessities are sold.

corner store means a shop that has a floor space of not more than 150 square metres, that sells a variety of merchandise mostly of a convenience type and that may consist of, or include, a post office, chemist's shop, newsagency, milk bar, take-away food shop, general store, video shop, butcher's shop or baker's shop or be used for any similar use or combination of uses.

correctional centre means a penal or reformative establishment.

cultural centre means a gallery or museum and may include a performance space and ancillary facilities.

Gilgandra Local Environmental Plan 2004

Dictionary

dam means all works associated with artificial waterbodies, including stormwater retention basins, filling and excavation, involved in the permanent or temporary storage of water on land that alters the shape, natural form or drainage of land.

demolition means the damaging, defacing, destruction, pulling down or removal of a building or work in whole or in part.

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

drainage means the management of stormwater by means of any engineering method.

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

dwelling-house means a building containing one, but not more than one, dwelling.

educational establishment means a building or place principally used for education and training and includes a school, college, TAFE establishment, academy or lecture hall whether or not accommodation for staff or students is provided there and whether or not it is used for the purpose of gain, but does not include a building used wholly or principally as a child care centre or tourist facility.

energy generation facility means a building or place used for the purpose of making or generating wind, hydro or solar power forms of energy.

entertainment facility means a building or place used for the purpose of entertainment, exhibitions or displays and includes theatres, cinemas, music halls, concert halls, drive-in theatres and the like.

environmental conservation means the protection, rehabilitation or restoration of land which is consistent with practices agreed to or authorised by:

Gilgandra Local Environmental Plan 2004

Dictionary

-
- (a) the Department of Infrastructure, Planning and Natural Resources (in relation to erosion control, management of drainage corridors and other activities the responsibility of that Department), or
 - (b) the Department of Primary Industries (in relation to conservation farming and other activities the responsibility of that Department), or
 - (c) the Department of Environment and Conservation (in relation to conservation of sites of archaeological significance, flora or fauna habitat and other activities the responsibility of that Department), or
 - (d) the Council, in any case.

exhibition home means a dwelling-house constructed for display and marketing purposes that is open to the public to demonstrate aspects of housing form, design, construction, materials and the like and that may or may not be used for an ancillary purpose, such as a site office used for purposes related to house sales, and that is intended to be sold as a private dwelling-house after it has been used as an exhibition home.

extractive industry means an industry or undertaking, not being a mine, that depends for its operations on the winning of extractive material from the land on which it is carried on and includes an associated industry for the purposes of the processing of the extractive material (such as washing, crushing, grinding, milling or separating into separate grades and sizes of that range of material) on that land.

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

farmstay establishment means an established farming enterprise that:

- (a) provides accommodation and entertainment for tourists, and
- (b) forms part of the day-to-day farming operations of the farm.

fast food outlet means a building or place used for serving take-away food, whether or not food is also consumed on the premises, that requires car parking and facilities for the convenience of motorists, and that may include a drive through service.

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

Gilgandra Local Environmental Plan 2004

Dictionary

floor area has the same meaning as in Volume 1A (Housing Provisions) of the *Building Code of Australia*.

forestry includes arboriculture, silviculture, forest protection, the cutting, dressing or preparation, otherwise than in a sawmill, of wood and associated forest products and the establishment of roads required for the removal of wood and forest products or for forest protection.

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

generating works means a building or place used for the purpose of making or generating gas, electricity or other forms of energy other than wind, hydro or solar energy.

gross floor area means the sum of the areas of each floor of a building where the area of each floor is taken to be the area within the outer face of the external enclosing walls as measured at a height of 1,400 millimetres above each floor level, but excluding:

- (a) columns, fin walls, sun control devices and any elements, projections or works outside the general line of the outer face of the external wall, and
- (b) lift towers, cooling towers, machinery and plant rooms and ancillary storage space and vertical air-conditioning ducts, and
- (c) car-parking needed to meet any requirements of the Council and any internal access to that car-parking, and
- (d) space for the loading and unloading of goods.

group home means a dwelling-house that is a permanent group home or a transitional group home as defined in *State Environmental Planning Policy No 9—Group Homes*.

guest house or hostel means a building that:

- (a) provides temporary overnight accommodation for the short-term traveller, and
- (b) offers at least breakfast for guests, and
- (c) does not contain facilities in rooms for the preparation of meals by guests, and

Gilgandra Local Environmental Plan 2004

Dictionary

- (d) is not used in whole or in part for the permanent or long-term accommodation of any person other than the person or persons who operate and manage the temporary accommodation (who may normally reside in the building).

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

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

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

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

health care professional means a person who provides professional health services to members of the public.

helicopter landing site means an area or place not open to public use for the taking off and landing of helicopters.

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

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

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

home based childcare establishment means a dwelling-house providing care for up to 7 children (including the care giver's own children) in the premises where the care giver resides.

home industry means an industry carried on in a building (other than a dwelling-house or a dwelling in a residential flat building) under the following circumstances:

Gilgandra Local Environmental Plan 2004

Dictionary

-
- (a) the building does not occupy a floor space exceeding 50 square metres and is erected within the curtilage of the dwelling-house or residential flat building occupied by the person carrying on the industry or on adjoining land owned by that person,
 - (b) the industry does not:
 - (i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, or
 - (ii) involve exposure to view from any adjacent premises or from any public place of any unsightly matter, or
 - (iii) require the provision of any essential service main of a greater capacity than that available to the locality,
 - (c) the industry does not entail:
 - (i) the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail, or
 - (ii) the exhibition of any notice other than a business identification sign, or
 - (iii) the employment of more than one person who is not a resident of the dwelling-house or dwelling.

home occupation means an occupation carried on in a dwelling-house or in a dwelling in a residential flat building by the permanent residents of the dwelling-house or dwelling that would not have required the registration of the building under the *Shops and Industries Act 1962* immediately before the repeal of sections 10–13 of that Act and that does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, or
- (c) the display of goods, whether in a window or otherwise, or
- (d) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling-house or dwelling to indicate the name and occupation of the residents), or
- (e) the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail, or

Gilgandra Local Environmental Plan 2004

Dictionary

- (f) use of more than one room of the house or of more than 30 square metres of the floor area of the dwelling-house or dwelling, whichever is the lesser, or
- (g) prostitution, or
- (h) regular visits by clientele.

hospital means a building or place (other than an institution) used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, care of people with developmental disabilities, psychiatric care, counselling and other services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes:

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

hotel means any premises specified in a hotelier's licence granted under the *Liquor Act 1982*.

housing for seniors or people with a disability means residential accommodation intended to be used permanently as housing for the accommodation of seniors or people with a disability as defined in *State Environmental Planning Policy (Seniors Living) 2004* and includes ancillary facilities.

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

institution means a building or place used as a corrective centre, remand centre or reformatory facility.

Gilgandra Local Environmental Plan 2004

Dictionary

intensive agriculture means:

- (a) the use of a building or place predominantly for the commercial production of fibre, flowers, fruits, mushrooms, pastures or fodder, timber, turf, vegetables, viticulture or the like, or
- (b) the commercial keeping or breeding (or both) of livestock that are substantially dependent on high quality forage produced from the land, such as horse studs, free range poultry farms, facilities for raising other birds or bees or similar enterprises,

but does not include the use of animal establishments or artificial water bodies, aquaculture, intensive livestock keeping establishments or turf farming.

intensive livestock keeping establishment means a building or place used for commercial operation where animals are nurtured substantially on feed not produced on the land or feed that is wholly, or substantially, manufactured (excluding temporary feeding during and as a result of drought, fire, flood or similar emergency and livestock kept solely for personal consumption or enjoyment by the owner or occupier of the land) where the animals are penned or housed and includes cattle feed lots, poultry sheds, piggeries, worm farms and the like.

kennel means a building or place used for the keeping or breeding (or both) of dogs for commercial purposes.

land degradation means soil erosion involving the loss of productive capacity, stream turbidity and siltation, decline and loss of native vegetation or adverse changes in vegetation balance, salinisation of the soil or streams, or the deleterious effects of pesticides and fertilisers.

landforming means all works or activities involved in the placement of fill on land, or excavation of land, for the purpose of altering the shape, natural form or drainage of land works and that are associated with the agricultural or other use of the land, but does not include tilling and ploughing.

light industry means an industry, not being an offensive or hazardous industry, in which the processes carried on, or the transportation involved or the machinery or materials used, do not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise.

Gilgandra Local Environmental Plan 2004

Dictionary

machinery dealership means a building or place used for the sale by retail or auction, the hire or the display of agricultural, earthmoving or road transport machinery and equipment and includes the ancillary sale and fitting of parts and accessories and the servicing and repair of such items.

main road has the same meaning as in the *Roads Act 1993*.

materials recycling depot means a building or place used for the collection, dismantling, storage, recycling or sale of scrap metals, waste paper, rags, bottles or other scrap materials or goods, or used for the collecting, dismantling, storage or salvaging of motor vehicles or machinery or for the sale of their parts.

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

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

mining includes a mine and any form of mining, including surface mining (whether by open-cut or any other method) and underground mining.

motel means a building or buildings substantially used for the overnight or short-term accommodation of travellers and the vehicles used by them whether or not meals are also provided to those travellers or the general public, but does not include a building or place elsewhere specifically defined in this Dictionary.

motor vehicle dealership means a building or place used for the sale by retail or auction, the hire or the display of cars, motor cycles, caravans, boats, trailers and the like as well as the ancillary sale and fitting of parts and accessories and the servicing and repair of such items.

natural ground level means the level of land as if no development has taken place.

occupied, in relation to land or an allotment, in the context of the subdivision of land or the erection of dwelling-houses, means land or an allotment on which a dwelling-house is erected.

Gilgandra Local Environmental Plan 2004

Dictionary

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

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

office means a building or place used for the purpose of administration, or for clerical, technical, professional or like activities (except for dealing with members of the public on a direct and regular basis or otherwise than by appointment), but (in the Table to clause 11) does not include a building or place elsewhere defined in this Dictionary.

parking space includes the use of an area designed, marked or signposted for the parking of motor vehicles.

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

place of assembly means a cinema, concert hall, public hall, dance hall, open-air theatre, or any other building of a like character used as such and whether used for the purpose of gain or not, but (in the Table to clause 11) does not include a place of worship, an educational establishment, entertainment facility or any other building or place elsewhere defined in this Dictionary.

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

Gilgandra Local Environmental Plan 2004

Dictionary

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

prime crop and pasture land means land of merit for special agricultural use as confirmed by the Department of Primary Industries, whether or not landscape supplies (including earth products) and other landscape and horticultural products are also sold there.

principles of ecologically sustainable development means the principles derived from the following statements:

Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes. Ecologically sustainable development can be achieved through the implementation of the following principles and programs:

- (a) the precautionary principle—namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:
 - (i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and
 - (ii) an assessment of the risk-weighted consequences of various options,
- (b) inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations,
- (c) conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,
- (d) improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:
 - (i) polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement, and

Gilgandra Local Environmental Plan 2004

Dictionary

-
- (ii) the users of goods and services should pay prices based on the costs involved in the full cycle providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste, and
 - (iii) environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.

professional consulting rooms means a room or a number of rooms forming either the whole of or part of, attached to or within the curtilage of, a dwelling-house and used by not more than 3 legally qualified medical practitioners or by not more than 3 dentists within the meaning of the *Dentists Act 1989*, or by not more than 3 health care professionals, who practise there the profession of medicine, dentistry or health care, respectively, and, if more than one, practise in partnership, and who employ not more than 3 employees in connection with that practice.

public building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a local council or an organisation established for public purposes.

recreation area means:

- (a) a children's playground, or
- (b) an area used for sporting activities or sporting facilities, including parks, reserves and ovals, or
- (c) an area used to provide facilities for recreational activities that promote the physical, cultural or intellectual welfare of persons within the community, being facilities provided by the Council or on behalf of the Council, or a body of persons associated for the purpose of the physical, cultural or intellectual welfare of persons within the community,

and includes the aesthetic enhancement by way of tree planting and other landscaping of such areas, but does not include entertainment facilities.

Gilgandra Local Environmental Plan 2004

Dictionary

recreation facility means a building or place used for sporting activities, recreation or leisure activities, whether or not operated for the purpose of gain, and includes sports stadiums, showgrounds, racecourses, swimming pools, golf courses, basketball courts, gun clubs, paint ball parks and the like, but (in the Table to clause 11) does not include a building or place elsewhere defined in this Dictionary.

refreshment area means a building or place that is ancillary to another use of the site granted consent that provides refreshments to visitors of the site and includes a wine tasting room and a kiosk and the like.

relic means any deposit, object or material evidence (not being a handicraft made for sale, but that may consist of, or include, human remains) relating to:

- (a) the use or settlement of the local government area of Gilgandra, being a deposit, object or material evidence that is more than 50 years old, and
- (b) indigenous or European habitation of land within the local government area of Gilgandra, being habitation, either prior to or concurrent with the occupation of that land by persons of indigenous or European extraction.

renovate, in relation to a building or work, means:

- (a) the making of structural changes to the inside or outside of the building, and
- (b) the making of non-structural changes to the fabric or appearance of the outside of the building or work, including changes involving the repair, or the painting, plastering or other decoration, of the outside of the building or work.

residential flat building means 2 or more dwellings on a site where each dwelling has an individual entrance and direct private access to private open space for the exclusive use of the occupants of the building, and includes villas, terraces, town-houses, cluster housing, integrated housing, mobile home parks and the like.

restaurant means a building or place such as a cafe, tea room, eating house, take-away or drive-through service or the like, the purpose of which is to provide food for consumption and beverages on the premises whether or not take-away meals are also provided.

Gilgandra Local Environmental Plan 2004

Dictionary

restricted premises means business premises or a shop that, due to its nature, restricts access to customers over 18 years of age and includes sex shops and the like, but does not include a tavern, hotel or brothel.

retail means the sale of commodities to households or ultimate consumers.

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

road transport depot means a building or place used for the principal purpose of the bulk handling of goods for transport by road, whether or not the building or place is also used for the storage of goods, parking, servicing or repair of those vehicles used in connection with the road transport operation.

roadside stall means a building or place not exceeding 20 square metres in floor area used for the purpose of offering for sale by retail agricultural goods produced on the allotment on which the place is located or on allotments in the immediate locality.

rural industry means:

- (a) the handling, selling, treating, processing or packing of rural products, or
- (b) the regular servicing or repairing of plant or equipment used for the purpose of a rural activity operating in the locality.

rural worker's dwelling means a dwelling-house:

- (a) located on land on which another dwelling-house is or is intended to be located, or
- (b) used as the principal place of residence by persons employed in agriculture, aquaculture, intensive agriculture, turf farming or a rural industry conducted on that land.

sawmill means a mill handling, cutting and processing timber from logs or baulks.

semi-detached housing means a building containing 2, but not more than 2, dwelling-houses on a single allotment of land.

service station means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oils and other petroleum products, whether or not the building or place is also used for any one or more of the following:

- (a) the hire of trailers,

Gilgandra Local Environmental Plan 2004

Dictionary

- (b) the sale by retail of spare parts and accessories for motor vehicles,
- (c) the cleaning, washing and greasing of motor vehicles,
- (d) the repairing and servicing of motor vehicles involving the use of hand tools (other than repairing and servicing that involves top overhaul of motors, body building, panel repair, spray painting or suspension, transmission or chassis restoration),
- (e) the retail sale or hire of other goods within an ancillary area.

serviced apartment means a dwelling that is cleaned and otherwise serviced or maintained on a regular basis by a non-resident owner or manager of the building or an agent.

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

State Highway means a road identified as such on the zoning map and on a map that is held in the office of the Council.

stock and sale yard means a building or place used for the purpose of offering livestock or poultry for sale (whether by auction or otherwise).

sustainable means existing and proposed activities that, in the Council's opinion, being an opinion formed after considering advice provided to the Council by relevant government authorities, satisfy the environmental objectives of this plan.

sustainable natural resource management means ensuring that the health, diversity and productivity of the nation's natural resources are maintained or enhanced for the benefit of future generations through the conservation of biological diversity and the integrity of ecosystems.

tavern means premises licensed under the *Liquor Act 1982* for the sale of liquor but that do not provide overnight accommodation on a commercial basis.

technology centre means a building or place used for telecommunications or information technology operations and includes a call centre, internet service provider centre and the like.

Gilgandra Local Environmental Plan 2004

Dictionary

telecommunications facility means any part of the infrastructure of a telecommunications network. It includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure or thing used, or for use in or in connection with, a telecommunications network.

telecommunications network means a system, or series of systems, that carries, or is capable of carrying, communications by means of guided or unguided electromagnetic energy.

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

the Council means the Gilgandra Shire Council.

tourist facilities means a building or place designed or used for rendering service to travellers, tourists or persons engaged in recreational pursuits and providing for holiday accommodation or recreation, but (in the Table to clause 11) does not include any other building or place elsewhere defined in this Dictionary.

transfer station means a place set aside for the collection and transfer of domestic and commercial waste.

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

treated waste application means the application or disposal of liquid effluent, sludge or other semi-solid organic waste products to or on land, but (in the Table to clause 11) does not include biosolid waste application, landfilling or water treatment sludge application or any activity that is reasonably and normally ancillary to another use elsewhere defined in this Dictionary.

turf farming means the commercial cultivation, and removal from land, of turf.

utility installation means a building or work used by a utility undertaking.

utility undertaking means any undertaking carried on for the purpose of:

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

Gilgandra Local Environmental Plan 2004

Dictionary

- (d) firefighting facilities, or
- (e) paramedical facilities, or
- (f) emergency services facilities, operations centres and the like.

vacant land or ***vacant allotment*** means land or an allotment of land on which no habitable dwelling-house is located.

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

vehicle repair workshop means a building or place used for the purpose of carrying out repairs or the sale and fitting of accessories to vehicles or machinery, not being a vehicle body repair workshop.

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

visitor facilities means the provision of walking tracks, information, interpretative signs, lookouts, picnics, facilities, toilet facilities, access for the disabled and ancillary parking for the general public.

warehouse means a building or place used for the storage of goods, merchandise or materials pending their sale and distribution to persons engaged in the retail trade.

waste has the same meaning as it has in the *Protection of the Environment Operations Act 1997 (POEO Act)* and means:

- (a) any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or
- (b) any discarded, rejected, unwanted, surplus or abandoned substance, or
- (c) any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, reprocessing, recovery or purification by a separate operation from that which produced the substance, or
- (d) any substance prescribed by the regulations under the POEO Act to be waste for the purposes of that Act.

Note. A substance is not precluded from being waste for the purposes of the POEO Act merely because it can be reprocessed, reused or recycled.

Gilgandra Local Environmental Plan 2004

Dictionary

waste disposal facility means a place set aside for the disposal of domestic and commercial waste to landfill, but (in the Table to clause 11) does not include any place elsewhere defined in this Dictionary.

waste management facility means a place used for the disposal or treatment, or both, of waste and includes a sewage treatment plant, but (in the Table to clause 11) does not include a waste disposal landfill site or other place elsewhere defined in this Dictionary.

water treatment sludge application means the application to land of solid or semi-solid materials generated by the process of water treatment, at a scale and in a manner that are consistent with the principles that apply to biosolid waste applications as detailed in the NSW Environment Protection Authority's guidelines entitled *Environmental Guidelines: Use and Disposal of Biosolids Products* dated October 1997.

zoning map means Sheets 1 and 2 of the map marked "Gilgandra Local Environmental Plan 1998", as amended by the maps, or sheets of maps, marked as follows:



New South Wales

Hastings Local Environmental Plan 2001 (Amendment No 28)

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*. (G03/00119/S69)

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

Clause 1 Hastings Local Environmental Plan 2001 (Amendment No 28)

Hastings Local Environmental Plan 2001 (Amendment No 28)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Hastings Local Environmental Plan 2001 (Amendment No 28)*.

2 Aim of plan

The aim of this plan is to rezone the land to which this plan applies from Zone 1 (i) Rural Residential Investigation to Zone 1 (r1) Rural Residential.

3 Land to which plan applies

This plan applies to Lot 74, DP 250978, Kings Creek Road, Wauchope, as shown edged heavy black on the map marked "Hastings Local Environmental Plan 2001 (Amendment No 28)" deposited in the office of the Hastings Council.

4 Amendment of Hastings Local Environmental Plan 2001

Hastings Local Environmental Plan 2001 is amended by inserting in appropriate order in Part 2 of Schedule 6:

Hastings Local Environmental Plan 2001 (Amendment No 28)



Hurstville Local Environmental Plan 1994 (Amendment No 55)

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*. (S04/01055/S69)

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

Clause 1 Hurstville Local Environmental Plan 1994 (Amendment No 55)

Hurstville Local Environmental Plan 1994 (Amendment No 55)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Hurstville Local Environmental Plan 1994 (Amendment No 55)*.

2 Aims of plan

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

3 Land to which plan applies

This plan applies to land within the City of Hurstville, being Lot 2, DP 511490 and known as 469 Forest Road, Penshurst, as shown edged heavy black on the map marked “Hurstville Local Environmental Plan 1994 (Amendment No 55)” deposited in the office of the Council of the City of Hurstville.

4 Amendment of Hurstville Local Environmental Plan 1994

Hurstville Local Environmental Plan 1994 is amended by inserting in alphabetical order of locality in Part 3 of Schedule 4, in Columns 1, 2 and 3, respectively, the following words:

Penshurst

469 Forest Road	Lot 2, DP 511490, as shown edged heavy black on the map marked “Hurstville Local Environmental Plan 1994 (Amendment No 55)”.	Nil.
-----------------	--	------



New South Wales

Newcastle Local Environmental Plan 2003 (Amendment No 1)

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*. (N03/00130/S69)

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

Clause 1 Newcastle Local Environmental Plan 2003 (Amendment No 1)

Newcastle Local Environmental Plan 2003 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Newcastle Local Environmental Plan 2003 (Amendment No 1)*.

2 Aims of plan

- (1) This plan aims to reclassify the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*.
- (2) This plan also aims to effect minor law revision of the provision in *Newcastle Local Environmental Plan 2003* relating to the classification and reclassification of public land as operational land.

3 Land to which plan applies

This plan applies to Lots B and C, DP 37025, and known as 7A Breen Street, Stockton (Breen Street Reserve), as shown edged heavy black on the map marked "Newcastle Local Environmental Plan 2003 (Amendment No 1)" deposited in the office of Newcastle City Council.

4 Amendment of Newcastle Local Environmental Plan 2003

Newcastle Local Environmental Plan 2003 is amended as set out in Schedule 1.

Newcastle Local Environmental Plan 2003 (Amendment No 1)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 19, heading

Omit **“Reclassification of community land”**.

Insert instead **“Classification and reclassification of public land as operational land”**.

[2] Clause 19 (1)

Insert “, subject to this clause” after *“Local Government Act 1993”*.

[3] Clause 19 (2) (a1)

Insert before clause 19 (2) (a):

- (a1) those (if any) specified in relation to the land in Part 2 of Schedule 5, and

[4] Clause 19 (4A)

Insert after clause 19 (4):

(4A) Land described in Part 3 of Schedule 5:

- (a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and
- (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.

[5] Schedule 5, heading

Omit **“Reclassification of community land”**.

Insert instead **“Classification and reclassification of public land as operational land”**.

[6] Schedule 5, Part 1, heading

Insert **“Land classified or reclassified under original section 30 of Local Government Act 1993”** after **“Part 1”**.

Newcastle Local Environmental Plan 2003 (Amendment No 1)

Schedule 1 Amendments

[7] Schedule 5, Part 2, heading

Insert “**Land classified or reclassified under amended section 30 of Local Government Act 1993—interests changed**” after “**Part 2**”.

[8] Schedule 5, Part 3, heading

Insert “**Land classified or reclassified under amended section 30 of Local Government Act 1993—interests not changed**” after “**Part 3**”.

[9] Schedule 5, Part 3

Omit the note to the Part. Insert instead:

Lots B and C, DP 37025, and known as 7A Breen Street, Stockton (Breen Street Reserve), as shown edged heavy black on the map marked “Newcastle Local Environmental Plan 2003 (Amendment No 1)”.



New South Wales

Willoughby Local Environmental Plan 1995 (Amendment No 54)

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*. (S03/01528/S69)

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

Clause 1 Willoughby Local Environmental Plan 1995 (Amendment No 54)

Willoughby Local Environmental Plan 1995 (Amendment No 54)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Willoughby Local Environmental Plan 1995 (Amendment No 54)*.

2 Aims of plan

The aims of this plan are:

- (a) to ensure existing amenity is maintained by:
 - (i) discouraging development that reduces the amount of sunlight reaching the living areas within adjoining and nearby properties, and
 - (ii) discouraging development that reduces the amount of sunlight reaching principal open space areas within adjoining and nearby properties, and
 - (iii) discouraging development that adversely impacts on the privacy of adjoining and nearby properties, and
 - (iv) providing for mitigating circumstances in these matters, and
- (b) to replace the provisions currently applying to the siting and preservation of trees on the land to which *Willoughby Local Environmental Plan 1995 (the 1995 plan)* applies with new provisions relating to the preservation of trees and bushland vegetation, and
- (c) to permit carparking, associated with a child care centre, on Lot 3, DP 162062, known as part of Bales Park, Willoughby, and
- (d) to clarify the definition of *floor space ratio* in the 1995 plan, and
- (e) to insert definitions of *access handle* and *bushland vegetation* in the 1995 plan, and
- (f) to rezone part of the land to which this plan applies from Zone 5 (c) (Special Uses “C” (Proposed County Road Reservation) Zone) to Zone 2 (a) (Residential “A” Zone) under the 1995 plan

and to make provision for minimum allotment size in respect of that land, and

- (g) to rezone part of the land to which this plan applies from partly Zone 2 (b) (Residential “B” Zone) and partly Zone 6 (b) (Open Space “B” (Proposed Recreation Reservation) Zone) to partly Zone 6 (a) (Open Space “A” (Existing Recreation) Zone) and partly Zone 2 (b) (Residential “B” Zone) under the 1995 plan, and
- (h) to rezone part of the land to which this plan applies from Zone 5 (a) (Special Uses “A” Zone) to Zone 2 (a) (Residential “A” Zone) under the 1995 plan and to make provision for minimum allotment size in respect of that land, and
- (i) to make a minor amendment to the definition of *home occupation* in the 1995 plan.

3 Land to which plan applies

- (1) Except as provided by subclauses (2)–(5), this plan applies to all land to which *Willoughby Local Environmental Plan 1995* applies.
- (2) To the extent that this plan rezones land from Zone 5 (c) to Zone 2 (a) and makes provision for minimum allotment size in respect of that land, it applies to so much of Part Lot 41, DP 977055, Lot 4, DP 150607, Lot 3, DP 150607, Lot 2, DP 150607, Lot 1, DP 150607, Lot 2, DP 590018, Lot 1, DP 590018, Lot 361, DP 1032203, Lot 362, DP 1032203, Lot 35, DP 1037751, Lot 34, DP 1037751, Lot 33, DP 508777, Lot 1, DP 166910, Lot 2, DP 166910, Lot 1, DP 168467, Lot 30, DP 977055, Lot 101, DP 857252, Lot 100, DP 857252, Lot 1, DP 75374, Lot 11, DP 129153, Lot 1, DP 178525, Lot 1, DP 75133, Lot 1, DP 81135, Lot 1, DP 81401 and Lot 0, DP 977055, known as 1, 3, 5, 7, 9, 11, 11A, 13, 13A, 15, 17, 19, 21, 23, 25, 27, 29 and 29A Walter Street and 450, 452, 454, 456, 458 and 460 Willoughby Road, and remnant strip of reserve, Walter Street, Willoughby, as is indicated by heavy black edging on Sheets 2 and 5 of the map marked “Willoughby Local Environmental Plan 1995 (Amendment No 54)” deposited in the office of the Council of the City of Willoughby.
- (3) To the extent that this plan rezones land from Zone 5 (a) to Zone 2 (a) and makes provision for minimum allotment size in respect of that land, it applies to Lot 5, DP 10525, known as 26 Chatswood Avenue, Chatswood, as indicated by heavy black edging on Sheets 4 and 6 of that map.
- (4) To the extent that this plan rezones land from partly Zone 2 (b) and partly Zone 6 (b) to partly Zone 6 (a) and partly Zone 2 (b), it applies to Part 7 Section 1, DP 55815, as indicated by heavy black edging on Sheet 3 of that map.

Clause 4 Willoughby Local Environmental Plan 1995 (Amendment No 54)

- (5) To the extent that this plan permits car parking ancillary to an adjoining child care centre, it applies to Lot 3, DP 162062, known as part of Bales Park, Willoughby, as indicated by heavy black edging on Sheet 1 of that map.

4 Amendment of Willoughby Local Environmental Plan 1995

Willoughby Local Environmental Plan 1995 is amended as set out in Schedule 1.

Willoughby Local Environmental Plan 1995 (Amendment No 54)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in alphabetical order in clause 5 (1):

access handle means land on which is situated an access driveway, access corridor or an “axe-handle” to a battle-axe block or hatchet-shaped lot, the purpose of which is to provide vehicular, pedestrian or services access from the street to the main parcel of the battle-axe block or hatchet-shaped lot (regardless of whether it involves the creation of reciprocal rights of way, is affected by an easement or is for the exclusive use of one dwelling-house).

bushland vegetation means vegetation which is either a remnant of the natural vegetation of the land on which it is situated or, if altered, is still representative of the structure and floristics of the natural vegetation.

[2] Clause 5 (1), definitions of “floor space ratio” and “home occupation”

Omit the definitions. Insert instead:

floor space ratio of a site means the ratio of the total gross floor area of all buildings on the site to the total area of the site zoned for the purpose for which the building or buildings may be erected, exclusive of the area of any existing or proposed access handle.

home occupation means an occupation carried on in a dwelling by the permanent residents of the dwelling which would not have required the registration of the premises under sections 10–13 of the *Factories, Shops and Industries Act 1962*, as in force immediately before their repeal, and does not involve:

- (a) prostitution, or
- (b) the employment of persons other than those residents, or
- (c) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, or
- (d) the display of goods, whether in a window or otherwise, or
- (e) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on the dwelling to indicate the name and occupation of the resident), or

Willoughby Local Environmental Plan 1995 (Amendment No 54)

Schedule 1 Amendments

- (f) the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail.

[3] Clause 5 (1), definition of “the map”

Insert in appropriate order:

Willoughby Local Environmental Plan 1995 (Amendment No 54)—Sheets 2–4

[4] Clause 6

Omit the clause. Insert instead:

6 Model Provisions

The *Environmental Planning and Assessment Model Provisions 1980* are adopted for the purposes of this plan except for the definitions of terms defined in clause 5 (1) of this plan and clauses 7, 8, 15, 16, 18, 23 and 33 of the Model Provisions.

[5] Clauses 13C and 13D

Insert after clause 13B:

13C Tree and bushland preservation order

- (1) The objective of this clause is the preservation and management of trees and bushland vegetation within the City of Willoughby.
- (2) Where it appears to the Council that it is expedient for the purpose of securing amenity or of preserving existing amenity or of preserving or securing trees and bushland vegetation in order to ensure the integrity of the natural environment for both residents of and visitors to the City of Willoughby, it may, for that purpose and by resolution, make a tree and bushland preservation order and may, by like resolution, repeal or amend any such order.
- (3) A tree and bushland preservation order must specify, by characteristics, location, species, type, class or other identifying criteria set out in the order, the trees or bushland vegetation covered by the order.
- (4) A tree and bushland preservation order may specify, by characteristics, location, species, type, class or other identifying criteria set out in the order, any trees or bushland vegetation as exempt from being covered by the order.
- (5) A tree and bushland preservation order, and an amendment or repeal of any such order, has effect only when it has been published in the Gazette and in a local newspaper.

Willoughby Local Environmental Plan 1995 (Amendment No 54)

Amendments

Schedule 1

-
- (6) The Council must establish and maintain a register of all tree and bushland preservation orders made, repealed or amended by the Council after the commencement of this clause and must record in the register the date of the relevant resolution, the dates of the publication of the order in the Gazette and the local newspaper under subclause (5), and the terms of the order as made, repealed or amended as the case may be.
- (7) The Council may add to the register established under subclause (6) any information it possesses in respect of tree preservation orders made before the commencement of this clause.
- (8) While a tree and bushland preservation order is in force, a person must not ringbark, cut down, top, lop, prune, remove, injure or wilfully destroy any tree or bushland vegetation covered by the order without development consent.
- (9) Subclause (8) does not apply where:
- (a) the trees or bushland vegetation concerned are dealt with in accordance with a permit granted by the Council, or
 - (b) the trees or bushland vegetation concerned are dying or dead or have become dangerous, or
 - (c) the action taken is reasonably necessary to protect human life, buildings or other property from imminent danger from a bush fire burning in the vicinity of the land on which the trees or bushland vegetation are situated, or
 - (d) written notice is given to the Council, the action proposed in the notice is the removal of trees or bushland vegetation that pose a fire hazard, the Council confirms in writing before the action is taken:
 - (i) that the trees or bushland vegetation concerned are in an Inner Protection Area within the meaning of the document entitled *Planning for Bushfire Protection*, ISBN 0 9585987 8 9, prepared by Planning & Environment Services, NSW Rural Fire Service in co-operation with the former Department of Urban Affairs and Planning, and dated December 2001, or
 - (ii) that the species of trees or the type of bushland vegetation concerned is a species or type, as the case may be, classified by the Council as being likely to present a significant fire hazard,and the action taken is the action proposed in the notice and is taken for the purpose of bush fire hazard reduction, or

Willoughby Local Environmental Plan 1995 (Amendment No 54)

Schedule 1 Amendments

-
- (e) written notice is given to the Council, a period of not less than 14 days occurs after the notice is given (and before the trees or bushland vegetation concerned are dealt with), the Council does not advise the person during that period that it opposes the action proposed and the action taken is the action proposed in the notice and is taken for the purpose of bush fire hazard reduction.
 - (10) A notice under subclause (9) must specify the name and address of the person who gives the notice, the trees concerned (and species of tree) or the type of bushland vegetation concerned, the location of the trees or bushland vegetation concerned, the address of the land on which the trees or bushland vegetation concerned are situated, and the action that is proposed to be taken in respect of the trees or bushland vegetation concerned.
 - (11) The provisions of a tree and bushland preservation order do not apply to activities lawfully conducted in accordance with the *Telecommunications Act 1997* of the Commonwealth, the *Roads Act 1993*, the *Rural Fires Act 1997*, the *Local Government Act 1993* or the *Environmental Planning and Assessment Act 1979*.
 - (12) To the extent that it identifies the trees to which the order applies, an order made under clause 8 of the *Environmental Planning and Assessment Model Provisions 1980* as adopted by this plan and in force immediately before the commencement of this clause, is taken to be an order made and published in accordance with this clause.

13D Amenity

Before granting consent for development, the Council must consider whether the proposed development is likely to have an adverse impact on an adjoining or nearby property by causing loss of views, loss of privacy or a reduction of sunlight to the living areas or principal open space recreation areas, and whether:

- (a) there are no other design alternatives that would mitigate the impacts, or
- (b) there are special circumstances applying to the site or its context.

[6] Clause 15 Minimum allotment sizes

Insert in appropriate order at the end of clause 15 (1):

Willoughby Local Environmental Plan 1995 (Amendment No 54)—Sheets 5 and 6

Willoughby Local Environmental Plan 1995 (Amendment No 54)

Amendments

Schedule 1

[7] Clause 15 (2)

Omit the subclause. Insert instead:

- (2) For the purpose of this clause, the area of any existing or proposed access handle is to be excluded when determining the area of each allotment.

[8] Clause 22 Minimum allotment size

Omit clause 22 (2). Insert instead:

- (2) For the purpose of this clause, the area of any existing or proposed access handle is to be excluded when determining the area of each allotment.

[9] Clause 33 Subdivision

Omit clause 33 (4). Insert instead:

- (4) The floor space ratio of each dwelling to the allotment created by such a subdivision is not to exceed 0.4:1.

[10] Clause 55 Development for certain additional purposes

Insert at the end of clause 55 (b):

- , or
- (c) carparking, in conjunction with the use of adjoining land for a child care centre, on Lot 3, DP 162062 (known as part of Bales Park, Willoughby), as indicated by heavy black edging on Sheet 1 of the map marked "Willoughby Local Environmental Plan 1995 (Amendment No 54)".

Natural Resources

WATER ACT 1912

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

A R MOXEY & SONS PTY LIMITED for a pump on the Hawkesbury River on 1/229549, Parish of Ham Common, County of Cumberland, for the irrigation of 39.5 hectares (improved pasture) (replacement licence – part replacing existing licence 10SL55113 – no increase in authorised area – no increase in annual water entitlement – not subject to the 1995 Hawkesbury/Nepean Embargo) (Reference: 10SL56619) (GA2:493316).

Charles Peter CAMILLERI and Diane Dulcie CAMILLERI for a pump on the Grose River on 2/1059691, Parish of Kurrajong, County of Cook, for water supply for domestic purposes and the irrigation of 4.5 hectares (improved pasture) (replacement licence – part replacing existing licence 10SL39277 – no increase in authorised area – no increase in annual water entitlement – not subject to the 1995 Hawkesbury/Nepean Embargo) (Reference: 10SL56620) (GA2:493317).

Any inquiries regarding the above should be directed to the undersigned (Telephone: [02] 9895 7194).

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

WAYNE CONNERS,
Natural Resource Project Officer,
Sydney/South Coast Region

Department of Infrastructure, Planning and
Natural Resources,
PO Box 3720, Parramatta NSW 2124.

Department of Lands

HAY OFFICE

126 Lachlan Street (PO Box 182), Hay NSW 2711

Phone: (02) 6993 1306 Fax: (02) 6993 1135

NOTIFICATION OF CLOSING OF PUBLIC ROAD

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the land comprised therein ceases to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished. On road closure, title to the land comprising the former public road vests in the body specified in the Schedule hereunder.

TONY KELLY, M.L.C.,
Minister for Lands

Description

Land District of Deniliquin; Council of Deniliquin.

Lot 10, DP 1058084, Parish of South Deniliquin, County of Townsend.

File No.: HY02 H 78.

Note: On closing, title for the land comprised in Lot 10 remains vested in the Deniliquin Shire Council as operational land.

MAITLAND OFFICE

Cnr Newcastle Road & Banks Street (PO Box 6), East Maitland NSW 2323

Phone: (02) 4934 2280

Fax: (02) 4934 2252

ra150

ra150

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. On road closing, title to the land comprising the former public road vests in the body specified in the Schedule hereunder.

TONY KELLY, M.L.C.,
Minister for Lands

Description

*Parish – Maitland; County – Northumberland;
Land District – Maitland;
Local Government Area – Maitland City Council.*

Road Closed: Lot 1, DP 1068340 at Raworth.

File No.: MD99 H 202.

SCHEDULE

On closing, the land within Lot 1, DP 1068340 remains vested in Maitland City Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: 122/901 (339636).

ra150

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. On road closing, title to the land comprising the former public road vests in the body specified in the Schedule hereunder.

TONY KELLY, M.L.C.,
Minister for Lands

Description

*Parish – Kincumber; County – Northumberland;
Land District – Gosford;
Local Government Area – Gosford City Council.*

Road Closed: Lot 100, DP 1076949 at Terrigal.

File No.: MD96 H 116.

SCHEDULE

On closing, the land within Lot 100, DP 1076949 remains vested in Gosford City Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: 210.92.

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. On road closing, title to the land comprising the former public road vests in the body specified in the Schedule hereunder.

TONY KELLY, M.L.C.,
Minister for Lands

Description

*Parish – Wittingham; County – Northumberland;
Land District – Singleton;
Local Government Area – Singleton Council.*

Road Closed: Lots 2 and 4, DP 1070881 at Singleton, subject to easements created by Deposited Plan 1070881.

File No.: MD02 H 52.

SCHEDULE

On closing, the land within Lots 2 and 4, DP 1070881 remains vested in Singleton Shire Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: 01/0048.

ra150

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. On road closing, title to the land comprising the former public road vests in the body specified in the Schedule hereunder.

TONY KELLY, M.L.C.,
Minister for Lands

Description

*Parish – Teralba; County – Northumberland;
Land District – Newcastle;
Local Government Area – Lake Macquarie City Council.*

Road Closed: Lot 1, DP 1076000 at Booragul, subject to easement for watermain created by Deposited Plan 1076000.

File No.: MD96 H 43.

SCHEDULE

On closing, the land within Lot 1, DP 1076000 remains vested in Lake Macquarie City Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: F2004/07421.

APPOINTMENT OF TRUST BOARD MEMBERS

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

TONY KELLY, M.L.C.,
Minister for Lands

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Marie SALES (new member).	Broke Public Hall Trust.	Reserve No.: 97053. Public Purpose: Public hall. Notified: 11 November 1983. File No.: MD82 R 20.

Term of Office

For a term commencing the date of this notice and expiring
12 August 2009.

NOWRA OFFICE

5 O'Keefe Avenue (PO Box 309), Nowra NSW 2541
Phone: (02) 4428 6900 Fax: (02) 4428 6988

ERRATUM

IN the *Government Gazette* of 10 December 2004, Folio 9104, under the heading of "Notification of Closing of Road" in the Land District of Bega, the description where it states "DP1065423" is replaced with "DP1074810".

File No.: NA03 H 114.

TONY KELLY, M.L.C.,
Minister for Lands

ORANGE OFFICE
92 Kite Street (PO Box 2146), Orange NSW 2800
Phone: (02) 6393 4300 Fax: (02) 6362 3896

NOTIFICATION OF CLOSING OF A ROAD

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

TONY KELLY, M.L.C.,
 Minister for Lands

Description

Land District – Orange; L.G.A. – Orange City Council.

Road Closed: Lot 1 in Deposited Plan 1075928, Parish Orange, County Bathurst.

File No.: OE03 H 306.

Note: On closing, the land within Lot 1, DP 1075928 remains vested in Orange City Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: P221.360.

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 for Lands

SCHEDULE 1

The section of Crown public road north of Lot 1 in Deposited Plan 596248 in Parish Lidsdale, County Cook and Land District of Lithgow.

File No.: OE04 H 513.

SCHEDULE 2

Road Authority: Lithgow City Council.

TAMWORTH OFFICE

25-27 Fitzroy Street (PO Box 535), Tamworth NSW 2340
Phone: (02) 6764 5100 Fax: (02) 6766 3805

APPOINTMENT OF TRUST BOARD MEMBERS

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

TONY KELLY, M.L.C.,
 Minister for Lands

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
Mavis COOPER (re-appointment), Clare ROSER (re-appointment), Edward Harcourt COUPLAND (re-appointment), Shirley Lorraine COOPER (re-appointment), Beverley Ann DAWSON (re-appointment), Leonard James JONES (re-appointment).	Woolomin War Memorial Hall Trust.	Reserve No.: 600008. Public Purpose: War Memorial. Notified: 18 April 1952. Locality: Woolomin. File No.: TH79 R 51.

Term of Office

For a term commencing this day and expiring 15 December 2009.

SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
Mavis COOPER (re-appointment), Clare ROSER (re-appointment), Edward Harcourt COUPLAND (re-appointment), Shirley Lorraine COOPER (re-appointment), Beverley Ann DAWSON (re-appointment), Leonard James JONES (re-appointment).	Woolomin Children's Playground Trust.	Reserve No.: 78226. Public Purpose: Children's playground. Notified: 23 December 1955. Locality: Woolomin. File No.: TH79 R 51.

Term of Office

For a term commencing this day and expiring 15 December 2009.

Department of Primary Industries

NSW Fisheries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2002

Clause 37(3) – Notice of Granting of Class 1 Aquaculture Lease

THE Minister has granted the following Class 1 Aquaculture Lease:

AL03/018 within the estuary of Wonboyn River having an area of 1.3522 hectares to Ross LOFTUS and Margaret LOFTUS, of Baxter, VIC, for a term of 15 years expiring on 29 November 2019.

AL03/019 within the estuary of Wonboyn River having an area of 0.7388 hectares to Ross LOFTUS and Margaret LOFTUS, of Baxter, VIC, for a term of 15 years expiring on 29 November 2019.

AL03/020 within the estuary of Wonboyn River having an area of 1.3419 hectares to Ross LOFTUS and Margaret LOFTUS, of Baxter, VIC, for a term of 15 years expiring on 29 November 2019.

AL04/037 within the estuary of Wallis Lake having an area of 0.8797 hectares to Trevor DENT, of Tuncurry, NSW, for a term of 15 years expiring on 29 November 2019.

AL04/040 within the estuary of Wallis Lake having an area of 0.7070 hectares to Trevor DENT, of Tuncurry, NSW, for a term of 15 years expiring on 29 November 2019.

AL04/044 within the estuary of Wallis Lake having an area of 0.5408 hectares to Trevor DENT, of Tuncurry, NSW, for a term of 15 years expiring on 29 November 2019.

Dr NICK RAYNS,
Director,
Fisheries Management,
Agriculture and Fisheries Division,
Department of Primary Industries

OL76/072 within the estuary of the Clyde River, having an area of 0.7221 hectares to Robert A. FERRIER and Barbara L. FERRIER of Batemans Bay, NSW, for a term of 15 years expiring on 15 November 2019.

OL59/263 within the estuary of Merimbula Lake, having an area of 1.9142 hectares to Rodney RUTTER and Robert SHERLOCK of Tathra, NSW, for a term of 15 years expiring on 5 September 2019.

OL59/040 within the estuary of Port Stephens, having an area of 0.3886 hectares to Kenneth LYALL of Karuah, NSW, for a term of 15 years expiring on 5 April 2020.

OL59/352 within the estuary of Port Stephens, having an area of 0.4996 hectares to Kenneth LYALL of Karuah, NSW, for a term of 15 years expiring on 12 June 2020.

OL90/007 within the estuary of the Pambula River, having an area of 0.3331 hectares to Jason MOORE and Jasmine MOORE of Pambula Beach, NSW, for a term of 15 years expiring on 31 August 2019.

OL59/377 within the estuary of Wallis Lake, having an area of 0.2182 hectares to M W & E A SCIACCA PTY LTD of Tuncurry, NSW, for a term of 15 years expiring on 21 December 2019.

OL72/268 within the estuary of Patonga Creek, having an area of 0.5062 hectares to Bruce William ALFORD of Patonga, NSW, for a term of 15 years expiring on 16 May 2019.

Dr NICK RAYNS,
Director,
Fisheries Management,
Agriculture and Fisheries Division,
Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2002

ERRATUM

I Dr NICK RAYNS, Director, Fisheries Management, do by this notification withdraw the notification which appeared on Page 9502 of the *NSW Government Gazette* on 17 December 2004, regarding the renewal of Aquaculture Lease OL72/269.

Dr NICK RAYNS,
Director,
Fisheries Management,
Agriculture and Fisheries Division,
Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2002

Clause 39(4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following Class 1 Aquaculture Leases:

OL87/206 within the estuary of the Hastings River, having an area of 0.6463 hectares to Terry Allen HARDING of Port Macquarie, NSW, for a term of 15 years expiring on 11 October 2018.

OL73/217 within the estuary of Port Stephens, having an area of 1.2391 hectares to Peter James NICHOLLS of Raymond Terrace, NSW, for a term of 15 years expiring on 28 June 2019.

F92/1820(C)

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Sea Urchin and Turban Shell

I, RICHARD SHELDRAKE, revoke the sea urchin and turban shell fishing closure notification as published in the *New South Wales Government Gazette* No. 54, dated 1 March 2002.

I do now, by this notification, prohibit the taking of sea urchins and turban shells as described in Column 1 of the Schedule to this notification by licensed commercial fishers, from the commercial abalone fishing sub zones specified in Column 2 of the Schedule being the waters described in Column 3 of the Schedule.

This notification is effective until 31 December 2006, unless sooner varied or revoked by the Deputy Director-General, Agriculture and Fisheries.

Note: The word 'Regulation', where appearing in this notification, refers to the Fisheries Management (General) Regulation 2002.

R. F. SHELDRAKE,
Deputy Director-General,
Primary Industries,
Agriculture and Fisheries

SCHEDULE

Column 1 <i>Species</i>	Column 2 <i>Zones</i>	Column 3 <i>Waters</i>
Sea urchin and turban shell	B2: Sandon to Red Rock	The whole of the waters between a line drawn east from the point 153° 19' 57.9648" east, 29° 40' 25.8456" south, and a line drawn east from the point 153° 14' 03.4764" east, 29° 58' 52.014" south.
Sea urchin and turban shell	B3: Red Rock to Coffs Harbour	The whole of the waters between a line drawn east from the point 153° 14' 03.4764" east, 29° 58' 52.014" south, and a line drawn east from the point 153° 09' 11.6064" east, 30° 18' 31.8888" south.
Sea urchin and turban shell	E3: Seal Rocks to Hawks Nest Beach	The whole of the waters between a line drawn east from the point 152° 32' 09.9384" east, 32° 26' 02.3964" south, and a line drawn east from the point 152° 11' 14.118" east, 32° 40' 07.0356" south.
Sea urchin and turban shell	H1: Broken Bay to Sydney Harbour	The whole of the waters between a line drawn east from the point 151° 19' 43.8888" east, 33° 34' 40.7532" south, and a line drawn east from the point 151° 16' 51.2508" east, 33° 49' 58.152" south.
Sea urchin and turban shell	H2: Sydney Harbour to Bondi Beach	The whole of the waters between a line drawn east from the point 151° 16' 51.2508" east, 33° 49' 58.152" south, and a line drawn east from the point 151° 16' 37.146" east, 33° 53' 30.9696" south.
Sea urchin and turban shell	H3: Bondi Beach to Botany Bay	The whole of the waters between a line drawn east from the point 151° 16' 37.146" east, 33° 53' 30.9696" south, and a line drawn east from the point 151° 13' 19.992" east, 34° 00' 05.364" south.
Sea urchin and turban shell	K3: Bombo Beach to Warri Beach	The whole of the waters between a line drawn east of the point 151° 51' 23.0616" east, 34° 39' 26.8029" south and a line drawn east of the point 151° 50' 06.7020" east, 34° 44' 04.1820" south
Sea urchin and turban shell	L2: Currarong to Point Perpendicular	The whole of the waters between a line drawn east from the points 150° 49' 20.4636" east, 34° 58' 58.6668" south, and 150° 49' 20.4636" east 35° 00' 49.5396" south and a line drawn east from the point 150° 48' 16.236" east, 35° 05' 39.9084" south.

Column 1 <i>Species</i>	Column 2 <i>Zones</i>	Column 3 <i>Waters</i>
Sea urchin and turban shell	L3: Inside Jarvis Bay	The whole of the waters between a line drawn east from the point 150° 48' 16.236" east, 35° 05' 39.9084" south, and a line drawn east from the point 150° 46' 06.0456" east, 35° 06' 43.992" south.
Red sea urchin	N2: Termeil Point to Murramarang Point (excl. Brush Island)	The whole of the waters between a line drawn east from the point 150° 23' 44.3148" east, 35° 27' 37.6272" south, and a line drawn east from the point 150° 24' 27.1728" east, 35° 31' 45.7356" south.
Red sea urchin	N3: Brush Island	The whole of the waters between a line drawn east from the point 150° 24' 37.2060" east, 35° 31' 18.6672" south, and a line drawn east from the point 150° 24' 37.2060" east, 35° 32' 19.4604" south,
Red sea urchin	P1: Murramarang Point (excl. Brush Island) to Pretty Beach	The whole of the waters between a line drawn east from the point 150° 24' 27.1728" east, 35° 31' 45.7356" south, and a line drawn east from the point 150° 21' 55.9548" east, 35° 34' 12.9864" south.
Sea urchin and turban shell	Q4: Malua Bay to Burrewarra Point	The whole of the waters between a line drawn east from the point 150° 13' 51.1356" east, 35° 47' 34.5696" south, and a line drawn east from the point 150° 14' 07.7244" east, 35° 50' 06.0324" south.
Sea urchin and turban shell	U2: Cuttagee Point to Thibbul Inlet (Murrrah)	The whole of the waters between a line drawn east from the point 150° 03' 18.2196" east, 36° 29' 16.6056" south and a line drawn east from the point 150° 03' 27.1296" east, 36° 31' 32.7576" south.
Sea urchin and turban shell	V2: Bithry Inlet to Barounda Inlet	The whole of the waters between a line drawn east from the point 150° 01' 12.2052" east, 36° 37' 46.8768" south, and a line drawn east from the point 149° 59' 41.7444" east, 36° 41' 09.3264" south.
Sea urchin and turban shell	Y21: Mowarry Point to Saltwater Beach	The whole of the waters between a line drawn east from the point 150° 00' 16.5996" east, 37° 08' 29.1552" south, and a line drawn east from the point 150° 00' 11.484" east, 37° 10' 10.8336" south.
Sea urchin and turban shell	Z3: Black Head Anchorage to Nadgee Lake	The whole of the waters between a line drawn east from the point 149° 58' 21.5148" east, 37° 26' 26.358" south, and a line drawn east from the point 149° 58' 21.1764" east, 37° 27' 54.9648" south.

Note:

- References to sea urchins in the Schedule refer to all species in Class Echinodea.
- References to red sea urchins in the Schedule refer to the species *Heliocidaris tuberculata*.
- References to turban shells in the Schedule refer to the following species in the Family Turbinidae: *Turbo undulatus* (also know as green turban shell), *Turbo militaris* (also know as military turban shell) and *Turbo torquatus* (also know as Sydney turban shell).

Mineral Resources

MINING ACT 1992

Order Under Section 175

I, KERRY HICKEY, pursuant to section 175(2)(h1) of the Mining Act 1992, authorise the following additional condition to the section 175, Order gazetted on 21 May 2004.

Condition No. 9

On the grant and renewal of mineral claims in the Lightning Ridge Mineral Claims District, an environmental levy of \$20 is payable to the Department of Primary Industries Lightning Ridge Environmental fund, for the purpose of rehabilitation and general environmental maintenance work on areas not currently held under mineral claim and for establishing and rehabilitating common user facilities used by current mineral claim holders.

The levy applies from 1 January 2005.

Signed this 9th day of December 2004.

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

RENEWAL OF CERTAIN AUTHORITIES

(T00/0542)

Mining Lease No. 1259 (Act 1973), Noel Norman DENNIS, Michael Roby LEU, Kenneth George PETERS and Graham THOMAS, Parish of Moonee, County of Fitzroy, Map Sheet (9537-4-S), area of 4.84 hectares, for a further term until 26 May 2023. Renewal effective on and from 24 December 2004.

(T03/0927)

Mining Lease No. 6097 (Act 1906), Michael John BURKE, Parish of Wedderburn, County of Cumberland, Map Sheet (9029-1-S), area of 11.51 hectares, for a further term until 31 October 2026. Renewal effective on and from 1 November 2005.

(T03/0930)

Mining Lease No. 6093 (Act 1906), Michael John BURKE, Parish of Wedderburn, County of Cumberland, Map Sheets (9029-1-S and 9029-2-N), area of 18.41 hectares, for a further term until 31 October 2026. Renewal effective on and from 1 November 2005.

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

Roads and Traffic Authority

ROADS ACT 1993

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

I, PAUL FORWARD, Chief Executive of the Roads and Traffic Authority, in pursuance of Division 2 of Part 3 of the Road Transport (Mass, Loading and Access) Regulation 1996, by this Notice, specify the routes and areas on or in which B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

PAUL FORWARD,
Chief Executive,
Roads and Traffic Authority

SCHEDULE

1. Citation

This Notice may be cited as the Roads and Traffic Authority 25 Metre B-Double Notice No. 08/2004.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 25 August 2009, unless it is amended or repealed earlier.

4. Application

This Notice applies to those 25 metre B-Doubles which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) Regulation 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

B-Double Routes outside the Sydney Region.

Type	Road No.	Road Name	Start Point	Finish Point
19	104	Richardson Road, Raymond Terrace to Salt Ash	Pacific Highway (SH10)	Nelson Bay Road (MR108)
19	195	Railway Street, Stanford Street and Legatts Drive, Pelaw Main	Victoria Street (MR588)	Entry road to the Hunter Employment Zone development
25	104	Adelaide Street, Raymond Terrace	William Bailey Street (MR104)	Richardson Road (MR104)
25	104	Richardson Road, Raymond Terrace	Adelaide Street (MR104)	Pacific Highway (SH10)
25	195	Legatts Drive – Mulbring to Pelaw Main	Lake Road (MR220)	Entry road to the Hunter Employment Zone development
25	220	Freemans Drive, Toronto to Branxton Road- south of Freemans Waterhole to Mulbring	Sydney to Newcastle Freeway (F3) at Freemans Interchange	Lake Road (MR220)

ROADS ACT 1993

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

FORBES SHIRE COUNCIL, in pursuance of Division 2 of Part 3 of the Road Transport (Mass, Loading and Access) Regulation 1996, by this Notice, specify the routes and areas on or in which B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Mr CHRIS DEVITT,
General Manager,
Forbes Shire Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as the Forbes Shire Council B-Doubles Notice No. 1 2004.

2. Commencement

This Notice takes effect on the date of Gazettal.

3. Effect

This Notice remains in force until 30 June 2009, unless it is amended or repealed earlier.

4. Application

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

5. Routes

B-Double routes within the Forbes Shire Council.

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	SR760	Templar Street, Forbes	SH17	Turning circle at the End of Templar Street	For access to vehicle repair station in lower Templar Street and turn around at turning circle

ROADS ACT 1993**LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition and Dedication as
Public Road of Land at Snowball in the Gundagai Shire
Council Area

THE Roads and Traffic Authority of New South Wales by
its delegate declares, with the approval of Her Excellency
the Governor, that the land described in the Schedule below
is acquired by compulsory process under the provisions of
the Land Acquisition (Just Terms Compensation) Act 1991,
for the purposes of the Roads Act 1993 and further dedicates
the land as public road under Section 10 of the Roads Act
1993.

T. D. CRAIG,
Manager,
Compulsory Acquisition and Road Dedication,
Roads and Traffic Authority of New South Wales

SCHEDULE

ALL that piece or parcel of land situated in the Gundagai
Shire Council Area, Parish of Willie Ploma and County of
Wynyard shown as Lot 53, Deposited Plan 829407, being
part of the land remaining in Certificate of Title Auto Consol
4026-212.

The land is said to be in the possession of the Estate of the
Late William Jamieson.

(RTA Papers FPP 4M3407; RO 2/178.1273)

Other Notices

ANTI-DISCRIMINATION ACT 1977

Exemption Order

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977 (NSW), and on the recommendation of the Anti-Discrimination Board, an exemption is given from the provisions of sections 25 and 51 of the Anti-Discrimination Act 1977 (NSW) for Citigroup's Global Corporate and Investment Banking Group and Smith Barney Citigroup to designate for women only half of all places available on the Summer Internship Program and to recruit women only for half of all places available on the Summer Internship Program.

This exemption will remain in force for a period of five years from the date given.

Dated this 15th day of December 2004.

BOB DEBUS, M.P.,
Attorney General

APPRENTICESHIP AND TRAINEESHIP TRAINING ACT 2001

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001, has made the following Vocational Training Order in relation to the recognised traineeship vocation of Orthotic and Prosthetic Technology.

Citation

The order is cited as the Health Services Order.

Order

A summary of the Order is given below.

(a) Term of Training

(i) Full-time

Training shall be given for a nominal term of 12 months for Certificate II or 24 months for Certificate III and IV (with the exception of Certificate III in Dental Assisting HLT31802 which is 12 months), or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(ii) Part-time

The nominal term for a part time traineeship is determined by the average weekly hours worked in the traineeship (including structured training) and the nominal full-time term for that traineeship.

The table below identifies the allowable hours which may be undertaken and the nominal terms for part-time traineeships.

Full-time Traineeship Term	6 mths	12 mths	18 mths	24 mths	30 mths	36 mths	48 mths
Weekly Hours	Nominal Term Required (Months)						
15	15	30	45	Not Allowable			
16	15	29	44	Not Allowable			
17	14	28	42	Not Allowable			
18	14	27	41	Not Allowable			
19	13	26	39	Not Allowable			
20	13	25	38	Not Allowable			
21	12	24	36	48	Not Allowable		
22	12	23	35	46	Not Allowable		
23	11	22	33	44	55	Not Allowable	
24	11	21	32	42	53	Not Allowable	
25	10	20	30	40	50	60	Not Allowable
26	10	19	29	38	48	57	Not Allowable
27	9	18	27	36	45	54	72
28	9	17	26	34	43	51	68
29	8	16	24	32	40	48	64
30	8	15	23	30	38	45	60
31	Not Allowable		22	28	35	42	56
32	Not Allowable		20	26	33	39	52

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the endorsed National Health Services Competency Standards.

(c) Course of Study to be undertaken

Trainees will undertake the following course of study:

- Certificate III in Aboriginal and Torres Strait Islander Health TAFE NSW Course Code 2094
- Certificate II in Health Support Services (Cleaning Support Services) HLT20802
- Certificate II in Health Support Services (Laundry Support Services) HLT20302
- Certificate II in Health Support Services (Food Support Services) HLT20602
- Certificate II in Health Support Services (Grounds Maintenance) HLT20402
- Certificate II in Health Support Services (General Maintenance) HLT20502
- Certificate II in Health Support Services (Client/Patient Support Services) HLT20702
- Certificate II in Health Support Services (Stores) HLT20102
- Certificate II in Health Support Services (General Transport Support) HLT20202

- Certificate III in Health Support Services (Cleaning Support Services) HLT30902
- Certificate III in Health Support Services (Laundry Support Services) HLT30402
- Certificate III in Health Support Services (Grounds Maintenance) HLT30502
- Certificate III in Health Support Services (General Maintenance) HLT30602
- Certificate III in Health Support Services (Client/Patient Support Services) HLT30802
- Certificate III in Health Support Services HLT31002
- Certificate III in Health Service Assistance (Client/Patient Services) HLT31602
- Certificate III in Health Service Assistance (Allied Health Assistance) HLT31702
- Certificate III in Health Service Assistance (Hospital and Community Health Pharmacy Assistance) HLT31402
- Certificate III in Health Service Assistance (Pathology Assistance) HLT31202
- Certificate III in Health Service Assistance (Operating Theatre Support) HLT31302
- Certificate III in Health Service Assistance (Nutrition and Dietetic Support) HLT31502
- Certificate III in Health Service Assistance (Sterilisation Services) HLT31102
- Certificate III in Pathology Specimen Collection HLT30102
- Certificate IV in Health Services (Supervision) HLT42202
- Certificate IV in Health Support Services (Supervision) HLT40402
- Certificate IV in Health Service Assistance (Hospital and Community Health Pharmacy Technician) HLT40502
- Certificate III in Non-Emergency Patient Transport HLT30202
- Certificate III in Ambulance Communications (Call Taking) HLT31902
- Certificate IV in Ambulance Communications (Dispatch) HLT41102
- Certificate IV in Basic Emergency Care HLT41002
- Certificate III in Dental Assisting HLT31802
- Certificate IV in Dental Assisting (Oral Health Education) HLT40602
- Certificate IV in Dental Assisting (Dental Radiography) HLT40702
- Certificate III in Prosthetic/Orthotic Technology HLT32102.

Availability for Inspection

A copy of the Vocational Training Order may be inspected at any State Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

APPRENTICESHIP AND TRAINEESHIP TRAINING ACT 2001

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001, has made the following Vocational Training Order in relation to the recognised trade vocation of Wall and Ceiling Lining

Citation

The order is cited as the Wall and Ceiling Lining Order.

Order

A summary of the Order is given below.

(a) Term of Training

(i) Full-time

Training shall be given for a nominal term of four years or until achievement of the relevant competencies to this Vocational Training Order is demonstrated

(b) Competency Outcomes

Apprentices will be trained in and achieve competence in the relevant endorsed National Competency Standards.

(c) Courses of Study to be undertaken

Apprentices will undertake the following courses of study:

Certificate III in Wall and Ceiling Lining
BCG31203

Availability for Inspection

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

APPRENTICESHIP AND TRAINEESHIP ACT

ORDER

I, Ian Kingsley, Commissioner for Vocational Training, in pursuance of section 5 of the Apprenticeship and Traineeship Act 2001, make the Order set forth hereunder.

IAN KINGSLEY,
Commissioner for Vocational Training

Commencement

1. This Order takes effect from the date of publication in the *NSW Government Gazette*.

Amendment

2. The Apprenticeship and Traineeship Orders are amended by:
 - (a) omitting from Schedule 2 the following recognised trade vocations:
 - Plastering (Solid)
 - Plastering, Fibrous & Plasterboard
 - (b) inserting in Schedule 2 in appropriate alphabetical order the following vocation which is designated as a recognised trade vocation for the purpose of the Apprenticeship and Traineeship Act 2001:
 - Solid Plastering
 - Wall and Ceiling Lining

APPRENTICESHIP AND TRAINEESHIP TRAINING ACT 2001

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001, has made the following Vocational Training Order in relation to the recognised trade vocation of Solid Plastering

Citation

The order is cited as the Solid Plastering Order.

Order

A summary of the Order is given below.

(a) Term of Training

(i) Full-time

Training shall be given for a nominal term of four years or until achievement of the relevant competencies to this Vocational Training Order is demonstrated

(b) Competency Outcomes

Apprentices will be trained in and achieve competence in the relevant endorsed National Competency Standards.

(c) Courses of Study to be undertaken

Apprentices will undertake the following courses of study:

Certificate III in Solid Plastering BCG31003

Availability for Inspection

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(ii) Part-time

The nominal term for a part time traineeship is determined by the average weekly hours worked in the traineeship (including structured training) and the nominal full-time term for that traineeship.

The table below identifies the allowable hours which may be undertaken and the nominal terms for part-time traineeships.

Full-time Traineeship Term	6 mths	12 mths	18 mths	24 mths	30 mths	36 mths	48 mths
Weekly Hours	Nominal Term Required (Months)						
15	15	30	45	Not Allowable			
16	15	29	44				
17	14	28	42				
18	14	27	41				
19	13	26	39				
20	13	25	38				
21	12	24	36	48			
22	12	23	35	46			
23	11	22	33	44	55		
24	11	21	32	42	53		
25	10	20	30	40	50	60	
26	10	19	29	38	48	57	
27	9	18	27	36	45	54	72
28	9	17	26	34	43	51	68
29	8	16	24	32	40	48	64
30	8	15	23	30	38	45	60
31	Not Allowable		22	28	35	42	56
32	Not Allowable		20	26	33	39	52

APPRENTICESHIP AND TRAINEESHIP TRAINING ACT 2001

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001, has made the following Vocational Training Order in relation to the recognised traineeship vocation of Floristry.

Citation

The order is cited as the Floristry Order.

Order

A summary of the Order is given below.

(a) Term of Training

(i) Full-time

Training shall be given for a nominal term of:

<i>Qualification</i>	<i>Nominal Term</i>
Certificate II	12 months
Certificate III (trainee holds Certificate II in same qualification)	12 months
Certificate III (direct entry)	24 months

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the units of competency specified in the Floristry Training Package.

(c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

- Certificate II in Floristry WRF20104
- Certificate III in Floristry WRF30104

Availability for Inspection

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

APPRENTICESHIP AND TRAINEESHIP TRAINING ACT 2001

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001, has made the following Vocational Training Order in relation to the recognised trade vocation of Plumbing, Gasfitting & Draining.

Citation

The order is cited as the Plumbing, Gasfitting & Draining Order.

Order

A summary of the Order is given below.

(a) Term of Training

Training shall be given for a nominal term of 4 years or until achievement of the relevant competencies to this Vocational Training Order is demonstrated

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the endorsed National Plumbing and Services Competency Standards.

(c) Courses of Study to be undertaken

Apprentices will undertake the following certificate from the Plumbing and Services Industry Training Package BCP03:

Certificate III in Plumbing BCP30103

(d) Licensing Requirements

For the purposes of registration as a Plumber, Gasfitter and Drainer, the attached table sets out the required pathway. This pathway meets the requirements of the Plumbing Services Training Package BCP03 and also the NSW Office of Fair Trading.

Availability for Inspection

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

APPRENTICESHIP AND TRAINEESHIP TRAINING ACT 2001

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001, has made the following Vocational Training Order in relation to the recognised traineeship vocation of Plumbing and Services.

Citation

The order is cited as the Plumbing and Services Order.

Order

A summary of the Order is given below.

(a) Term of Training

(i) Full-time

Training shall be given for a nominal term of:

12 months for Certificate II, 24 months for Certificate III or until achievement of the

relevant competencies to this Vocational Training Order is demonstrated

(ii) Part-time

The nominal term for a part time traineeship is determined by the average weekly hours worked in the traineeship (including structured training) and the nominal full-time term for that traineeship.

The table below identifies the allowable hours which may be undertaken and the nominal terms for part-time traineeships.

Full-time Traineeship Term	6 mths	12 mths	18 mths	24 mths	30 mths	36 mths	48 mths
Weekly Hours	Nominal Term Required (Months)						
15	15	30	45	Not Allowable			
16	15	29	44	Not Allowable			
17	14	28	42	Not Allowable			
18	14	27	41	Not Allowable			
19	13	26	39	Not Allowable			
20	13	25	38	Not Allowable			
21	12	24	36	48	Not Allowable		
22	12	23	35	46	Not Allowable		
23	11	22	33	44	55	Not Allowable	
24	11	21	32	42	53	Not Allowable	
25	10	20	30	40	50	60	Not Allowable
26	10	19	29	38	48	57	Not Allowable
27	9	18	27	36	45	54	72
28	9	17	26	34	43	51	68
29	8	16	24	32	40	48	64
30	8	15	23	30	38	45	60
31	Not Allowable		22	28	35	42	56
32	Not Allowable		20	26	33	39	52

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the endorsed National Plumbing and Services Competency Standards.

(c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

Certificate II in Drainage BCP20103

Certificate II in Urban Irrigation BCP20303

Availability for Inspection

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

**APPRENTICESHIP AND TRAINEESHIP
TRAINING ACT 2001**

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001, has made the following Vocational Training Order in relation to the recognised trade vocation of Metal Roofing & Roof Plumbing.

Citation

The order is cited as the Metal Roofing & Roof Plumbing Order.

Order

A summary of the Order is given below.

- (a) Term of Training
Training shall be given for a nominal term of 4 years or until achievement of the relevant competencies to this Vocational Training Order is demonstrated
- (b) Competency Outcomes
Trainees will be trained in and achieve competence in the endorsed National Plumbing and Services Competency Standards.
- (c) Courses of Study to be undertaken
Apprentices will undertake the following certificate from the Plumbing and Services Industry Training Package BCP03:
Certificate III in Roof Plumbing BCP30303
- (d) Licensing Requirements
For the purposes of registration as a Roof Plumber, the attached table sets out the required pathway. This pathway meets the requirements of the Plumbing Services Training Package BCP03 and also the NSW Office of Fair Trading.

Availability for Inspection

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

**APPRENTICESHIP AND TRAINEESHIP
TRAINING ACT 2001**

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001, has made the following Vocational Training Order in relation to the recognised trade vocation of Fire Sprinkler Fitting.

Citation

The order is cited as the Fire Sprinkler Fitting Order.

Order

A summary of the Order is given below.

- (a) Term of Training
Training shall be given for a nominal term of 4 years or until achievement of the relevant competencies to this Vocational Training Order is demonstrated

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the endorsed National Plumbing and Services Competency Standards.

(c) Courses of Study to be undertaken

Apprentices will undertake the following certificate from the Plumbing and Services Industry Training Package BCP03:

Certificate III in Fire Protection BCP30503

Availability for Inspection

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

**APPRENTICESHIP AND TRAINEESHIP ACT
ORDER**

I, Ian Kingsley, Commissioner for Vocational Training, in pursuance of section 5 of the Apprenticeship and Traineeship Act 2001, make the Order set forth hereunder.

IAN KINGSLEY,
Commissioner for Vocational Training

Commencement

1. This Order takes effect from the date of publication in the *NSW Government Gazette*.

Amendment

2. The Apprenticeship and Traineeship Orders are amended by:
inserting in Schedule 2 in appropriate alphabetical order the following vocation which is designated as a recognised traineeship vocation for the purposes of the Apprenticeship and Traineeship Act 2001:
Plumbing and Services

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Sections 55A and 55B

TAKE NOTICE that the incorporation of the following associations is cancelled by this notice pursuant to sections 55A and 55B of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Bowral Tulip Time Inc Y0497803

Greater Taree Sports Advisory Council Incorporated Inc9874525

Multicultural Society Northern Rivers Incorporated Y2403741

The Milton Village Cultural Centre Tenants Association Incorporated Y2741324

Dated: 20 December 2004.

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Sections 55A and 55B

TAKE NOTICE that the incorporation of the following associations is cancelled by this notice pursuant to sections 55A and 55B of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Aidara Cherif Foundation Incorporated Y2985139
Population and Environment Research Institute (Peri) Incorporated Y2990836
Richmond River Mini-Railway & Model Engineers Incorporated Y2838645
Sutherland Shire Fishing Club Inc Y1512202
The Entrance Meals-on-wheels Service Incorporated Y2041702

Dated: 20 December 2004.

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce

GEOGRAPHICAL NAMES ACT 1966

Amendment to Address Locality Boundaries within the Armidale Dumaresq Local Government Area

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day amended the locality boundaries in the Armidale Dumaresq Local Government Area as shown on map GNB3760.

The new boundaries have increase the area for the address locality of Armidale and resulted in the localities of Dangarleigh, Kellys Plains, Donald Creek, Castle Doyle, Tilbuster, Duval, Dumaresq and Saumarez being reduced in area.

The amendment has also resulted in the localities of Commishioners Waters, Newling, Acacia Park, St Patricks, Bona Vista, Soudan Heights, South Hill, West Armidale, North Hill, Madgwick and Ben Venue being discontinued as address localities and re-assigned as point features with a designation of Urban Place.

The position and extent of these features is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's web site at www.gnb.nsw.gov.au.

WARWICK WATKINS,
Chairperson

Geographical Names Board,
PO Box 143, Bathurst NSW 2795.

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day amended the locality boundary between the address localities of Godfreys Creek and Boorowa in the Boorowa Local Government Area.

The position and extent of this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's web site at www.gnb.nsw.gov.au.

WARWICK WATKINS,
Chairman

Geographical Names Board,
PO Box 143, Bathurst NSW 2795.

GEOGRAPHICAL NAMES ACT 1966

IN pursuance of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder:

Assigned Name: Eric Evans Park
Designation: Reserve
L.G.A.: Ku-ring-gai Council
Parish: Gordon
County: Cumberland
L.P.I. Map: Hornsby
1:100,000 Map: Sydney 9130
Reference: GNB 5010

Assigned Name: Green Toad Tea Garden
Designation: Reserve
L.G.A.: Ku-ring-gai Council
Parish: Gordon
County: Cumberland
L.P.I. Map: Hornsby
1:100,000 Map: Sydney 9130
Reference: GNB 5010

Assigned Name: Mashmans Quarry Reserve
Designation: Reserve
L.G.A.: Ku-ring-gai Council
Parish: Gordon
County: Cumberland
L.P.I. Map: Hornsby
1:100,000 Map: Sydney 9130
Reference: GNB 5010

The position and the extent for these features are recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's Web Site at www.gnb.nsw.gov.au

WARWICK WATKINS,
Chairperson

Geographical Names Board
PO Box 143
Bathurst NSW 2795

HERITAGE ACT 1977

Direction Pursuant to Section 34 (1) (A) to List Items on the State Heritage Register

Cook's Mobile Field Kitchen (galley)
SHR No. 1722

IN pursuance of section 34 (1) (a) of the Heritage Act 1977, I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the items, being the land described in Schedule "B". The listing is subject to the exemptions from approval under section 57 (2) of the Heritage Act 1977, described in Schedule "C" and in addition to the standard exemptions.

Dated: Sydney, 16th day of December 2004.

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

SCHEDULE "A"

The items known as the Cook's Mobile Field Kitchen (galley), including the chassis, body works, internal fittings and associated movable heritage artefact collection, situated on the land described in Schedule "B".

SCHEDULE "B"

The movable heritage item currently exhibited at the Museum of the Riverina, Botanic Gardens Site (BGS), Baden Powell Drive, Wagga Wagga NSW 2650.

SCHEDULE "C"

Exemption from section 57(1) of the NSW Heritage Act 1977, to allow for the temporary relocation of the items for public exhibition, to be returned to the Museum of the Riverina, Wagga Wagga, within a period of twelve (12) months.

HERITAGE ACT 1977

Direction Pursuant to Section 34 (1) (A) to List an Item on the State Heritage Register

Ulgundahi Island
SHR No. 1721

IN pursuance of section 34 (1) (a) of the Heritage Act 1977, I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B". The listing is subject to the exemptions from approval under section 57 (2) of the Heritage Act 1977, described in Schedule "C" and in addition to the standard exemptions.

Dated: Sydney, 16th day of December 2004.

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

SCHEDULE "A"

The item known as Ulgundahi Island, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Lot 199, DP 751373 in Parish of Harwood, County of Clarence, shown on the plan catalogued HC 1982 in the office of the Heritage Council of New South Wales.

SCHEDULE "C"

Standard exemptions numbered: 1. Maintenance and cleaning, 2. Repairs, 4. Excavation (Amended 18 June 2004), 6. Development endorsed by the heritage council or director, 7. Minor activities with no adverse impact on heritage significance, 8. Non-significance fabric, 12. Landscape maintenance, 16. Safety and security and 17. Moveable heritage items.

HERITAGE ACT 1977**ERRATUM**

PART of the notice published in the *Government Gazette* No. 200 of 17 December 2004, relating to Interim Heritage Order No. 94, Fitzroy Iron Works Potential Archaeological Site, Mittagong should have read:

Schedule "B"

All those pieces or parcels of land known as Fitzroy Iron Works Potential Archaeological Site, Roscoe Road as well as Lots 1-3, Section 34 in DP1374, Lots 5-7, Section 34 in DP1374, Lot 4 in DP1064860, Lot 1 in DP326259, Lot 100 in DP1070683, Lot A in DP377098, in Local Government Area of Wingecarribee, Parish of Colo, County of Camden.

LOCAL GOVERNMENT ACT 1993**Cancellation of Registration of Parties**

IT is hereby notified that pursuant to section 320 of the Local Government Act 1993, that the registration of the following parties are now cancelled:

United Action Party
Sydney Independents
Randwick City Community Independents
Local Voice Party
Byron Community Alliance Network

Dated: 20 December 2004.

COLIN BARRY,
Electoral Commissioner

State Electoral Office,
Level 20, 207 Kent Street, Sydney NSW 2000.

**PARENTS AND CITIZENS' ASSOCIATIONS
INCORPORATION ACT 1976**

Incorporation of Parents and Citizens' Associations

The following associations are hereby incorporated under the Parents and Citizens' Associations Incorporation Act 1976.

1. Blue Haven Public School
2. Booligal Public School
3. Canowindra Public School
4. Canterbury Public School
5. Colyton High School
6. Kendall Public School
7. Kurnell Public School
8. Mingoola Public School
9. Murrumburrah High School
10. Murrumburrah Public School
11. Nimbin Central School
12. Orange East Public School
13. Otford Public School
14. Pennant Hills Public School
15. Sherwood Ridge Public School
16. St Marys South Public School
17. Wangi Wangi Public School
18. West Wallsend Public School
19. Wollongong High School

The Hon. ANDREW REFSHAUGE, M.P.,
Deputy Premier,
Minister for Education and Training
and Minister for Aboriginal Affairs

**PARLIAMENTARY ELECTORATES AND
ELECTIONS ACT 1912**

Cancellation of Registration of Parties

IT is hereby notified that pursuant to section 66HA of the Parliamentary Electorates and Elections Act 1912, that the registration of the Four Wheel Drive Party under Part 4A of the Act is cancelled.

Dated: 20 December 2004.

COLIN BARRY,
Electoral Commissioner

State Electoral Office,
Level 20, 207 Kent Street, Sydney NSW 2000.

POWERS OF ATTORNEY ACT 2003

ORDER

Approved Courses of Study for Prescribed Witnesses

PURSUANT to section 19 (2) (b) of the Powers of Attorney Act 2003, the courses of study listed in the Schedule are approved.

TONY KELLY, M.L.C.,
Minister for Lands

SCHEDULE

Provider

1. TAFE

Course of Study

“TAFE Statement in Powers of Attorney”, Course Number 11222 comprising Module

2. TAFE

3. Macquarie University

4. Macquarie University

5. The Public Trustee NSW

11222A “Power of Attorney” offered as a stand alone short course.

Module 11222A “Power of Attorney” within Module Number 8397 “Business Law”, as part of “Advanced Diploma of Conveyancing”.

“Power of Attorney Module for Licensed Conveyancers” as part of the “Conveyancing Law and Practice” Course.

“Power of Attorney Module for Licensed Conveyancers” as a stand alone short course.

“Power of Attorney II”.

**PUBLIC WORKS ACT 1912
LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Compulsory Acquisition

Parramatta Justice Precinct

THE Minister for Commerce, with the approval of Her Excellency the Governor, declares that the 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 and public buildings.

On publication of this notice in the Government Gazette the land is vested in the Minister for Commerce as Constructing Authority under section 4 of the Public Works Act 1912.

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

SCHEDULE

LAND

Lot 1 in Deposited Plan 1076148. DoC Reference 263

ERRATUM

THE notice appearing in *Government Gazette* No. 200, Folio 9524, of 17 December 2004, under the heading Shops and Industries Act 1962, was published without the Ministers signature. The following notice replaces that in full and the date of gazettal remains the same.

SHOPS AND INDUSTRIES ACT 1962

ORDER

I, JOHN DELLA BOSCA, Minister for Industrial Relations, in pursuance of section 85 (2) of the Shops and Industries Act 1962 and being satisfied that to do so will be of benefit to the public, do, by this my Order, suspend the operation of section 85 (1) of that Act in relation to Monday, 27 December 2004 (being the Boxing Day public holiday within the meaning of section 78 (1) of that Act) so as to allow general shops within New South Wales to remain open on that day.

Dated this 9th day of December 2004.

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



INDEPENDENT PRICING AND REGULATORY TRIBUNAL
OF NEW SOUTH WALES

**DETERMINATION UNDER SECTION 11 (1) OF THE INDEPENDENT PRICING AND
REGULATORY TRIBUNAL ACT, 1992**

Reference No.:	03/325
Determination:	No 4, 2004
Government agency:	State Transit Authority
Government monopoly services:	Regular passenger services (within the meaning of the <i>Passenger Transport Act, 1990</i>) supplied by the State Transit Authority, excluding services supplied in relation to the tickets known as the "SydneyPass", the "Sydney Explorer", the "Bondi & Bay Explorer" and any other similar services operating in any other areas.

The Government monopoly services were declared by the Independent Pricing and Regulatory Tribunal (Passenger Transport Services) Order 1998, made on 24 February 1998 and published in Gazette No. 38 dated 27 February 1998 at page 1015.

The following are the maximum prices (to commence from 4 January 2005) determined by the Tribunal for the Government monopoly services set out above

1. *All standard State Transit Authority Sydney Buses services.* The price of any State Transit Authority Sydney Buses ticket must not exceed the price corresponding to that ticket in Table 1.
2. *Sports special return bus tickets and Moore Park Link tickets.* The price of a sports special return bus ticket must not exceed \$5.00 for an adult ticket and \$2.50 for a concession ticket. The price of a Moore Park Link ticket must not exceed the combined price of the rail ticket to Central and the sports special return bus ticket.
3. *School term pass.* The price of a school term pass must not exceed \$40.00 per school term.
4. *Newcastle bus and ferry services.* The price of any State Transit Authority Newcastle bus or ferry ticket must not exceed the price corresponding to that ticket in Table 2.
5. *New or additional charges.* The Authority must not levy any new or additional charges for the Government monopoly services supplied by the Authority other than in accordance with a relevant determination by the Tribunal.

James P. Cox
Acting Chairman
10 December 2004

Table 1 Maximum fares for STA Sydney Buses services from 4 January 2005

SYDNEY BUSES FARES	Adult (\$)	Concession³ (\$)
Single ride fares		
1-2 Sections	1.60	0.80
3-5 Sections	2.70	1.30
6-9 Sections	3.60	1.80
10-15 Sections	4.30	2.10
16+ Sections	5.20	2.60
TravelTen		
Blue: 1-2 Sections	12.70	6.30
Brown: 3-5 Sections	21.30	10.60
Red: 6-9 Sections	27.90	13.90
Green: 10-15 Sections	36.10	18.00
Orange: 16+ Sections	44.20	22.10
TravelPass – Bus and Ferry		
Blue	29.00	14.50
Orange	36.00	18.00
2 Zone	29.00	14.50
Pittwater	49.00	24.50
TravelPass^{1,2} Bus, Ferry and Rail		
Red	32.00	16.00
Green	40.00	20.00
Yellow	44.00	22.00
Pink	47.00	23.50
Purple	54.00	27.00
BusTripper (Bus only daily)	10.90	5.40
DayTripper (Bus/ferry/rail daily)	15.00	7.50

Notes:

1. Quarterly TravelPass = 11 x weekly fare.
2. Yearly TravelPass = 40 x weekly fare.
3. All half fare concessions have been rounded down to the nearest 10 cents.

Table 2 Maximum fares for STA Newcastle bus services from 4 January 2005

NEWCASTLE FARES	Adult (\$)	Concession³ (\$)
1 Hour	2.70	1.30
4 Hours	5.30	2.60
TimeTen 1 Hour	22.30	11.10
All day	8.10	4.00
Stockton	2.00	1.00
TravelPass^{1,2}		
Orange	36.00	18.00
Yellow	44.00	22.00
Pink	47.00	23.50

Notes:

1. Quarterly TravelPass = 11 x weekly fare.
2. Yearly TravelPass = 40 x weekly fare.
3. All half fare concessions have been rounded down to the nearest 10 cents.

NOTICE UNDER THE NATIONAL ELECTRICITY CODE**New South Wales derogation relating to Full Retail Competition metering arrangements**

Notice is hereby given under clause 9.1.1(h) of the National Electricity Code, approved under section 6 of the National Electricity Law which forms the Schedule to the National Electricity (South Australia) Act 1996, that Chapter 9, Part B (“Transitional Arrangements for New South Wales”) of the National Electricity Code is amended.

This change to the National Electricity Code commences at the beginning of 24 December 2004.

As required by clause 9.1.1(h) of the National Electricity Code, copies of:

1. the letter from the Hon Frank Sartor dated 20 December 2004 notifying the National Electricity Code Administrator (“NECA”) (ACN 073 942 775) of the variation to Chapter 9; and
2. the ACCC’s letter dated 2 December 2004 granting interim authorisation for the variation are set out below.

Both the derogation and copies of the above letters can be viewed in full in the document entitled “New South Wales FRC metering arrangements derogation” on the internet website of NECA at www.neca.com.au under “The Code” – “Gazette notices” section of that website.

The National Electricity Code can be viewed on the internet website of NECA at www.neca.com.au and at the offices of NECA and the National Electricity Market Management Company Limited (ACN 072 010 327). A list of addresses where the Code can be viewed is available on the NECA website.

Dated 24 December 2004



NEW SOUTH WALES

**MINISTER FOR ENERGY AND UTILITIES
MINISTER FOR SCIENCE AND MEDICAL RESEARCH
MINISTER ASSISTING THE MINISTER FOR HEALTH (CANCER)
MINISTER ASSISTING THE PREMIER ON THE ARTS**

DEUS Ref: 04/2557

Mr John Eastham
Executive Director
National Electricity Code Administrator Ltd
Level 5, 41 Currie Street
ADELAIDE SA 5000

Dear Mr Eastham

ACCC Interim Authorisation ~ NSW FRC Metering Arrangements Derogation

I am writing to advise you that on 1 December 2004, the Australian Competition and Consumer Commission (the ACCC) granted interim authorisation to variations to existing authorisations numbered A90928, A90929 and A90930 concerning variation to New South Wales' derogations under Chapter 9 of the National Electricity Code.

I enclose a copy of the ACCC's interim authorisation in accordance with the requirements of clause 9.1.1(h) of the Code (Tab A).

I would appreciate it if you could arrange for gazettal of this letter, the ACCC's interim authorisation and the Code changes. The changes should take effect from 24 December 2004.

Finally, I would like to thank NECA for its assistance in preparing and submitting the application for authorisation.

Yours sincerely

Frank Sartor



Australian
Competition &
Consumer
Commission

Our Ref: C2004/1221

2 December 2004

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602
ph (02) 6243 1123
fax (02) 6243 1122
www.accc.gov.au

The Hon. Frank Sartor MP
Minister for Energy and Utilities
Level 17, 227 Elizabeth Street,
SYDNEY NSW 2001

Dear Minister

**Draft Determination and Interim Authorisation of New South Wales
Full Retail Competition Derogations**

On 27 August 2004, the Australian Competition and Consumer Commission (ACCC) received applications for authorisation (Nos A90928, A90929, and A90930) of derogations from Chapter 7 of the National Electricity Code. The applications were made by the National Electricity Code Administrator (NECA) on behalf of the New South Wales Department of Energy Utilities and Sustainability, under Part VII of the *Trade Practices Act 1974* (TPA). The stated purpose of the applications is to reinstate New South Wales's previous derogations from chapter 7 of the National Electricity Code regarding the metering arrangements in New South Wales.

I also note that your Department requested interim authorisation of the applications. The ACCC has considered this request and has decided, pursuant to section 91(2) of the TPA, to grant interim authorisation of these applications. The interim authorisation becomes effective from 1 December 2004 and will lapse on the earlier of 31 March 2005, or when the ACCC's Final Determination in regard to each application comes into force, unless this interim authorisation is revoked before this date. Please note that under subsection 91(2) of the TPA, the ACCC may revoke an interim authorisation at any time. A copy of the ACCC's letter advising NECA of the interim authorisation is enclosed.

The ACCC has also made a Draft Determination on the New South Wales applications for authorisation. The Draft Determination outlines the ACCC's proposal to grant authorisation of the derogations, subject to a condition of authorisation. Chapter 5 of the Draft Determination outlines the condition of authorisation. A copy of the Draft Determination is enclosed.

EXECUTIVE OFFICE



The ACCC now invites the Department and other interested parties to notify it within 14 days of 3 December 2004 as to whether they wish the ACCC to hold a pre-determination conference. If a conference is requested on the Draft Determination, the ACCC will hold a conference at its Sydney office on Friday 14 January 2005.

The applicant and interested parties who receive a copy of the Draft Determination, and any other interested parties whose presence the ACCC considers appropriate are entitled to participate in any such conference. Following the conference, the ACCC will take into account issues raised at the conference and any related submissions, and will issue a Final Determination. Submissions on the Draft Determination will close on 21 January 2005.

If no pre-determination conference is called, or written submissions received, then the Draft Determination will form the basis of the Final Determination. A person dissatisfied with the Final Determination may apply to the Australian Competition Tribunal for its review.

If you have any queries about any issue raised in this letter, please contact Sebastian Roberts on (03) 9290 1867 or Fiona Walker on (03) 9290 1988.

Yours sincerely

Brian Cassidy
Chief Executive Officer

TENDERS**Department of Commerce****SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE**

Information in relation to the Department of Commerce proposed, current and awarded tenders is available on:

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

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

BYRON SHIRE COUNCIL

Heritage Act 1977

Interim Heritage Order No. 2

19-23 Lawson Street, Byron Bay (Lot 1, DP 876261)

UNDER section 25 of the Heritage Act 1977, Byron Shire Council does by this Order:

- i. make an interim heritage order to cover 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'.

This Interim Heritage Order will lapse six months from the date that it is made unless the local council has passed a resolution before that date either:

1. in the case of an item which, in the council's opinion, is of local significance, to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; and
2. in the case of an item which in the council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.

Dated at Mullumbimby, 20th December 2004. PAMELA WESTING, General Manager, Byron Shire Council, PO Box 219, Mullumbimby NSW 2482.

SCHEDULE 'A'

The property known as Lot 1, DP 876261 situated at 19-23 Lawson Street, Byron Bay, on the land described in Schedule 'B'.

SCHEDULE 'B'

All those pieces or parcels of land known as Lot 1, DP 876261 shown edged heavy black on the plan catalogued Interim Heritage Order No 2 in the office of the Byron Shire Council. [0919]

LIVERPOOL CITY COUNCIL

Local Government Act 1993, Section 50

Vesting of Land as Public Reserve

PURSUANT to the provisions of section 50 of the Local Government Act 1993, it is hereby notified that the land described hereunder is now vested in the Council of the City of Liverpool for an estate in fee simple and dedicated as public reserve. Authorised by resolution of Council, passed on the 7th day of July 1959. GARRY McCULLY, General Manager, Liverpool City Council, Locked Bag 7064, Liverpool BC NSW 1871.

SCHEDULE

That parcel of land described as public garden and recreation space having an area of 853m² and designated as Lot 26 in Deposited Plan 30139. [0915]

PARKES SHIRE COUNCIL

Roads Act 1993, Section 162.1

Naming of Public Roads

Ted McGlynn Court, Rex Aubrey Place, Westlime Road, Crowley Road, Tucker Lane, McGrath Lane, Genaren Lane, Stones Road, Coradgery Road, Allwood Lane, Strahorn Forest Road, Goldfield Road, Watershed Lane, Ganantagi Road and Kittos Bridge Road.

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

Location	Name
Cul-de-sac off Close Street, Parkes.	Ted McGlynn Court.
Cul-de-sac off Best Street, Parkes.	Rex Aubrey Place.
Link road between Brologan Road and Condobolin Road, Parkes.	Westlime Road.
Formerly named Kadungle Road.	Crowley Road.
Lane between Currajong and Glover Streets, Parkes.	Tucker Lane.
Shire Road 44 from Shire Road 82 and Main Road 61.	McGrath Lane.
Shire Road 126C.	Genaren Lane.
Shire Road 135.	Stones Road.
Shire Road 136.	Coradgery Road.
Shire Road 139A.	Allwood Lane.
Shire Road 140.	Strahorn Forest Road.
Shire Road 143.	Goldfield Road.
Shire Road 156.	Watershed Lane.
Shire Road 188 from Shire Road 175 to Shire Road 189.	Ganantagi Road.
Shire Road 220 west of State Highway 17.	Kittos Bridge Road.

No objections to the proposed names were received within the prescribed period of time. A. McCORMACK, General Manager, Parkes Shire Council, PO Box 337, Parkes NSW 2870. [0918]

CITY OF RYDE

Roads Act 1993

Land Acquisition (Just Terms Compensation) 1991

Notice of Compulsory Acquisition of Land

THE City of Ryde declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993. Dated at Ryde this 10th day of December 2004. MICHAEL WHITTAKER, General Manager, Ryde City Council, Locked Bag 2069, North Ryde NSW 1670.

SCHEDULE

Lot 1 in Deposited Plan 114039. [0913]

TWEED SHIRE COUNCIL

Roads Act 1993

Naming of Public Road

NOTICE is hereby given that the Tweed Shire Council, in pursuance of section 162 of the Roads Act 1993, has named the road which forms a connection between Round Mountain Road and Clothiers Creek Road at Tanglewood as:

Watty Bishop Road.

Authorised by resolution of the Council on 15 December, 2004. GENERAL MANAGER, Tweed Shire Council, Civic Centre, Tumbulgum Road, Murwillumbah NSW 2484.

[0920]

TWEED SHIRE COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads

NOTICE is hereby given that the Tweed Shire Council, in pursuance of section 162 of the Roads Act 1993, has approved the name of the following road to be dedicated in the plan of subdivision of Lot 2 in DP 830595 at Murwillumbah as follows:

River Gum Court.

Authorised by the delegated officer. GENERAL MANAGER, Tweed Shire Council, Civic Centre, Tumbulgum Road, Murwillumbah NSW 2484.

[0923]

TWEED SHIRE COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads

NOTICE is hereby given that the Tweed Shire Council, in pursuance of section 162 of the Roads Act 1993, has approved the name of the following road to be dedicated in the plan of subdivision of Lot 392 in DP 1072875 at Banora Point as follows:

Westwood Street.

Authorised by the delegated officer. GENERAL MANAGER, Tweed Shire Council, Civic Centre, Tumbulgum Road, Murwillumbah NSW 2484.

[0921]

MOREE PLAINS SHIRE COUNCIL

Local Government Act 1993, Section 713

Sale of Land for Overdue Rates and Charges

NOTICE is hereby given to the persons named hereunder, that the Council of Moree Plains has resolved, in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder of which the persons named are known to the Council to be the owners of or to have an interest in the land on which the amount of rates stated in each case, as at 26th November 2004, is due:

Property Schedule.

Assessment Number	1. Owner(s) 2. Registered Interest 3. Other	Property Description	Property Area	Amount of Rates, Charges and Interest Outstanding for more than 5 years	Amount of all other Rates, Charges and Interest Outstanding	Total Rates, Charges and Interest Outstanding
576	1. Ms DR & ML & Messrs EM & MRJ Hitchins 2. National Australia Bank Limited	Unit 11, 113 Balo Street, Moree NSW, Lot 11, SP 14534	0.1 Hec	\$7,714.32	\$16,261.19	\$23,975.51
577	1. Mr. Max Hitchens 2. National Australia Bank Limited	Unit 12, 113 Balo Street, Moree NSW, Lot 11, SP 14534	0.1 Hec	\$6,546.85	\$14,729.04	\$21,275.89
578	1. Ms DR & ML & Messrs EM & MRJ Hitchins 2. National Australia Bank Limited	Unit 13, 113 Balo Street, Moree NSW, Lot 11, SP 14534	0.1 Hec	\$6,547.27	\$14,204.96	\$20,752.23

Assessment Number	1. Owner(s) 2. Registered Interest 3. Other	Property Description	Property Area	Amount of Rates, Charges and Interest Outstanding for more than 5 years	Amount of all other Rates, Charges and Interest Outstanding	Total Rates, Charges and Interest Outstanding
579	1. Ms DR & ML & Messrs EM & MRJ Hitchins 2. National Australia Bank Limited	Unit 14, 113 Balo Street, Moree NSW, Lot 11, SP 14534	0.1 Hec	\$6,726.75	\$14,567.89	\$21,294.64
580	1. Ms DR & ML & Messrs EM & MRJ Hitchins 2. National Australia Bank Limited 3. Easement for Air Duct	Unit 15, 113 Balo Street, Moree NSW, Lot 11, SP 14534	0.1 Hec	\$6,726.75	\$14,522.13	\$21,248.88
581	1. Ms DR & ML & Messrs EM & MRJ Hitchins 2. National Australia Bank Limited	Unit 16, 113 Balo Street, Moree NSW, Lot 11, SP 14534	0.1 Hec	\$6,547.23	\$20,724.73	\$27,271.96
582	1. Ms DR & ML & Messrs EM & MRJ Hitchins 2. National Australia Bank Limited	Unit 17, 113 Balo Street, Moree NSW, Lot 11, SP 14534	0.1 Hec	\$6,367.69	\$13,832.54	\$20,200.23
583	1. Mr. Max Hitchens 2. National Australia Bank Limited	Unit 18, 113 Balo Street, Moree NSW, Lot 11, SP 14534	0.1 Hec	\$6,344.34	\$14,445.83	\$20,790.17
1865	1. Mr. WB Pitt	7 Florence Street, Moree NSW, Lot 8, DP 39738	921.4 sqm	\$3,650.29	\$12,928.87	\$16,579.16
3764	1. Mr. WJ Wall, Deceased	50 Goondiwindi Street, Mungindi NSW, Lot 14, DP 19336	1296 sqm	\$3,650.29	\$12,928.87	\$16,579.16
3801	1. The Estate of TJ Webster	13 Loftus Street, Mungindi NSW, Lot 7, Sec 8, DP 758729	2023 sqm	\$8,274.30	\$9,906.01	\$18,180.31
3894	1. The Estate of Mr. JI Barlow 2. Covenant	209 St George Street, Mungindi NSW, Lot 23, Sec C, DP 11331	2833 sqm	\$6,762.59	\$9,011.07	\$15,773.66
4117	1. Mr. JC Reeves	37 Merriwa Street, Boggabilla NSW, Lot 7, Sec 6, DP 758127	2023 sqm	\$1,895.52	\$4,145.28	\$6,040.80
Total				\$77,754.19	\$172,208.41	\$249,962.60

In default of payment to the Council of the amount stated under Total Rates, Charges and Interest outstanding in the column above and any other rates (including extra charges) becoming due and payable after this notice or any arrangements satisfactory to the Council for payment of all such rates being entered into by the rateable person before the time fixed for the sale, the said land will be offered for sale by public auction by Moree Real-Estate (Moree), at the Moree Memorial Hall, 36 Balo Street, Moree NSW 2400, on Saturday, 9th of April 2005, at 11:00 a.m. GENERAL MANAGER, Moree Plains Shire Council, PO Box 420, Moree NSW 2400. [0922]

NARRABRI SHIRE COUNCIL

Naming of Council Roads

NOTICE is hereby given that the Narrabri Shire Council, in accordance with section 162 of the Roads Act 1993 and section 7, 8 and 9 of the Roads (General) Regulation, has determined the names for the roads as shown hereunder:

New Name	Locality	Description	Previous Name/s
AERODROME ROAD	Boggabri	Kamilaroi Hwy – Lot 274, DP 755475	Boggabri Tip Rd
AIRPORT ROAD	Narrabri	Kaputar Rd - Narrabri Airport	Airport Rd
APPLETREES LANE	Edgeroi, Narrabri, Wee Waa	Bald Hill Rd - Spring Plains Rd	Appletrees Ln
BAAN BAA ROAD	Baan Baa, Boggabri	Mobbo St - Caloola Rd	Baan Baa - Blairmore
BACK CREEK ROAD	Harparary, Maules Creek	Therribri Rd-Trantham Rd	Back Creek Rd
BALD HILL ROAD	Bellata, Edgeroi, Narrabri	Kamilaroi Hwy - Millie Rd	Bald Hill Rd
BARADINE CREEK ROAD	Gwabegar	Wombo Rd - Pilliga West State Forest	Baradine Creek Rd
BARBERS LAGOON ROAD	Boggabri	Braymont Rd-Rangari Rd	Barbers Lagoon Rd
BAYLEY PARK ROAD	Wean	Rangari Rd - Lot B, DP 100330	Bayley Park
BELLVIEW ROAD	Tarriaro, Harparary	Browns Lane - Maules Creek Rd	Bellview Rd
BERRIGAL ROAD	Bellata	Wilga St - Moree Plains Shire	Terry Hie Hie Rd
BINALONG ROAD	Boggabri	Kamilaroi Hwy - Gunnedah Shire	Binalong Rd
BLACK MOUNTAIN CREEK ROAD	Maules Creek	Harparary Rd - Lot 9, DP 754925	Black Mountain Creek Rd
BLAIR ATHOL LANE	Boggabri, Wean	Rangari Rd - Dripping Rock Rd	Blair Athol Ln, Tea Tree Ln
BLAIRMORE ROAD	Boggabri	Grain Valley Rd - Delwood Rd	Blairmore Rd
BOGGY CREEK ROAD	Bellata	Millie Rd - Bald Hill Rd	Boggy Creek Rd
BOHENA LANE	Narrabri	Yarrie Lake Rd - Lot 7005, DP 1029976	Bohena Ln
BOOROOMIN ROAD	Boggabri	Caloola Rd - Blairmore Rd	Old SR20, SR68
BOUNDARY STREET	Narrabri	Railway Street North - Lot 14, DP 259988	Boundary St Extension, Conniston Rd
BOX GULLY ROAD	Eulah Creek, Tarriaro	Eulah Creek Rd-Deriah State Forest	Deriah Rd
BRAYMONT ROAD	Boggabri	Gunnedah Shire-Boston St	Braymont Rd, Bluevale Rd
BRIGALOW LANE	Bellata, Gurley	Newell Hwy-Millie Rd	Brigalow Ln, Penneys Ln
BROWNS LANE	Maules Creek, Harparary	Therribri Rd-Maules Creek Rd	Browns Ln
BRUMBY GULLY TRACK	Maules Creek	Timor Mountain Rd - Lot 10, DP 754947	Camerons to Hallmans
BULLAWA MAIL ROAD	Bullawa Creek	Kaputar Rd - Lot 10, DP 754945	Bullawa Mail Rd
BUNDOCK CREEK LANE	Yarrie Lake	Rosevale Rd - Nuable Rd	Stumpy Ln, Bundock Creek Ln, Middle Creek Ln
BYALLA LANE	Edgeroi	Newell Hwy - Couradda Rd	Byalla Ln
CAINS CROSSING ROAD	Bohena Creek	Loop road west of Newell Hwy	Cains Crossing Rd
CALoola ROAD	Boggabri	Boston Street West - Lot 8, DP 757119	Caloola Rd
CARBEEN LANE	Merah North	Kamilaroi Hwy - Cubbaroo Lane	Carbeen Ln
CARDALE MOLLEE ROAD	Narrabri	Culgoora Rd - Lot 44, DP 757115	Cardale Mollee Rd
CARINYA ROAD	Eulah Creek	Eulah Creek Rd - Lot 14, DP 754935	Carinya Rd
CAROONA LANE	Edgeroi	Newell Hwy - Byalla Ln	Caroona Ln
CARRIGAN ROAD	Spring Plains, Merah North	Doreen Lane - Lot 36, DP 753954	Lennans Pit Road, Carrigan Rd.
CASTLETOP MOUNTAIN ROAD	Couradda	Gratti Valley Rd - Lot 2, DP 739444	Gratti Valley Rd
CLARENDON ROAD	Thalaba	Millie Rd - Moree Plains Shire	Clarendon Ln, Clarendon Rd
CLARK ROAD	Boggabri	Caxton Street West - Booroomin Rd	Old SR20, Clarks Rd
CLIFFDALE LANE	Pilliga	Cypress Way - McDowells Ln	Cliffdale Ln, McDowells Ln
COGHILL CREEK ROAD	Cuttabri	Pilliga Rd - Lot 20, DP 750309	Coghill Creek Rd
CONNORS CREEK ROAD	Maules Creek	Upper Maules Creek Rd - Lot 24, DP 754933	Connors Creek Rd
COTTON LANE	Wee Waa	Kamilaroi Hwy (East of Wee Waa) - Kamilaroi Hwy (West of Wee Waa)	Tulladunna Ln
COURADDA ROAD	Edgeroi, Couradda	Newell Hwy - Mellburra Rd	Couradda Rd
COURTNEYS ROAD	Boggabri	Panorama Ln - Blairmore Rd	Willala Rd, Courtneys Rd
CSIRO ROAD	Narrabri	Yarrie Lake Rd - Culgoora Rd	CSIRO Rd
CUBBAROO LANE	Drilldool, Merah North	Middle Route Rd - Kamilaroi Hwy	Cubbaroo Ln
CULGOORA ROAD	Narrabri, Wee Waa	Yarrie Lake Rd - Charles St	Culgoora rd, Wee Waa-Yarrie Lake Rd, Wee Waa-Culgoora Rd, Pilliga Rd.
CUMNOCK LANE	Bullawa Creek, Eulah Creek	Eulah Creek Rd - Teatree Gully Rd	Cumnock Ln
CURRABCABAH ROAD	Baan Baa, Boggabri	Caloola Rd - Buddah St	Currabcabah Rd
CYPRESS WAY	Gwabegar, Pilliga	Warrambungles Shire - Pilliga Rd	Baradine-Pilliga Rd, Gwabegar- Pilliga Rd, Pilliga-Gwabegar Rd
DALORES LANE	Jews Lagoon	Milton Downs Rd - Lot 4, DP 628491	No name

New Name	Locality	Description	Previous Name/s
DAVIS ROAD	Turrawan	Greylands Rd - Lot 63, DP 757114	Davis Rd
DELWOOD ROAD	Boggabri	Caloola Rd - Gunnedah Shire	Baan Baa-Blairmore Rd,
DENI LANE	Bellata, Edgeroi	Couradda Rd - Haystack Rd	Courada Rd, Deni Ln
DOREEN LANE	Spring Plains, Merah North	Kamilaroi Hwy - Spring Plains Rd	Doreen Ln
DRILLDOOL ROAD	Drilldool, Burren Junction	Middle Route Rd - Walgett Shire	Drilldool Rd
DRIPPING ROCK ROAD	Boggabri	Goonbri Rd - Lot 9, DP 754927	Dripping Rock Rd
DUMP ROAD	Narrabri	Yarrie Lake Rd - Lot 24, DP 1036154	Narrabri Garbage Depot Rd
EASTVIEW LANE	Boggabri	Caloola Rd - Lot 6, DP/755530	Eathers Pit Road
EDENVALE ROAD	Narrabri, Edgeroi	Bald Hill Rd - Tarlee Rd	Unnamed
EGANS LANE	Narrabri	Old Gunnedah Rd - Lot 40, DP 754949	Egans Ln
ELLERSLIE ROAD	Maules Creek	Therribri Rd - Lot 69, DP 754948	Abbots Ln
EULAH CREEK ROAD	Narrabri, Eulah Creek	Kaputar Rd - Lot 36, DP 754945	Eulah Creek Rd
EURIMBLA LANE	Bulyeroi	Nowley Rd - Walgett Shire	Eurimbla Ln
EVANS LANE	Pilliga	Cypress Way - Lot 26, DP 750288	Evans Ln
FAIRVIEW ROAD	Nowley	Nowley Rd - Walgett Shire	Fairview Rd
FARR PARK ROAD	Wee Waa	Stumpy Ln - Lot 40, DP 757089	Farr Park Rd
FINCHS LANE	Boggabri	Kamilaroi Hwy - Lot 65, DP 755475	Finchs Ln
FLOOD HILL ROAD	Boggabri	Braymont Rd - Lot PT134, DP 754926	Flood Hill Rd
FOREST WAY	Wee Waa, Yarrie Lake	Yarrie Lake Rd - Lot 34, DP 757089	Forest Way
GALATHERA LANE	Edgeroi	Newell Hwy - Homestead Rd	Galathera Ln
GARDENS ROAD	Wee Waa	Kamilaroi Hwy - Lot 35, DP 753944	The Gardens Rd, Gardens Rd
GIBBS LANE	Turrawan	Turrawan Rd - Lot 2, DP 1007127	Moira Ln, Mullah Rd, Gibbs Ln
GLEN IDYLL ROAD	Gwabegar, The Pilliga	Gwabegar Rd - Pilliga East State Forest	Glen Idyll Rd
GLENCOE ROAD	Maules Creek	Harparary Rd - Lot 4, DP 754932	Glencoe Rd
GLENWOOD LANE	Bohena Creek	Newell Hwy - Lot 14, DP 757084	Glenwood Rd/Ln, The Glen, Kilburn Ln, Old Glendale Rd
GOLF CLUB ROAD	Wee Waa	Kamilaroi Hwy - Lot 273, DP 757125	Golf Club Rd
GOODYERS LANE	Baan Baa	Kamilaroi Hwy - Kamilaroi Hwy	Goodyers Ln
GOONBRI ROAD	Maules Creek, Boggabri	Leards Forest Road - Lot PT8, DP 754940	Goonbri Rd
GRAIN VALLEY ROAD	Boggabri	Gunnedah Shire - Lot 7028, DP 1073001	Mullaley Stock Route, Willala Rd
GRATTI VALLEY ROAD	Couradda	Mellburra Rd - Lot 130, DP 753943	Couradda Rd, Wilga Valley Rd
GREYLANDS ROAD	Turrawan, Baan Baa	Kamilaroi Hwy - Lot 2, DP 811171	Greylands Rd
GUN CLUB ROAD	Narrabri, Jacks Creek	Kamilaroi Hwy - Jacks Creek State Forest	Gun Club Rd
GUNADOO LANE	Millie	Millie Rd - Moree Plains Shire	Part of Bald Hill Rd
GURLEIGH LANE	Wee Waa	Culgoora Rd - River Rd	Gurleigh Ln
GWABEGAR ROAD	Cuttabri, The Pilliga, Gwabegar, Kenebri	Pilliga Rd - Bridges St	Gwabegar Rd
HAIRE DRIVE	Narrabri	Kaputar Rd - Lot 11, DP 1029263	Haire Drive
HARPARARY ROAD	Baan Baa, Harparary, Maules Creek	Kamilaroi Hwy - Lot 121, DP 808273	Harparary Rd, Maules Creek Rd, Willowdale Rd, Maules Rd
HARRIS LANE	Wee Waa	Culgoora Rd - Lot 18, DP 757125	Harris Lane
HAVANA LANE	Merah North	Doreen Ln - Lot 1, DP 1045317	Havana Ln
HAWTHORNE LANE	Wee Waa	Old Pilliga Rd - Lot 47, DP 802158	Unnamed private road
HAYSTACK ROAD	Bellata	Berrigal Rd - Lot 123, DP 753943	Haystack Rd/Ln, Haystack Hill Rd
HD CREEK ROAD	Cuttabri	Gwabegar Rd - Lot 9, DP 750290	HD Creek Rd
HEADS ROAD	Gwabegar, Kenebri	Coonabarabran Shire - Coonabarabran Shire	Heads Rd
HENRIENDI LANE	Baan Baa	Old Narrabri Rd - Lot 100, DP 755470	Henriendi Ln
HIBBENS ROAD	Yarrie Lake	Mollee Creek Rd - Forest Way	Knellors Rd
HOAD LANE	Boggabri, Wean	Gunnedah Shire - Braymont Rd	Whitehaven Ln, Hoads Ln
HOMESTEAD ROAD	Edgeroi, Bellata	Tarlee Rd - Bald Hill Rd	Homestead Rd
HULLS ROAD	Wee Waa	Farr Park Rd - Lot 44, DP 757089	Hulls Rd
ISON ROAD	Yarrie Lake	Hibbens Rd - Pilliga East State Forest	Narrabri-Forrest (sic), Ison Rd/Ln
JACKAROO ROAD	Narrabri	Killarney Gap Rd - Lot 21, DP 753928	Unnamed private road
JACKS CREEK ROAD	Narrabri, Jacks Creek, Turrawan	Gun Club Rd - Lot 7011, DP 1069618	Jacks Creek Rd
JANEWINDI CREEK ROAD	Wee Waa	Stumpy Lane - Janewindi Creek	Janewindi Creek Rd
JONES LAGOON ROAD	Bohena Creek	Kiandool Ln - Smiths Ln	Drysdale Pit Rd
JUNEFIELD ROAD	Narrabri	Newell Hwy - Lot 2, DP 387144	Junefield Rd
KANANGRA LANE	Boggabri	Panorama Ln - Lot 31, DP 755527	Sams Tank Rd

New Name	Locality	Description	Previous Name/s
KAPUTAR ROAD	Narrabri, Bullawa Creek, Kaputar	Old Gunnedah Rd - Kaputar National Park	Kaputar Rd, Mt Kaputar Rd, Bullawa Creek
KENTUCKEY LANE	Narrabri, Turrawan	Loop road to and from Kamilaroi Hwy	Kentucky Ln
KIANDOOL LANE	Bohena Creek, Narrabri	Cains Crossing Rd - Culgoora Rd	Kiandool Ln, Kiandool-Bohena Creek Rd, Charles Corner Rd
KILLARNEY GAP ROAD	Narrabri	Newell Hwy - Gwydir Shire	Bingara Road, Narrabri Rd.
KURRAJONG CREEK ROAD	Baan Baa	Kamilaroi Hwy - Mayfield Rd	Lennox - Kennsits
LAKE CIRCUIT	Yarrie Lake	Mollee Creek Rd - Yarrie Lake Rd	Wee Waa-Yarrie Lake Rd
LAMMERMOOR LANE	Merah North	Kamilaroi Hwy - Lot 1, DP 248965	Lammermoor Ln
LEARDS FOREST ROAD	Boggabri, Maules Creek	Rangari Rd - Harparary Rd	Leards Forest Rd
LOGANS LANE	Narrabri	Kamilaroi Hwy - Lot 2, DP 1014459	Logans Ln, Pattersons Ln
LONGSIGHT LANE	Baan Baa	Mayfield Rd - Lot 21, DP 757104	Longsight
LYNCHS LANE	Wee Waa	Yarrie Lake Rd - Culgoora Rd	Lynchs Ln
LYNFORD LANE	Boggabri	Caloola Rd - Lot 68, DP 755530	Glen Rob Piggery, Lynford Rd/Ln, Black Wattle Ln
MALLEE LANE	Boggabri, Maules Creek	Dripping Rock Rd - Upper Maules Creek Rd	Mallee Ln
MANAMOI ROAD	Bellata	Berrigal Rd - Moree Plains Shire	McPhersons Rd
MAULES CREEK ROAD	Tarriaro, Maules Creek	Old Gunnedah Rd - Harparary Rd	Maules Creek Rd, Upper Maules Creek Rd.
MAYFIELD ROAD	Baan Baa	Kamilaroi Hwy - Kurrajong Creek Road	Mayfield Rd
MCCUTCHEON LANE	Narrabri	Stoney Creek Rd - Lot 17, DP 754939	Knowles Rd
MCDOWELLS LANE	Pilliga, Gwabegar	Pilliga Rd - Cliffdale Ln	McDowells Ln
MEIT CREEK ROAD	Gwabegar, Pilliga	Cypress Way - Lot 29, DP 750288	Meit Creek Rd
MELLBURRA ROAD	Narrabri, Couradda	Killarney Gap Rd - Moree Plains Shire	Terry Hie Hie Rd
MERIMBOROUGH LANE	Cuttabri, Gwabegar, Pilliga	Gwabegar Rd - Pilliga Rd	Merimborough Ln
MERRILONG LANE	Baan Baa	Mayfield Rd - Lot 8, DP 757104	Merrilong
MIDDLE CREEK ROAD	Maules Creek	Harparary Rd - Lot 44, DP 754925	Middle creek Rd
MIDDLE GULLY ROAD	Edgeroi	Homestead Rd - Bald Hill Rd	Galathera Ln, Homestead Rd
MIDDLE ROUTE ROAD	Merah North, Drilodool	Kamilaroi Hwy - Walgett Shire	Middle Route
MIDGEE LANE	Narrabri	Kamilaroi Hwy - Lot 1342, DP 710729	Federation Farm Rd, Camerons Ln, Midgee Ln.
MILLER-WILLIAMS LANE	Pilliga	Cypress Way - Mission Ln	Miller-Williams Lane
MILLIE ROAD	Bellata, Millie, Jews Lagoon, Thalaba, Spring Plains, Bulyerioi	Newell Hwy - Lot 7004 DP1055968	Millie Rd
MILTON DOWNS ROAD	Jews Lagoon	Waiwera Ln - Thalaba Ln	Jews Lagoon Subdivision Rd
MISSION LANE	Pilliga	Cypress Way - Cliffdale Ln	Mission Ln
MOUNTAIN VIEW ROAD	Maules Creek	Black Mountain Creek Rd - Lot 104, DP 754925	Dicksons Rd
MULGATE CREEK ROAD	Narrabri	Killarney Gap Rd - Lot 42, DP 754934	Mulgate Creek Rd
MYALLA LANE	Wee Waa	Boundary St - Lot 7, DP 250512	Myalla Ln, Riverview Rd
NOELINE CLOSE	Narrabri	Stafford Dr - Lot 50, DP 846076	Part of Stafford Dr
NOWLEY ROAD	Spring Plains, Nowley, Bulyerioi, Rowena	Spring Plains Rd - Millie Rd	Nowley Rd
NUABLE ROAD	Bohena Creek, Yarrie Lake	Cains Crossing Rd - Yarrie Lake Rd	Bohena - Yarrie Lake Rd
O'CONNORS LANE	Narrabri	Arnold St - Lot 1, DP 718917	O'Connors Ln
OAKDALE LANE	Turrawan, Jacks Creek	Jacks Creek Rd - Lot 57, DP 757114	Jacks Creek Rd
OAKLEY VALLEY ROAD	Maules Creek	Spion Kop Rd - Lot 30, DP 754927	Wean Rd
OLD NARRABRI ROAD	Turrawan, Baan Baa	Turrawan Rd - Kamilaroi Hwy	Old Gunnedah Rd
OLD PILLIGA ROAD	Wee Waa	Culgoora Rd - Pilliga Rd	Pilliga Rd, Wee Waa-Pilliga Rd
OLD TURRAWAN ROAD	Narrabri	Kamilaroi Hwy - Cooma St	Chook Farm Rd, Old Turrawan Rd
PANORAMA LANE	Boggabri, Willala	Kanangra Ln - Lot 29, DP 755527	Courtneys Road Extension
PENNEYS LANE	Bellata	Berrigal Rd - Moree Plains Shire	Wilgaroi Ln, Penneys Ln
PIAN CREEK ROAD	Drilodool	Cubbaroo Ln - Kamilaroi Hwy	Cubbaroo-Burren Rd
PIKES LANE	Tarriaro, Narrabri	Old Gunnedah Rd - Kaputar Rd	Pikes Ln
PILLIGA ROAD	Wee Waa, Cuttabri, Pilliga.	Veras Leap Rd - Dangar St, Pilliga	Pilliga Rd
PINE CREEK ROAD	Turrawan	Kamilaroi Hwy - Old Narrabri Rd	Unnamed Road
POISON GATE ROAD	Bulyerioi	Millie Rd - Moree Plains Shire	Mallawa Rd
PRICES LANE	Wee Waa	Yarrie Lake Rd - Sandy Hook Ln	Prices Ln
QUEEN STREET	Edgeroi	Loop from Newell Highway, Edgeroi	Queen St
QUEGOBLA CREEK ROAD	Gwabegar	Cypress Way - Lot 13, DP 750302	Quegobla Creek Rd
RANGARI ROAD	Wean, Boggabri	Gunnedah Shire - Kamilaroi Hwy	Manilla Rd, Boggabri-Manilla Road

New Name	Locality	Description	Previous Name/s
RIVER ROAD	Wee Waa	Kamilaroi Hwy - Gurleigh Ln	River Rd
ROCKDALE ROAD	Jacks Creek	Westport Rd - Lot 12, DP 757087	Rockdale Rd
ROMA LANE	Boolcarroll	Spring Plains Rd - Lot 11, DP 705563	Togo Ln, Roma Ln
ROSSMORE LANE	Drilool, Nowley	Kamilaroi Hwy - Walgett Shire	Rossmore Ln
ROSSVILLE LANE	Harparary, Tarriario	Browns Ln - Bellview Rd	Eathers Rd
SANDY CREEK LANE	Narrabri	Kamilaroi Hwy - Jacks Creek Rd	Jacks Creek Rd
SCHOFIELDS LANE	Eulah Creek, Bullawa Creek	Eulah Creek Rd - Kaputar Rd	Schofields Ln
SILO ROAD	Gwabegar, Kenebri	Cypress Way - Anzac Pde	Gwabegar Silo Rd
SLEEPER CUTTERS LANE	Jacks Creek	Westport Rd - Lot 1, DP 83441	Danger Ln
SMITHFIELD LANE	Edgeroi, Narrabri	Newell Hwy - Lot 1362, DP 805398	Smithfield Ln
SMITHS LANE	Yarrie Lake, Bohena Creek	Yarrie Lake Rd - Nuable Rd	Smiths Ln
SPION KOP ROAD	Maules Creek	Upper Maules Creek Rd - Lot 14, DP 754933	Upper Maules Creek Rd
SPONGS LANE	Nowley	Rossmore Ln - Lot 7, DP 753925	Spongs Ln
SPRING CREEK ROAD	Narrabri	Killarney Gap Rd - Lot 21, DP 754934	Spring Creek Rd
SPRING PLAINS ROAD	Wee Waa, Boolcarroll, Spring Plains, Thalaba	Kamilaroi Hwy - Millie Rd	Spring Plains Rd
SQUIRES LANE	Gwabegar	Cypress Way - Lot 7001, DP 1029990	Squires Ln
STAFFORD DRIVE	Narrabri	Old Gunnedah Rd - Whiting Dr	Stafford Dr
STOLTENBERGS ROAD	Narrabri	Stoney Creek Rd - Lot 416, DP 754944	Stoltenbergs Rd
STONEY CREEK ROAD	Narrabri	Old Cemetery Rd - Lot 1, DP 559213	Stoney Creek Rd
STUMPY LANE	Yarrie Lake, Wee Waa	Ison Rd - Pilliga Rd	Stumpy Ln
SUNNYSIDE ROAD	Spring Plains, Nowley	Spring Plains Rd - Lot 15, DP 753947	Sunnyside Rd
TARLEE ROAD	Edgeroi	Newell Hwy - Bald Hill Rd	Tarlee Rd
TEATREE GULLY ROAD	Bullawa Creek	Kaputar Rd - Lot 27, DP 754930	Bullawa Mail Rd
TEN MILE LANE	Bellata, Edgeroi	Newell Hwy - Bald Hill Rd	Fairview Ln
TESTON LANE	Maules Creek	Trantham Rd - Lot 71, DP 754948	Notts Pit Rd
THALABA LANE	Jews Lagoon	67//753923 - 7//253212	Unnamed Rd
THARLANE ROAD	Wee Waa	Pilliga Rd - Lot 16, DP 757109	Unnamed Rd
THE CLUMP ROAD	Bellata	Newell Hwy - Bald Hill Rd	The Clump Rd
THE ISLAND ROAD	Narrabri	Gibbons St - Lot 247, DP 754944	The Island Rd
THERRIBRI ROAD	Boggabri, Harparary, Maules Creek	Rangari Rd - Harparary Rd	Therribri Rd
THORNFIELD CROSSING ROAD	Maules Creek	Upper Maules Creek Rd - Lot 61, DP 754924	Thornfield Rd
THUNDERBOLTS ROAD	Boggabri	Rangari Rd - Dripping Rock Rd	Wean-Dripping Rock Rd
TIMOR MOUNTAIN ROAD	Maules Creek	Maules Creek Rd - Black Mountain Creek Rd	Wave Hill Rd
TINEGIE CREEK ROAD	Gwabegar	Glen Idyll Rd - Lot 13, DP 750250	Tinegie Creek Rd
TOWRI ROAD	Boggabri	Caloola Rd - Lot 3, DP 757119	Towri Rd
TRANTERS ROAD	Couradda	Couradda Rd - Lot 134, DP 753943	TranTERS Rd
TRANTHAM ROAD	Harparary, Maules Creek	Therribri Rd - Ellerslie Rd	Back Creek Rd
TREVANA LANE	Bellata, Edgeroi	Newell Hwy - Deni Ln	Trevana Ln
TRINDALLS LANE	Wee Waa	Cotton Ln - Spring Plains Rd	Trindalls Ln
TRUCKING YARDS LANE	Wee Waa	Veras Leap Road - Boolcarroll St	Trucking Yards Ln
TULLADUNNA LANE	Wee Waa	Cotton Ln - Spring Plains Rd	Tulladunna Ln
TURRAWAN ROAD	Turrawan, Tarriario	Kamilaroi Hwy - Old Gunnedah Rd	Turrawan Rd
UPPER BULLAWA CREEK ROAD	Bullawa Creek, Kaputar	Kaputar Rd - Lot 26, DP 754945	Scout Camp Rd, Upper Bullawa Creek Rd
UPPER MAULES CREEK ROAD	Maules Creek	Harparary Rd - Willeroi Rd	Upper Maules Creek Rd
VALORBAN LANE	Bellata	Newell Hwy - Lot 120, DP 753950	Valorban Ln
VERA LEAP ROAD	Wee Waa	Warrior St - Pilliga Rd	Veras Leap Rd
VINE LANE	Boggabri	Boston St West - Lot 154, DP 755475	Kirbys Ln
WAIWERA LANE	Boolcarroll, Jews Lagoon, Bellata,	Spring Plains Rd - Millie Rd	Jews Lagoon Rd, Waiwera Ln.
WARNERS ROAD	Boggabri	Therribri Rd - Lot 43, DP 754926	Warners Rd
WARRIANA LANE	Spring Plains	Spring Plains Rd - Lot 63, DP 753916	Warriana Ln
WAVE HILL ROAD	Tarriario, Eulah Creek, Maules Creek	Maules Creek Rd - Timor Mountain Rd	Wave Hill Rd
WEAN ROAD	Wean	Rangari Rd (Gunnedah Shire) - Gunnedah Shire	Bluevale Rd, Wean Rd.
WEERAH CREEK ROAD	Wee Waa	Pilliga Rd - Lot 2, DP 757082	Weerah Creek Rd
WESTPORT ROAD	Jacks Creek	Newell Hwy - Lot 33, DP 757087	Westport Rd

New Name	Locality	Description	Previous Name/s
WHITING DRIVE	Narrabri	Stafford Drive - Lot 35, DP 835185	Whiting Dr
WIDGEN LANE	Narrabri, Edgeroi	Bald Hill Rd - Lot 1, DP 223345	Widgen Access Ln
WILGA VIEW LANE	Boggabri	Blairmore Rd - Lot 69, DP 755530	Wilga View Rd
WILLALA ROAD	Willala	Lot 45, DP 755528 - Lot 17, DP 755492	Willala Rd
WILLAPUNGA LANE	Nowley	Nowley Rd - Lot 103, DP 713136	Toops Ln
WILLEROI ROAD	Maules Creek	Upper Maules Creek Rd - Lot 47, DP 754941	Willeroi Rd
WOMBO ROAD	Gwabegar	Cypress Rd - Lot 1, DP 750281	Brumby Rd, Coonamble Rd, Wombo Rd.
WOMERA CREEK ROAD	Wee Waa	Sandy Hook Ln - Pilliga Rd	Prices Ln
YACKERBOON LANE	Narrabri	Kamilaroi Hwy - Lot PT59, DP 753934	Auscott Rd
YARRANABEE ROAD	Baan Baa	Baan Baa Rd - Lot 5, DP 757119	Yarranabee Rd
YARRIE LAKE ROAD	Narrabri, Bohena Creek, Yarrie Lake, Wee Waa	Goobar St - Culgoora Rd, Wee Waa	Yarrie Lake Rd, Wee Waa-Yarrie Lake Rd.

I. R. McCALLUM, General Manager, Narrabri Shire Council, PO Box 261, Narrabri NSW 2390.

[0908]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of CHARLES RICHARD REES, late of Avoca Beach, in the State of New South Wales, retired publican, who died on 2nd August 2004, must send particulars of their claim to the executors, John Richard Rees and Suzanne Rose Milliken, c.o. Truman Hoyle Lawyers, Level 18/68 Pitt Street, Sydney NSW 2000, within one (1) calendar month from the publication of this notice. After that time the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executors have notice. Probate was granted in New South Wales on 25th November 2004. TRUMAN HOYLE LAWYERS, Level 18/68 Pitt Street, Sydney NSW 2000 (DX 263, SYDNEY). Reference: TFE (SR) 4069. [0912]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of BRIAN FULTON EDWARDS, late of Manly, in the State of New South Wales, retired company director, who died on 3rd August 2004, must send particulars of their claim to the executors, Timothy Fulton Edwards and David Robert Fulton Edwards, c.o. Truman Hoyle Lawyers, Level 18/68 Pitt Street, Sydney NSW 2000, within one (1) calendar month from the publication of this notice. After that time the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executors have notice. Probate was granted in New South Wales on 25th November 2004. TRUMAN HOYLE LAWYERS, Level 18/68 Pitt Street, Sydney NSW 2000 (DX 263, SYDNEY). Reference: TFE (SR) 4014. [0914]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ANNA STROBL, late of 29 Hillcrest Street, Punchbowl, in the State of New South Wales, widow, who died on 10th September 2004, must send particulars of his claim to the executrix, Maria Erika Drechsler, c.o. Steve Masselos & Co., Solicitors, PO Box A988, Sydney South NSW 1235, within one (1) calendar month from the 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 19th November 2004, as number 119621/04. STEVE MASSELOS & CO., A Solicitor Corporation, 2nd Floor, 114-120 Castlereagh Street, Sydney NSW 2000 (PO Box A988, Sydney South 1235), (DX305, Sydney), tel.: (02) 9264 7022. [0917]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MAVIS HARPER HARRISON, late of 102 Lindsay Street, Campbelltown, in the State of New South Wales, home duties, who died on 7th October 2004, must send particulars of his/her claim to the executor, Colin Allison, c.o. Low Doherty & Stratford, Solicitors, 9 Campbell Street, Blacktown NSW 2148, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution the executor has notice. Probate was granted in New South Wales on 2nd December 2004. Low Doherty & Stratford, Solicitors, 9 Campbell Street (PO Box 147), Blacktown NSW 2148 (DX8109, Blacktown). [0924]

COMPANY NOTICES

NOTICE of winding up.—ROSE HILL PASTORAL (WELLINGTON) PTY LTD, ACN 001 062 639.—On 10th December 2004, a members' resolution was passed that the company be wound up voluntarily and that Robert Bruce Rowland be appointed liquidator. ROBERT BRUCE ROWLAND, Liquidator, c.o. Partlett Chave & Rowland, Chartered Accountants, Level 9, 75 King Street, Sydney NSW 2000, tel.: (02) 9299 8487. [0911]

OTHER NOTICES

PITCHER PARTNERS – AN INDEPENDENT NSW PARTNERSHIP.—Mr Carlo Enzo Moretti resigned as a Partner of Pitcher Partners – an Independent New South Wales Partnership, and as a Director of Pitcher Partners NSW Pty Ltd on 7th December 2004. From that date he has no authority to act on behalf of Pitcher Partners, Pitcher Partners NSW Pty Ltd or any other entity associated with Pitcher Partners NSW. [0916]

ISSN 0155-6320

Authorised to be printed
ROBERT J. GALLAGHER, Government Printer.