



Government Gazette

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NEW SOUTH WALES

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LEGISLATION

Regulations



New South Wales

Jury Amendment (Assumed Identities) Regulation 2009

under the

Jury Act 1977

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Jury Act 1977*.

JOHN HATZISTERGOS, M.L.C.,
Attorney General

Explanatory note

Under section 38 of the *Jury Act 1977* (*the Act*), before the selection of the jury at a criminal trial, civil trial or coronial inquest, the judge or coroner must, subject to the regulations, direct that the jurors on the panel be informed of the identity of the principal witnesses to be called (in the case of a criminal trial, limited to the principal witnesses to be called for the prosecution).

The object of this Regulation is to amend the *Jury Regulation 2004* to provide that the identity of a person who is a principal witness must not be disclosed under section 38 (7) (a), (8) (a) or (9) (a) of the Act if:

- (a) the person is an officer in respect of whom an assumed identity approval is in force under the *Law Enforcement and National Security (Assumed Identities) Act 1998* or was in force at the relevant time, or
- (b) the person is a participant in an authorised operation under the *Law Enforcement (Controlled Operations) Act 1997* or was at the relevant time.

This Regulation is made under the *Jury Act 1977*, including sections 38 (7), (8), (9) and (11) and 76 (1) (the general regulation-making power).

Clause 1 Jury Amendment (Assumed Identities) Regulation 2009

Jury Amendment (Assumed Identities) Regulation 2009

under the

Jury Act 1977

1 Name of Regulation

This Regulation is the *Jury Amendment (Assumed Identities) Regulation 2009*.

2 Amendment of Jury Regulation 2004

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

Jury Amendment (Assumed Identities) Regulation 2009

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Clause 4A

Insert after clause 4:

4A Identity of certain persons must not be disclosed

- (1) The identity of a person who is a principal witness must not be disclosed under section 38 (7) (a), (8) (a) or (9) (a) of the Act if:
 - (a) the person is an officer in respect of whom an assumed identity approval is in force under the *Law Enforcement and National Security (Assumed Identities) Act 1998*, or
 - (b) the person is an officer in respect of whom an assumed identity approval was in force under the *Law Enforcement and National Security (Assumed Identities) Act 1998* at the relevant time, or
 - (c) the person is a participant in an authorised operation within the meaning of the *Law Enforcement (Controlled Operations) Act 1997*, or
 - (d) the person was a participant in an authorised operation within the meaning of the *Law Enforcement (Controlled Operations) Act 1997* at the relevant time.
- (2) This clause does not apply to a jury selected before the commencement of this clause.



New South Wales

Liquor Amendment (Special Events— Extended Trading Periods) Regulation 2009

under the

Liquor Act 2007

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 2007*.

KEVIN GREENE, M.P.,
Minister for Gaming and Racing

Explanatory note

The object of this Regulation is to prescribe the 2 hour period from 10 pm to midnight on certain dates on which special sporting events will be held as an extended trading period during which hotels and clubs are permitted to trade.

This Regulation is made under the *Liquor Act 2007*, including section 13.

Clause 1 Liquor Amendment (Special Events—Extended Trading Periods)
 Regulation 2009

Liquor Amendment (Special Events—Extended Trading Periods) Regulation 2009

under the

Liquor Act 2007

1 Name of Regulation

This Regulation is the *Liquor Amendment (Special Events—Extended Trading Periods) Regulation 2009*.

2 Amendment of Liquor Regulation 2008

The *Liquor Regulation 2008* is amended by omitting clause 38A and by inserting instead the following clause:

38A Special events extended trading periods for hotels and clubs

For the purposes of section 13 of the Act, the period of 2 hours from 10 pm until midnight on any of the following days is prescribed as a period during which liquor may be sold or supplied for consumption on the premises to which a hotel licence or club licence relates:

- (a) Sunday 11 January 2009,
- (b) Sunday 1 February 2009,
- (c) Sunday 8 February 2009,
- (d) Sunday 15 February 2009,
- (e) Sunday 4 October 2009.

OFFICIAL NOTICES

Department of Lands

MAITLAND OFFICE

Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323

Phone: (02) 4937 9300 Fax: (02) 4934 2252

PLAN OF MANAGEMENT FOR CROWN RESERVE UNDER DIVISION 6 OF PART 5 OF THE CROWN LANDS ACT 1989 AND CROWN LANDS REGULATION 2006

A draft plan of management has been prepared for the Crown reserved land known as Terrigal Haven described hereunder that is under the trusteeship of Gosford City Council.

A copy of the draft plan of management will be available on the Council's website www.gosford.nsw.gov.au and the Department of Lands Website www.lands.nsw.gov.au. Inspection of the draft plan may also be made at Gosford City Council's Customer Service Centres (9am - 5pm) including the Erina Centre, Kincumber Library, Woy Woy Library and the Council building at 49 Mann Street, Gosford (8:30am - 5pm) and the Department of Lands, Cnr Newcastle Road and Banks Street, East Maitland, 8:30am - 4:30pm.

The Draft Plan will be on exhibition from 7 January 2009 until 18 February 2009. Comments on the draft plan are invited from the public and may be submitted in writing to The General Manager, Gosford City Council, PO Box 21, Gosford NSW 2250.

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

Description of Lands

*Land District – Gosford; Council Area – Gosford;
Parish – Kincumber; County – Northumberland*

Reserve 48416 for public recreation, being Lot 6, DP 805477 and Lot 247, DP 755234.

Area: Approx 10.5 hectares.

Location: Terrigal Haven.

File No.: MD89 R 81.

NOWRA OFFICE

5 O'Keefe Avenue (PO Box 309), Nowra NSW 2541

Phone: (02) 4428 9100 Fax: (02) 4421 2172

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 public road and the right of passage and access that previously existed in relation to the road is 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 – Wandella; County – Dampier;
Land District – Bega;
Local Government Area – Bega Valley*

Road Closed: Lot 1, DP 1132186 at Wandella, subject to an easement for electricity supply created by DP 1132186.

File No.: NA06 H 156.

Schedule

On closing, the land within Lot 1, DP 1132186 remains vested in the State of New South Wales as Crown Land.

ORANGE OFFICE
92 Kite Street (PO Box 2146), Orange NSW 2800
Phone: (02) 6391 4300 Fax: (02) 6362 3896

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
Land District: Rylstone. Local Government Area: Mid-Western Regional Council. Locality: Clandulla. Reserve No.: 95412. Public Purpose: Future public requirements. Notified: 19 June 1981. File No.: OE06 H 333.	The whole being Lot 163, DP No. 755765, Parish Clandulla, County Roxburgh, of an area of 679.7 hectares.

Note: Conversion of crown leasehold land to freehold.

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>
Land District: Rylstone. Local Government Area: Mid-Western Regional Council. Locality: Wells. Reserve No.: 80304. Public Purpose: Soil conservation. Notified: 24 January 1958. Lot 163, DP No. 755765, Parish Clandulla, County Roxburgh; Lot 64, DP No. 755775, Parish Ganguddy, County Roxburgh. File No.: 06 H 333.	The part being Lot 163, DP No. 755765, Parish Clandulla, County Roxburgh, of an area of 679.7 hectares.

Note: Conversion of crown leasehold land to freehold.

TAMWORTH OFFICE

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

NOTIFICATION OF CLOSING OF A ROAD

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

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

Description

Locality – Curlewis, Breeza and Caroona;
Land District – Gunnedah; L.G.A. – Gunnedah

Road Closed: Lots 1, 2, 3, 6 and 7 in Deposited Plan 1130609, Parishes Brown, Nea, Brothers, Clift and Doona, County Pottinger.

File Nos: 07/3222, 07/3223, 07/3224, 07/3225 and 07/3226.

Note: On closing, title to the land comprised in Lots 1, 2, 3, 6 and 7 will remain vested in the State of New South Wales as Crown Land.

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Gunnedah. Local Government Area: Gunnedah Shire Council. Locality: Tambar Springs. Reserve No.: 76284. Public Purpose: Generally. Notified: 2 October 1953. File No.: TH92 H 6.	The whole being Lot 503, DP No. 852397, Parish Wilson, County Pottinger, of an area of 240.8 hectares.

Note: Conversion of leasehold to freehold.

WESTERN REGION OFFICE
45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830
Phone: (02) 6883 3000 Fax: (02) 6883 3099

ERRATUM

IN the *New South Wales Government Gazette* of 6 June 2008, Folio 4686, under the heading "WITHDRAWAL OF LANDS FROM WESTERN LANDS LEASES", the reference in Column 3 of the Schedule to folio identifier 3755/766188 should have read 3775/766188 and 6466/762414 should have read 6446/762414.

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

Department of Planning



New South Wales

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 32)

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Planning. (S08/01243/PC)

KRISTINA KENEALLY, M.P.,
Minister for Planning

Clause 1 State Environmental Planning Policy (Major Projects) 2005 (Amendment
 No 32)

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 32)

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy (Major Projects) 2005 (Amendment No 32)*.

2 Aim of Policy

The aim of this Policy is to declare development for the purposes of the erection and operation of Tillegra Dam to be a critical infrastructure project for the purposes of Part 3A of the *Environmental Planning and Assessment Act 1979*. Tillegra Dam will provide water storage on the Upper Williams River in the Hunter Region.

3 Land to which Policy applies

This Policy applies to the Tillegra Dam site, at Tillegra, north of the town of Dungog in the local government area of Dungog.

4 Amendment of State Environmental Planning Policy (Major Projects) 2005

State Environmental Planning Policy (Major Projects) 2005 is amended as set out in Schedule 1.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 32)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Schedule 5 Critical infrastructure projects

Insert after clause 4:

5 Tillegra Dam

Development carried out by or on behalf of the Hunter Water Corporation for the purposes of a water storage facility with a capacity of approximately 450 gigalitres on the Upper Williams River in the Hunter Region, including development for any of the following purposes:

- (a) a dam wall,
- (b) a reservoir,
- (c) a spillway,
- (d) a multiple-level water offtake tower,
- (e) a trunk water-main,
- (f) associated water supply infrastructure,
- (g) a hydropower generation plant,
- (h) other ancillary works (such as buildings for the purposes of recreational access areas or lookouts and related facilities),
- (i) the relocation and reconstruction of Salisbury Road (including by the construction of waterway crossings) and the provision of alternative access currently provided by Quart Pot Creek Road,
- (j) the relocation or reconstruction of other public infrastructure (including a fire station and telecommunication and electrical transmission lines),
- (k) the conservation of places and buildings of heritage significance.



New South Wales

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Planning. (S08/00923-1)

KRISTINA KENEALLY, M.P.,
Minister for Planning

Clause 1 State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)*.

2 Aims of Policy

The aims of this Policy are:

- (a) to identify the land to which this Policy applies as a state significant site under *State Environmental Planning Policy (Major Projects) 2005*, and
- (b) to establish appropriate zoning and other development controls for that land, and
- (c) to provide for appropriate development of that land that satisfies the principles of ecologically sustainable development, and
- (d) to provide for development of that land in a manner consistent with the outcomes envisaged by the *Lower Hunter Regional Strategy*, published by the NSW Department of Planning in October 2006, and
- (e) to identify and provide part of that land for high quality open space for recreational purposes and for community uses that serve the needs of those who live and work in the Huntlee community and surrounding areas.

3 Land to which Policy applies

This Policy applies to certain land in the local government areas of Cessnock City and Singleton identified on State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)—Huntlee New Town Site—Land Application Map held in the head office of the Department.

State Environmental Planning Policy (Major Projects) 2005 (Amendment
No 35)

Clause 4

**4 Amendment of State Environmental Planning Policy (Major Projects)
2005**

State Environmental Planning Policy (Major Projects) 2005 is
amended as set out in Schedule 1.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)

Schedule 1 Amendment

Schedule 1 Amendment

(Clause 4)

Schedule 3 State significant sites

Insert at the end of the Schedule (before the maps) with appropriate Part numbering:

Part Huntlee New Town Site

Division 1 Preliminary

1 Land to which Part applies

This Part applies to the land identified on the Land Application Map, referred to in this Schedule as the *Huntlee New Town site*.

2 Interpretation

(1) In this Part:

consent authority means the relevant council.

Land Application Map means the State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)—Huntlee New Town Site—Land Application Map.

Land Reservation Acquisition Map means the State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)—Huntlee New Town Site—Land Reservation Acquisition Map.

Land Zoning Map means the State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)—Huntlee New Town Site—Land Zoning Map.

relevant Council:

- (a) in relation to development of land within the local government area of Cessnock City, means Cessnock City Council, or
- (b) in relation to development of land within the local government area of Singleton, means Singleton Shire Council.

(2) A word or expression used in this Part has the same meaning as it has in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006* unless it is otherwise defined in this Part.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)

Amendment

Schedule 1

3 Maps

- (1) A reference in this Part to a named map adopted by this Part is a reference to a map by that name:
 - (a) approved by the Minister when the map is adopted, and
 - (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.
- (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Part to any such named map is a reference to the relevant part or aspect of the single map.
- (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.
- (4) For the purposes of this Part, a map may be in, and may be kept and made available in, electronic or paper form, or both.

4 Relationship with other environmental planning instruments

The only environmental planning instruments that apply, according to their terms, to or in respect of development within the Huntlee New Town site are as follows:

- (a) this Policy,
- (b) all other State environmental planning policies otherwise applicable to the land, except *State Environmental Planning Policy No 1—Development Standards*.

Division 2 Provisions relating to development within Huntlee New Town site

5 Application of Division

- (1) This Division applies to development on land within the Huntlee New Town site, except as provided by subclause (2).
- (2) Clauses 7–13, 16, 18 and 21–25 do not apply to development within the Huntlee New Town site to the extent that it is a project to which Part 3A of the Act applies.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)

Schedule 1 Amendment

6 Land use zones

For the purposes of this Part, land within the Huntlee New Town site is in a zone as follows if the land is shown on the Land Zoning Map as being within that zone:

- (a) Zone R1 General Residential,
- (b) Zone R5 Large Lot Residential,
- (c) Zone B4 Mixed Use,
- (d) Zone SP2 Infrastructure,
- (e) Zone RE1 Public Recreation,
- (f) Zone E1 National Parks and Nature Reserves.

7 Objectives of land use zones to be taken into account

The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

8 Zone R1 General Residential

- (1) The objectives of Zone R1 General Residential are as follows:
 - (a) to provide for the housing needs of the community,
 - (b) to provide for a variety of housing types and densities,
 - (c) to enable other land uses that provide facilities or services to meet the day to day needs of residents.
- (2) Development for any of the following purposes is permitted without consent on land within Zone R1 General Residential:
environmental protection works; home occupations; roads constructed or operated by or on behalf of a public authority.
- (3) Development for any of the following purposes is permitted only with development consent on land within Zone R1 General Residential:
attached dwellings; boarding houses; child care centres; community facilities; dwelling houses; educational establishments; exhibition villages; group homes; hostels; multi dwelling housing; neighbourhood shops; places of public worship; recreation facilities (outdoor); residential care facilities; residential flat buildings; roads; semi-detached dwellings; seniors housing; shop top housing.
- (4) Except as otherwise provided by this Policy, development is prohibited on land within Zone R1 General Residential unless it is permitted by subclause (2) or (3).

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)

Amendment

Schedule 1

9 Zone R5 Large Lot Residential

- (1) The objectives of Zone R5 Large Lot Residential are as follows:
 - (a) to provide residential housing in a rural setting while preserving environmentally sensitive locations and scenic quality,
 - (b) to ensure that large residential allotments do not hinder the proper and orderly development of urban areas in the future,
 - (c) to ensure that development in the area does not unreasonably increase the demand for public services or public facilities,
 - (d) to minimise conflict between land uses within the zone and adjoining zones,
 - (e) to enable land to be used for public open space or recreational purposes,
 - (f) to protect the natural environment for recreational purposes.
- (2) Development for any of the following purposes is permitted without consent on land within Zone R5 Large Lot Residential:
environmental protection works; roads constructed or operated by or on behalf of a public authority.
- (3) Development for any of the following purposes is permitted only with development consent on land within Zone R5 Large Lot Residential:
dwelling houses; environmental facilities; environmental protection works; home occupations; recreation areas; roads.
- (4) Except as otherwise provided by this Policy, development is prohibited on land within Zone R5 Large Lot Residential unless it is permitted by subclause (2) or (3).

10 Zone B4 Mixed Use

- (1) The objectives of Zone B4 Mixed Use are as follows:
 - (a) to provide a mixture of compatible land uses,
 - (b) to integrate suitable development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)

Schedule 1 Amendment

- (2) Development for any of the following purposes is permitted without consent on land within Zone B4 Mixed Use:
environmental protection works; roads constructed or operated by or on behalf of a public authority.
- (3) Development for any of the following purposes is permitted only with development consent on land within Zone B4 Mixed Use:
boarding houses; business premises; car parks; child care centres; community facilities; educational establishments; entertainment facilities; food and drink premises; function centres; health service facilities; highway service centres; hotel or motel accommodation; information and education facilities; light industries; markets; multi dwelling housing; office premises; passenger transport facilities; places of public worship; recreation facilities (indoor); recreation facilities (outdoor); registered clubs; residential flat buildings; retail premises; roads; seniors housing; shop top housing; tourist and visitor accommodation.
- (4) Except as otherwise provided by this Policy, development is prohibited on land within Zone B4 Mixed Use unless it is permitted by subclause (2) or (3).

11 Zone SP2 Infrastructure

- (1) The objectives of Zone SP2 Infrastructure are as follows:
 - (a) to provide for infrastructure and related uses,
 - (b) to prevent development that is not compatible with or that may detract from the provision of infrastructure.
- (2) Development for any of the following purposes is permitted without consent on land within Zone SP2 Infrastructure:
roads.
- (3) Development for any of the following purposes is permitted only with development consent on land within Zone SP2 Infrastructure:
schools; the purpose shown on the Land Zoning Map including any development that is ordinarily incidental or ancillary to development for that purpose.
- (4) Except as otherwise provided by this Policy, development is prohibited on land within Zone SP2 Infrastructure unless it is permitted by subclause (2) or (3).

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)

Amendment

Schedule 1

12 Zone RE1 Public Recreation

- (1) The objectives of Zone RE1 Public Recreation are as follows:
 - (a) to enable land to be used for public open space or recreational purposes,
 - (b) to provide a range of recreational settings and activities and compatible land uses,
 - (c) to protect and enhance the natural environment for recreational purposes.
- (2) Development for any of the following purposes is permitted without consent on land within Zone RE1 Public Recreation:
roads.
- (3) Development for any of the following purposes is permitted only with development consent on land within Zone RE1 Public Recreation:
environmental facilities; environmental protection works; kiosks; recreation areas.
- (4) Except as otherwise provided by this Policy, development is prohibited on land within Zone RE1 Public Recreation unless it is permitted by subclause (2) or (3).

13 Zone E1 National Parks and Nature Reserves

- (1) The objectives of Zone E1 National Parks and Nature Reserves are as follows:
 - (a) to enable the management and appropriate use of land that is reserved under the *National Parks and Wildlife Act 1974*,
 - (b) to enable uses authorised under the *National Parks and Wildlife Act 1974*.
- (2) Development for any of the following purposes is permitted without consent on land within Zone E1 National Parks and Nature Reserves:
uses authorised under the *National Parks and Wildlife Act 1974*.
- (3) Development for any of the following purposes is permitted only with development consent on land within Zone E1 National Parks and Nature Reserves:
nil.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)

Schedule 1 Amendment

- (4) Except as otherwise provided by this Policy, development is prohibited on land within Zone E1 National Parks and Nature Reserves unless it is permitted by subclause (2) or (3).

14 Prohibited development

Development, other than development that is permitted with or without consent on land within a zone, is prohibited on land within that zone.

15 Interim land uses

- (1) Despite any other provision of this Part, development on land within the Huntlee New Town site for the purposes specified in subclause (2) is permitted with consent and is not prohibited under clause 14 if:
- (a) the development is for a specified interim period, and
 - (b) the development will not adversely affect the use of the land for permissible development in accordance with this Part at the end of the specified interim period, and
 - (c) the development will not adversely affect the use of other land in the same locality for permissible development in accordance with this Part.
- (2) Development specified for the purposes of this clause is any one or more of the following:
- (a) extensive agriculture,
 - (b) extractive industries,
 - (c) farm forestry,
 - (d) intensive plant agriculture,
 - (e) mining.

16 Subdivision—consent requirements

- (1) Land within the Huntlee New Town site may be subdivided, but only with development consent.
- (2) However, development consent is not required for a subdivision for the purpose only of any one or more of the following:
- (a) widening a public road,
 - (b) making an adjustment to a boundary between lots, being an adjustment that does not involve the creation of a greater number of lots,
 - (c) a minor realignment of boundaries that does not create additional lots or the opportunity for additional buildings,

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)

Amendment

Schedule 1

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- (d) a consolidation of lots that does not create additional lots or the opportunity for additional buildings,
 - (e) rectifying an encroachment on a lot,
 - (f) creating a public reserve,
 - (g) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

17 Exceptions to development standards—Part 3A projects

- (1) A development standard imposed by this or any other environmental planning instrument on development that is part of a project to which Part 3A of the Act applies, and is within the Huntlee New Town site, does not apply to that development if the Director-General is satisfied, and issues a certificate to the effect, that:
 - (a) compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) there are sufficient environmental planning grounds to justify exempting the development from that development standard.
- (2) In deciding whether to issue a certificate, the Director-General must consider:
 - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
 - (b) the public benefit of maintaining the development standard, and
 - (c) any other matters required to be taken into consideration by the Director-General.

18 Exceptions to development standards—other development

- (1) This clause applies to development, other than development that is part of a project to which Part 3A of the Act applies.
- (2) The objectives of this clause are:
 - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)

Schedule 1 Amendment

- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (3) Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (4) Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (5) Consent must not be granted for development that contravenes a development standard unless:
 - (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (4), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
 - (b) the concurrence of the Director-General has been obtained.
- (6) In deciding whether to grant concurrence, the Director-General must consider:
 - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
 - (b) the public benefit of maintaining the development standard, and
 - (c) any other matters required to be taken into consideration by the Director-General before granting concurrence.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)

Amendment

Schedule 1

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- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (4).
 - (8) This clause does not allow consent to be granted for development that would contravene any of the following:
 - (a) a development standard for complying development,
 - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* applies or for the land on which such a building is situated.

19 Maximum number of dwellings

A person must not erect a dwelling on land within the Huntlee New Town site if, as a result, the number of dwellings within that site would exceed 7,500.

20 Arrangements for designated State public infrastructure for Zones R1 General Residential and B4 Mixed Uses

- (1) This clause applies to land in Zone R1 General Residential or Zone B4 Mixed Uses within the Huntlee New Town site, but does not apply to any such land if the whole or any part of it is in a special contributions area (as defined by section 93C of the Act).
- (2) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land to which this clause applies to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.
- (3) Land to which this clause applies must not be subdivided if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the commencement of this Part, unless the Director-General has certified in writing that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.
- (4) Subclause (3) does not apply in relation to:
 - (a) any lot identified in the certificate as a residue lot, or
 - (b) any lot created by a previous subdivision of land in accordance with this clause, or

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 35)

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-
- (c) any lot that is proposed to be reserved or dedicated for public open space, public roads, public utilities, educational facilities, or any other public purpose, or
 - (d) a subdivision for the purpose only of rectifying an encroachment on any existing lot.
- (5) In this clause, *designated State public infrastructure* means public facilities or services that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds:
- (a) State and regional roads,
 - (b) bus interchanges, bus services and bus lanes,
 - (c) rail infrastructure and land,
 - (d) land required for regional open space,
 - (e) land required for social infrastructure and facilities (such as land for schools, hospitals, emergency services and justice purposes).

21 Public utility infrastructure

- (1) Development consent must not be granted for development on land within the Huntlee New Town site unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.
- (2) In this clause, *public utility infrastructure* includes infrastructure for any of the following:
 - (a) the supply of water,
 - (b) the supply of electricity,
 - (c) the supply of natural gas,
 - (d) the disposal and management of sewage.
- (3) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.

22 Infrastructure development and the use of existing buildings of the Crown

- (1) This Division does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be

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carried out without consent under *State Environmental Planning Policy (Infrastructure) 2007*.

- (2) This Division does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

23 Bush fire hazard reduction

Bush fire hazard reduction work authorised by the *Rural Fires Act 1997* may be carried out on any land without consent.

Note. The *Rural Fires Act 1997* also makes provision relating to the carrying out of development on bush fire prone land.

24 Exempt and complying development

Development within the Huntlee New Town site that satisfies the requirements for exempt development or complying development specified in *State Environmental Planning Policy No 60—Exempt and Complying Development*, is exempt development or complying development, as appropriate.

25 Relevant acquisition authority

- (1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the *Land Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions)*.

Note. If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the *Land Acquisition (Just Terms Compensation) Act 1991* requires the authority to acquire the land.

- (2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown coloured yellow on the Land Reservation Acquisition Map (or, if an authority of the State is not specified in relation to land required to be so acquired, the authority designated or determined under those provisions).

Type of land shown on Land Reservation Acquisition Map	Authority of the State
Zone E1 National Parks and Nature Reserves	Minister administering the <i>National Parks and Wildlife Act 1974</i>

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- (3) Development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.

Note. If land, other than land specified in the Table to subclause (2), is required to be acquired under the owner-initiated acquisition provisions, the Minister for Planning is required to take action to enable the designation of the acquiring authority under this clause. Pending the designation of the acquiring authority for that land, the acquiring authority is to be the authority determined by order of the Minister for Planning (see section 21 of the *Land Acquisition (Just Terms Compensation) Act 1991*).

26 Suspension of covenants, agreements and instruments

- (1) For the purpose of enabling development on land in the Huntlee New Town site to be carried out in accordance with this Policy or with a development consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.
- (2) This clause does not apply:
- (a) to a covenant imposed by Cessnock City Council or Singleton Shire Council or that either of those councils requires to be imposed, or
 - (b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or
 - (c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
 - (d) to any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or
 - (e) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or
 - (f) to any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Pursuant to section 28 of the Act, before the making of this clause, the Governor approved of subclauses (1)–(3).



New South Wales

Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 10)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (D07/00009/PC)

KRISTINA KENEALLY, M.P.,
Minister for Planning

Clause 1 Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 10)

Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 10)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 10)*.

2 Aims of plan

This plan aims to amend *Dubbo Local Environmental Plan 1998—Urban Areas*:

- (a) to permit, with development consent, additional uses on certain land for the purpose of a neighbourhood shopping complex, and
- (b) to remove a prohibition on the granting of development consent for the subdivision of certain land, and
- (c) to make various zoning and mapping amendments, and
- (d) to require satisfactory arrangements to be made for the provision of designated State public infrastructure and public utility infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from intensive development for urban purposes on that land, and
- (e) to reclassify certain land from community land to operational land within the meaning of the *Local Government Act 1993*.

3 Land to which plan applies

- (1) In respect of the aim set out in clause 2 (a), this plan applies to land that was formerly part of Lot 11, DP 830646, as shown within Zone 3 (c) Neighbourhood Business Zone on Sheet 2 of the map marked “Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 10)” deposited in the office of Dubbo City Council.
- (2) In respect of the aim set out in clause 2 (b), this plan applies to so much of Lot 35, DP 1110685 and Lot 47, DP 1127215, as is shown within Zone 2 (c) Residential Fringe Zone on Sheet 3 of that map.

Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 10) Clause 4

- (3) In respect of the aim set out in clause 2 (c), this plan applies to:
- (a) Lots 1 and 2, DP 1122492, Minore Road, Dubbo, as shown edged heavy black on Sheet 1 of that map, and
 - (b) Lot 1624, DP 1129689 and Lots 6271 and 6272, DP 1131486, Minore Road, Dubbo, as shown edged heavy black on Sheet 2 of that map, and
 - (c) Part Lot 35 and Lot 36, DP 1110685 and Lot 47, DP 1127215, Wheelers Lane, Boundary Road and Hennessy Drive, Dubbo, as shown edged heavy black on Sheet 3 of that map.
- (4) In respect of the aim set out in clause 2 (d), this plan applies to land to which *Dubbo Local Environmental Plan 1998—Urban Areas* applies that is within an urban release area.
- (5) In respect of the aim set out in clause 2 (e), this plan applies to Lots 6271 and 6272, DP 1131486, corner of Baird Drive and Minore Road, Dubbo, as shown edged heavy black on Sheet 5 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 10)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 37 Subdivision of land within Zone 2 (c)

Insert after clause 37 (2):

- (3) Despite subclause (1), the consent authority may grant consent to the subdivision of the land comprising so much of Lot 35, DP 1110685 and Lot 47, DP 1127215 as is within Zone 2 (c) so as to create lots of less than 6,000 square metres, but only where each lot to be created (that is intended to have a dwelling situated on it):
 - (a) has an area of not less than 2,000 square metres, and
 - (b) will be kerbed and guttered.

[2] Part 6

Insert after Part 5:

Part 6 Urban release areas

74 Aims of Part

The objective of this Part is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.

75 Definitions

In this Part:

designated State public infrastructure means public facilities or services that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds:

- (a) State and regional roads,
- (b) bus interchanges and bus lanes,
- (c) rail infrastructure and land,
- (d) land required for regional open space,
- (e) land required for social infrastructure and facilities (such as land for schools, hospitals, emergency services and justice purposes).

Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 10)

Amendments

Schedule 1

public utility infrastructure includes infrastructure for any of the following purposes:

- (a) the supply of water,
- (b) the supply of electricity,
- (c) the disposal and management of sewage.

urban release area means the land shown edged heavy black and hatched on the following maps or specified sheets of maps:

Dubbo Local Environmental Plan 1998—Urban Areas
(Amendment No 10)—Sheet 4

76 Relationship between Part and remainder of plan

A provision of this Part prevails over any other provision of this plan to the extent of any inconsistency.

77 Application of Part

This Part applies to land in an urban release area, but does not apply to any such land if the whole or any part of it is in a special contributions area (as defined by section 93C of the Act).

78 Arrangements for designated State public infrastructure

- (1) Development consent must not be granted for the subdivision of land in an urban release area unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.
- (2) Subclause (1) does not apply to:
 - (a) any lot identified in the certificate as a residue lot, or
 - (b) any lot that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utilities, educational facilities, or any other public purpose, or
 - (c) a subdivision for the purpose only of rectifying an encroachment on any existing allotment.
- (3) *State Environmental Planning Policy No 1—Development Standards* does not apply to development for the purposes of subdivision on land to which this clause applies.

79 Public utility infrastructure

- (1) Development consent must not be granted for development on land in an urban release area unless the consent authority is satisfied that any public utility infrastructure that is essential for

Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 10)

Schedule 1 Amendments

the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.

- (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure referred to in this clause.

[3] Schedule 1 Dictionary

Insert in appropriate order in the definition of *Zoning Map* in Part 2:

Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 10)—Sheets 1–3

[4] Schedule 3 Additional uses of land

Insert at the end of the Schedule:

That part of Lot 11, DP 830646, bounded by Baird Drive, Minore Road and Carnegie Avenue, Dubbo, that is within Zone 3 (c)—development for the purpose of a neighbourhood shopping complex where the maximum floor space does not exceed:

- (a) 5,500m² for the whole complex, and
- (b) 2,500m² for any supermarket situated within the complex, and
- (c) 3,000m² for development for purposes that are permitted with development consent in Zone 3 (c).

[5] Schedule 8 Classification and reclassification of public land as operational land

Insert in Part 1 under the heading “**Dubbo**” in Columns 1 and 2, respectively:

Corner of Baird Drive and Minore Road

Lots 6271 and 6272, DP 1131486, as shown edged heavy black on Sheet 5 of the map marked “Dubbo Local Environmental Plan 1998—Urban Areas (Amendment No 10)”.



New South Wales

Inverell Local Environmental Plan 1988 (Amendment No 12)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (T07/00004/PC)

KRISTINA KENEALLY, M.P.,
Minister for Planning

Clause 1 Inverell Local Environmental Plan 1988 (Amendment No 12)

Inverell Local Environmental Plan 1988 (Amendment No 12)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Inverell Local Environmental Plan 1988 (Amendment No 12)*.

2 Aims of plan

This plan aims:

- (a) to rezone part of the land to which this plan applies to Zone No 6 (a) (Open Space Zone) under *Inverell Local Environmental Plan 1988*, and
- (b) to rezone part of the land to which this plan applies to Zone No 3 (Business Zone) under *Inverell Local Environmental Plan 1988*, and
- (c) to reclassify part of 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

- (1) This plan applies to certain land in Inverell, bordered by Captain Cook Drive, Vivian Street, Gunson Way and Campbell Street, known as the Pasterfields car park as shown edged heavy black on the map marked "Inverell Local Environmental Plan 1988 (Amendment No 12)" deposited in the office of Inverell Shire Council.
- (2) To the extent that this plan rezones land to Zone No 6 (a) (Open Space Zone), this plan applies to part Lot 1 and part Lot 2, DP 827943, part Lot 2, DP 322888, part Lot 1, DP 322999, part Lot 1 and part Lot 2, DP 1096881, part Lot 5, DP 57166, part Lot 1, DP 226595, part Lot 2, DP 531221 and part Lot 6, Section 1, DP 758536 being part of the pavement of Captain Cook Drive, Inverell known as the Pasterfields car park, Inverell (being Council-owned land).
- (3) To the extent that this plan rezones land to Zone No 3 (Business Zone), this plan applies to part Lot 1 and part Lot 2, DP 827943, part Lot 1, DP 322999, part Lot 1 and part Lot 2, DP 1096881, part Lot 5,

Inverell Local Environmental Plan 1988 (Amendment No 12)

Clause 4

DP 57166, part Lot 2, DP 531221, part Lot 6, Section 1, DP 758536, Lots 1–3, DP 152786 and part of Gunson Way (Corner Vivian Street) known as the Pasterfields car park, Inverell (being Council-owned land).

- (4) To the extent that this plan reclassifies land to operational land, this plan applies to Lot 1 and part Lot 2, DP 827943, part Lot 1, DP 322999, part Lot 1 and part Lot 2, DP 1096881, part Lot 5, DP 57166, part Lot 1, DP 226595, part Lot 2, DP 531221, part Lot 6, Section 1, DP 758536, Lots 1–3, DP 152786 and part of Gunson Way (Corner Vivian Street) known as the Pasterfields car park, Inverell (being Council-owned land).

4 Amendment of Inverell Local Environmental Plan 1988

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

Inverell Local Environmental Plan 1988 (Amendment No 12)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Interpretation

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

Inverell Local Environmental Plan 1988 (Amendment No 12)

[2] Schedule 2 Classification and reclassification of public land

Insert after “Lot 1 DP 226595” in Columns 1 and 2 respectively, under the heading “Captain Cook Drive”:

Lot 1 and part Lot 2, DP 827943, part Lot 2, DP 322888, part Lot 1, DP 322999, part Lot 1 and part Lot 2, DP 1096881, part Lot 5, DP 57166, part Lot 1, DP 226595, part Lot 2, DP 531221, part Lot 6, Section 1, DP 758536 and Lots 1–3, DP 152786 known as the Pasterfields car park, Inverell as shown edged heavy black on the map marked “Inverell Local Environmental Plan 1988 (Amendment No 12)” deposited in the office of Inverell Shire Council.	Operational
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New South Wales

Lismore Local Environmental Plan 2000 (Amendment No 27)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (GRA6323445/PC)

KRISTINA KENEALLY, M.P.,
Minister for Planning

Clause 1 Lismore Local Environmental Plan 2000 (Amendment No 27)

Lismore Local Environmental Plan 2000 (Amendment No 27)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Lismore Local Environmental Plan 2000 (Amendment No 27)*.

2 Aims of plan

This plan aims to permit, with the consent of Lismore City Council, the carrying out of rural residential development on the land to which this plan applies, having regard to the *Lismore Rural Housing Strategy 2002*.

3 Land to which plan applies

This plan applies to Lot 3, DP 747275 (and road reserves), 96 Breckenridge Street, Wyrallah.

4 Amendment of Lismore Local Environmental Plan 2000

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

Lismore Local Environmental Plan 2000 (Amendment No 27)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Schedule 4 Additional development on certain land

Insert at the end of the Schedule in Columns 1, 2 and 3, respectively:

Lot 3, DP 747275 (and
road reserves),
96 Breckenridge Street,
Wyrallah

Rural residential
subdivision to create
12 rural residential lots

Consent must not be
granted to the development
unless the application is
made within 3 years after
the commencement of
*Lismore Local
Environmental Plan 2000
(Amendment No 27)*.



New South Wales

Moree Plains Local Environmental Plan 1995 (Amendment No 17)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (T07/00011/PC)

KRISTINA KENEALLY, M.P.,
Minister for Planning

Clause 1 Moree Plains Local Environmental Plan 1995 (Amendment No 17)

Moree Plains Local Environmental Plan 1995 (Amendment No 17)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Moree Plains Local Environmental Plan 1995 (Amendment No 17)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from Zone No 6 (a) (Public Open Space) to Zone No 3 (Business) under *Moree Plains Local Environmental Plan 1995* to facilitate the development of a discount department store on the land.

3 Land to which plan applies

This plan applies to part of the land known as Taylor Oval, Albert Street, Moree, as shown edged heavy black and lettered "3" on the map marked "Moree Plains Local Environmental Plan 1995 (Amendment No 17)" deposited in the office of Moree Plains Shire Council.

4 Amendment of Moree Plains Local Environmental Plan 1995

Moree Plains Local Environmental Plan 1995 is amended by inserting in appropriate order in the definition of *the map* in clause 5 (1) the following words:

Moree Plains Local Environmental Plan 1995
(Amendment No 17)



New South Wales

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P07/00379/PC)

KRISTINA KENEALLY, M.P.,
Minister for Planning

Clause 1 Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)*.

2 Aims of plan

The aims of this plan are to amend *Sutherland Shire Local Environmental Plan 2006 (the Principal plan)* as follows:

- (a) to add high technology medical industry involving biological, pharmaceutical, medical or paramedical systems, goods or components to the list of development permissible with consent in Zone 4—Local Housing (but only on land identified on the map) to enhance and facilitate the creation of a medical cluster around the Sutherland Hospital,
- (b) to add a number of objectives to be achieved by development in Zone 7—Mixed Use—Kirrawee, relating to sustainability, integration and compatibility with existing development, and to amend the objective encouraging industrial uses to specify only light industries,
- (c) to amend the range of permissible uses in Zone 7—Mixed Use—Kirrawee to reflect the changed objectives,
- (d) to remove the extended family unit as a permissible use under the plan as such a use is included in the dual occupancy permissible use,
- (e) to amend the exempt or complying development provisions to achieve greater consistency with the *Standard Instrument—Principal Local Environmental Plan*, including amending various land requirements and other standards so that they apply only to the relevant types of development,
- (f) to make minor changes to the descriptions of specified development on specified land that are exceptions to the Zoning Table,

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- (g) to extend the responsibility of developers for restoration of waterfront land to also include any adjoining land that is occupied under a lease or licence,
 - (h) to clarify that the height of a building is to be measured vertically,
 - (i) to amend the building density provisions to allow residential flat buildings at the density (floor space ratio) specified on the Height and Density Controls Map,
 - (j) to amend the minimum landscaped area requirements for development in certain zones and for certain types of residential and industrial (employment) development to ensure an appropriate landscaped area and the viability of development,
 - (k) to provide a savings clause for development for the purpose of dwelling houses on small lots approved by the Council, but not registered, before the commencement of the Principal plan,
 - (l) to amend various development standards for certain development that is listed in Schedule 2 to the Principal plan as exempt development and in Schedule 3 to the Principal plan as complying development and to add a number of conditions that are to apply to the carrying out of complying development,
 - (m) to amend various descriptions of heritage items listed in Schedule 6 to the Principal plan and to make an amendment to the Heritage Map in the Principal plan, as shown on the map marked "Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)—Heritage Items",
 - (n) to amend the interpretation provisions,
 - (o) to rezone part of the land to which this plan applies, being:
 - (i) Lot 101, DP 1112692, 40 Rosebery Street, Heathcote, from Zone 12—Special Uses to Zone 3—Environmental Housing (Bushland) under the Principal plan, and
 - (ii) Lot 112, DP 1123035, Shiprock Road, Lilli Pilli from Zone 1—Environmental Housing (Environmentally Sensitive Land) to Zone 13—Public Open Space under the Principal plan, and
 - (iii) the lane from Belmont Street, Sutherland, between 686 Old Princes Highway and 31 Belmont Street, from Zone 23—Road to Zone 8—Urban Centre under the Principal plan.

3 Land to which plan applies

- (1) In respect of the aims referred to in clause 2 (a)–(l) and (n), this plan applies to the land to which *Sutherland Shire Local Environmental Plan 2006* applies.

Clause 4 Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

- (2) In respect of the aim referred to in clause 2 (m), this plan applies to land that comprises, or on which there is, a heritage item, as shown on the map marked “Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)—Heritage Items” deposited in the office of Sutherland Shire Council.
- (3) In respect of the aim referred to in clause 2 (o), this plan applies to Lot 101, DP 1112692, 40 Rosebery Street, Heathcote, Lot 112, DP 1123035, Shiprock Road, Lilli Pilli and the lane from Belmont Street, Sutherland, between 686 Old Princes Highway and 31 Belmont Street, Sutherland.

4 Amendment of Sutherland Shire Local Environmental Plan 2006

Sutherland Shire Local Environmental Plan 2006 is amended as set out in Schedule 1.

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 11 Zoning Table

Omit “extended family units,” from item 3 (Development allowed only with consent) of the matter relating to Zone 1—Environmental Housing (Environmentally Sensitive Land), Zone 2—Environmental Housing (Scenic Quality), Zone 3—Environmental Housing (Bushland), Zone 4—Local Housing and Zone 5—Multiple Dwelling A in the Table to clause 11.

[2] Clause 11, Table

Insert “high technology medical industries (but only on land identified on the map for such a purpose),” in alphabetical order in item 3 (Development allowed only with consent) of the matter relating to Zone 4—Local Housing.

[3] Clause 11, Table

Omit “encourage industrial uses” from objective (e) in item 1 (Objectives of zone) of the matter relating to Zone 7—Mixed Use—Kirrawee.

Insert instead “permit light industrial uses”.

[4] Clause 11, Table

Insert after objective (j) in item 1 (Objectives of zone) of the matter relating to Zone 7—Mixed Use—Kirrawee:

- (k) to ensure any expansion of retail activity within the zone maintains the role and function of Kirrawee Town Centre and does not adversely impact on the sustainability of other centres in the Sutherland Shire,
- (l) to ensure any new shops integrate with and support the existing Kirrawee Town Centre,
- (m) to ensure development is compatible with, and does not adversely impact on, the amenity of the surrounding residential area, particularly in terms of air pollutants, noise emissions and visual effects.

[5] Clause 11, Table

Omit “convenience stores,” from item 3 (Development allowed only with consent) of the matter relating to Zone 7—Mixed Use—Kirrawee.

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Schedule 1 Amendments

[6] Clause 11, Table

Insert “light industries,” and “vehicle and mechanical repair premises,” in alphabetical order in item 3 (Development allowed only with consent) of the matter relating to Zone 7—Mixed Use—Kirrawee.

[7] Clauses 12 and 13

Omit the clauses. Insert instead:

12 Exempt development

Note. Under section 76 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act.

The section states that exempt development:

- (a) must be of minimal environmental impact, and
 - (b) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), and
 - (c) cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).
- (1) The objective of this clause is to identify development of minimal environmental impact as exempt development.
 - (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.
 - (3) Without limiting subclause (2), a standard specified in Schedule 2 may specify that development must not be carried out on land specified in relation to that development, or may be carried out on such land only if the development complies with the specified standards.

Note. The land that may be specified in relation to development includes **acid sulfate soils land, bush fire interface property, bush fire prone land, contaminated risk land, flood liable risk land, foreshore land** and **heritage item land**. These terms are defined in the Dictionary.

- (4) To be exempt development, the development:
 - (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and
 - (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
 - (c) must not be designated development, and
 - (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Amendments

Schedule 1

under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.

- (5) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2–9 is exempt development only if:
- (a) the building has a current fire safety certificate or fire safety statement, or
 - (b) no fire safety measures are currently implemented, required or proposed for the building.

Note. Exempt development must be carried out on land in a zone in relation to which clause 11 provides that exempt development may be carried out.

13 Complying development

Note. Under section 76A of the Act, development consent for the carrying out of complying development may be obtained by the issue of a complying development certificate.

The section states that development cannot be complying development if:

- (a) it is on land that is critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), or
 - (b) it is on land within a wilderness area (identified under the *Wilderness Act 1987*), or
 - (c) the development is designated development, or
 - (d) the development is on land that comprises, or on which there is, an item of environmental heritage (that is listed on the State Heritage Register or in Schedule 5 to this Plan or that is subject to an interim heritage order under the *Heritage Act 1977*), or
 - (e) the development requires concurrence (except a concurrence of the Director-General of the Department of Environment and Climate Change in respect of development that is likely to significantly affect a threatened species, population, or ecological community, or its habitat (identified under the *Threatened Species Conservation Act 1995*)), or
 - (f) the development is on land identified as an environmentally sensitive area.
- (1) The objective of this clause is to identify development as complying development.
 - (2) Development specified in Parts 1 and 2 of Schedule 3 that is carried out in compliance with:
 - (a) the development standards and other requirements specified in relation to that development, and

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- (b) the requirements of this Part, is complying development.
- (3) Without limiting subclause (2), a standard specified in Schedule 3 may specify that development must not be carried out on land specified in relation to that development, or may be carried out on such land only if the development complies with the specified standards.
- Note.** The land that may be specified in relation to development includes **acid sulfate soils land, bush fire interface property, bush fire prone land, contaminated risk land, flood liable risk land, foreshore land** and **heritage item land**. These terms are defined in the Dictionary.
- (4) To be complying development, the development must:
- (a) be permissible, with consent, in the zone in which it is carried out, and
 - (b) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and
 - (c) have an approval, if required by the *Local Government Act 1993*, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land.
- (5) To be complying development, the development specified in Part 1 of Schedule 3 must be carried out on land in any of the following zones:
- (a) Zone 1—Environmental Housing (Environmentally Sensitive Land),
 - (b) Zone 2—Environmental Housing (Scenic Quality),
 - (c) Zone 3—Environmental Housing (Bushland),
 - (d) Zone 4—Local Housing,
 - (e) Zone 12—Special Uses,
 - (f) Zone 13—Public Open Space (if it is land held by a public authority),
 - (g) Zone 15—Private Recreation.
- (6) To be complying development, the development specified in Part 2 of Schedule 3 must be carried out on land in any of the following zones:
- (a) Zone 5—Multiple Dwelling A,
 - (b) Zone 6—Multiple Dwelling B,
 - (c) Zone 8—Urban Centre,
 - (d) Zone 9—Local Centre,

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- (e) Zone 10—Neighbourhood Centre,
 - (f) Zone 11—Employment,
 - (g) Zone 21—Railway.
- (7) A complying development certificate for development specified in Part 1 or 2 of Schedule 3 is subject to the conditions set out in Part 3 of that Schedule.
- Note.** Complying development must not contravene any existing development consent applying to the land.

13A Environmentally sensitive areas excluded

- (1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development.
- (2) For the purposes of this clause:
environmentally sensitive area for exempt or complying development means any of the following:
 - (a) the coastal waters of the State,
 - (b) a coastal lake,
 - (c) land to which *State Environmental Planning Policy No 14—Coastal Wetlands* or *State Environmental Planning Policy No 26—Littoral Rainforests* applies,
 - (d) land reserved as an aquatic reserve under the *Fisheries Management Act 1994* or as a marine park under the *Marine Parks Act 1997*,
 - (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention,
 - (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies,
 - (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,
 - (h) land reserved as a state conservation area under the *National Parks and Wildlife Act 1974*,
 - (i) land reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna, geological formations or for other environmental protection purposes,

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- (j) land identified as being critical habitat under the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994*.

13B Standards for exempt and complying development

Without limiting the standards which must be met under clause 12 (2) or 13 (2), the requirements of a standard set out as follows applies to development if the standard is specified in relation to that development in Schedules 2 or 3:

- (a) access standard—the development must not restrict any vehicular or pedestrian access to or from the site,
- (b) car spaces standard—the development must not reduce the number of car spaces on the site of the development,
- (c) excavation standard—the depth of any excavation must not be more than 600 millimetres below the existing ground level, unless otherwise permitted under Schedule 2 or Schedule 3,
- (d) floor space standard—the development must not result in a greater gross floor area or floor space ratio than is provided for in clause 35,
- (e) installation standard—all installation relating to the development must meet the specifications of the manufacturer,
- (f) landscaped area standard—the development must not result in a lesser landscaped area than is provided for in clause 36,
- (g) sewer mains standard—the development must not be located within 1 metre of an easement or within the zone of influence of a sewer main, unless the development complies with any standards set by the public authority having the benefit of the easement or occupation,
- (h) storm water standard—the development must not result in the redirection of surface storm water or run-off onto adjoining land, and storm water from the development must be discharged:
 - (i) by gravity feed to a road gutter, or
 - (ii) to an existing drainage structure within a lawful easement, or
 - (iii) to an on-site drainage management system,
- (i) tree removal and pruning standard—the development must not result in the removal, pruning, lopping or damage of

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trees which would require the consent or permission of the Council under this plan, unless that permit or consent has been obtained.

[8] Clause 14 Exceptions to Zoning Table—specified development on specified land

Omit the matter relating to 50 Pacific Crescent, Maianbar, 220–234 The Boulevard, 1–3 Kiora Road and 1–5 Kumbardang Avenue, Miranda and 34 Shell Road, Burraneer, comprising permissive occupancy 1966/196 under the *Crown Lands (Continued Tenures) Act 1989* from the Table to clause 14 (1).

Insert instead in Columns 1, 2 and 3 respectively:

50 Pacific Crescent, Maianbar	General store and residential flat building with no more than 3 dwellings	
1–3 Kiora Road, Miranda	Motor showroom with an area set aside exclusively for customer parking	The development must not involve the provision of pedestrian or vehicular access to or from Kumbardang Avenue. There are to be deceleration lanes to all entry points from The Boulevard.
34 Shell Road, Burraneer, comprising permissive occupancy 1966/196 under the <i>Crown Lands (Continued Tenures) Act 1989</i>	Recreation facility, being a sailing club	

[9] Clause 14 (7)

Insert after clause 14 (6):

(7) Townhouse development—2 Corea Street, Sylvania

Despite clause 11, development for the purpose of townhouses may be carried out with consent on land at 2 Corea Street, Sylvania, being Lots 1 and 2, DP 872780, if:

- (a) each townhouse has open space for the exclusive use of the occupants of the dwelling (whether or not the open space is at finished ground level), and

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(b) the consent relates to development application DA08/0915.

[10] Clause 18 Development in or adjacent to waterways

Insert “or on adjacent land that person occupies under a lease or a licence,” after “development,” wherever occurring in clause 18 (3) (a) (i) and (b) (i).

[11] Clause 24 Environmental risk—nuclear research reactor at Lucas Heights Science and Technology Centre

Omit clause 24 (1). Insert instead:

- (1) This clause applies to land shown on the map marked “Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)—Clause 24—Environmental Risk—Nuclear research reactor at Lucas Heights Science and Technology Centre” as being within a 1.6 kilometre radius of the nuclear research reactor at Lucas Heights Science and Technology Centre.

[12] Clauses 33 and 34

Insert “vertically” after “measured” wherever occurring.

[13] Clause 35 Building density

Omit “, dwelling house or extended family unit” from clause 35 (8) (a).

Insert instead “or dwelling house”.

[14] Clause 35 (9) (b) (ii)

Insert at the end of the subparagraph:

or

- (iii) if a floor space ratio is specified on the Height and Density Controls Map in relation to the site concerned—the floor space ratio specified on that map,

[15] Clause 35 (12) (b)

Omit “1.1”. Insert instead “1:1”.

[16] Clause 36 Landscaped Area

Omit clause 36 (1) (e).

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[17] Clause 36 (2) (c)

Insert after clause 36 (2) (b):

- (c) 40 square metres of the area of any lot on which there is, or is intended to be as part of the proposed development, a swimming pool that is ancillary to a dwelling house.

[18] Clause 36 (5)–(9)

Omit the subclauses. Insert instead:

- (5) The minimum landscaped area of the site of any development is the following percentage of the area of the site specified below for that development:
 - (a) development for the purpose a building (other than a villa house or townhouse) on any land in Zone 4—Local Housing or Zone 5—Multiple Dwelling A—45 per cent,
 - (b) development for the purpose of a townhouse on any land in Zone 4—Local Housing—40 per cent,
 - (c) development for the purpose of a villa house on any land in Zone 4—Local Housing—30 per cent,
 - (d) development for the purpose of a townhouse on any land in Zone 5—Multiple Dwelling A—35 per cent,
 - (e) development for the purpose of a villa house on any land in Zone 5—Multiple Dwelling A or Zone 6—Multiple Dwelling B—20 per cent,
 - (f) development for the purpose of a building (other than a villa house, townhouse or residential flat building) on any land in Zone 6—Multiple Dwelling B—60 per cent,
 - (g) development for the purpose of a townhouse on any land in Zone 6—Multiple Dwelling B—35 per cent,
 - (h) development for the purpose of a residential flat building on any land in Zone 6—Multiple Dwelling B—40 per cent,
 - (i) development for the purpose of a building on any land in Zone 11—Employment—10 per cent.
- (6) The minimum landscaped area of a site for development for the purposes of a combined villa and townhouse development is determined by applying, on a pro rata basis, the minimum percentage set out in subclause (5) for each type of dwelling in the relevant zone.

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[19] Clause 39 Minimum size of lot for dwelling houses

Insert after clause 39 (2):

- (3) Despite subclause (1), this clause does not apply to the erection of a dwelling house on a lot of land if development consent for the subdivision of land to create that lot was granted before the date of commencement of this plan.

[20] Clause 40

Omit the clause. Insert instead:

40 Dual occupancies—internal lots and lot sizes

- (1) This clause applies to land in Zone 1—Environmental Housing (Environmentally Sensitive Land), Zone 2—Environmental Housing (Scenic Quality), Zone 3—Environmental Housing (Bushland), Zone 4—Local Housing or Zone 5—Multiple Dwelling A.
- (2) Despite any other provision of this plan, the following are prohibited on land to which this clause applies:
 - (a) the subdivision of land for the purpose of a dual occupancy, whether attached or detached, if the lot on which the dual occupancy is proposed is an internal lot,
 - (b) the subdivision of land to create a separate lot for each dwelling that currently comprises a dual occupancy, if any of the resulting lots would be an internal lot,
 - (c) the erection of a dual occupancy, or the erection of a second dwelling, whether attached or detached, to create a dual occupancy on an internal lot, other than if one of the dwellings comprising the dual occupancy has a gross floor area not exceeding 65 square metres.
- (3) Despite any other provision of this plan, the subdivision of land to create a separate lot for each dwelling that currently comprises a dual occupancy is prohibited if the land is in Zone 1—Environmental Housing (Environmentally Sensitive Land) or Zone 2—(Environmental Housing (Scenic Quality)).
- (4) Despite any other provision of this plan, the subdivision of land to create a separate lot for each dwelling that currently comprises a dual occupancy is prohibited if the lot to be subdivided has an area less than 800 square metres or a minimum width less than 18 metres and is located within one of the following:
 - (a) Zone 3—Environmental Housing (Bushland),
 - (b) Zone 4—Local Housing,

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(c) Zone 5—Multiple Dwelling A.

- (5) Subclause (4) does not apply to a subdivision to create a lot within the meaning of the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*.
- (6) Despite any other provision of this plan, the subdivision of land to create a separate lot for each dwelling that currently comprises a dual occupancy is prohibited if one of the dwellings has a gross floor area that does not exceed 65 square metres.
- (7) Despite any other provision of this plan, the erection of a dual occupancy or the erection of a second dwelling to create a dual occupancy is prohibited on a lot that is less than 600 square metres.

Note. The term *dual occupancy* is defined in the Dictionary to mean 2 dwellings (whether attached or detached) on 1 lot of land. If that lot is subdivided, the dwellings cease to be a dual occupancy.

[21] Clause 43 Extended family units—maximum floor space

Omit the clause.

[22] Clause 57 Removal of certain vegetation permissible without consent

Omit the matters relating to “Conifer”, “Large leaf privet”, “Small leaf privet” and “Golden robinia” from the Table to the clause under the heading “**Trees**”.

[23] Clause 57, Table

Insert in alphabetical order under the heading “**Trees**” in the columns headed “**Botanical name**” and “**Common name**”, respectively:

<i>Acacia podalyriifolia</i>	Queensland Silver Wattle
<i>Arundinaria</i> spp	Clumping Bamboo
<i>Citrus</i> spp	Cumquat, Grape Fruit, Lemon, Lime, Mandarin, Orange (edible species)
<i>Chamaecyparis pisifera</i> spp	Conifer
<i>Cupressus arizonica</i>	Arizona Cypress
<i>Cupressus macrocarpa</i> var <i>brunniana</i>	Brunnings Golden Cypress
<i>Cupressus sempervirens</i>	Pencil Pine or Italian Cypress
<i>X Cuprocypris leylandii</i>	
<i>Eriobotrya japonica</i>	Loquat
<i>Hakea salicifolia</i>	Willow Leaved Hakea

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<i>Morus nigra</i>	Black Mulberry
<i>Olea europaea subsp cuspidata</i>	African Olive
<i>Phoenix canariensis</i>	Canary Island Date Palm
<i>Phyllostachys aurea</i>	Fishpole Bamboo
<i>Phyllostachys nigra</i>	Black Bamboo
<i>Pinus radiata</i>	Radiata Pine or Monterey Pine
<i>Prunus</i> spp	Apricot, Cherry, Nectarine, Peach, Plum
<i>Pomme</i> spp	Apple, Crab Apple, Nashi Fruit, Pear, Quince (edible species)
<i>Robinia pseudoacacia</i>	Black Locust
<i>Syagrus romanzoffiana</i>	Cocos Palm

[24] Clause 57, Table

Omit the matter relating to “*Cotoneaster* spp” from under the heading “**Weeds**”.

Insert instead under the columns headed “**Botanical name**” and “**Common name**”, respectively:

<i>Cotoneaster franchetii</i>	Grey Leaf or Franchet Cotoneaster
<i>Cotoneaster glaucophyllus</i>	Large Leaf Cotoneaster
<i>Cotoneaster lacteus</i>	Milkflower Cotoneaster
<i>Cotoneaster pannosus</i>	Silver Leaf Cotoneaster

[25] Clause 57, Table

Insert in alphabetical order under the heading “**Noxious Weeds**” in the columns headed “**Botanical name**” and “**Common name**”, respectively:

<i>Acacia nilotica</i>	Prickly Acacia
<i>Cylindropuntia</i> spp	Tree Cholla
<i>Mimosa pigra</i>	Mimosa
<i>Salix alba</i>	White Willow
<i>Salix discolor</i>	Pussy Willow
<i>Salix humboldtii</i>	Humboldt Willow
<i>Salix matsudana “Tortuosa”</i>	Corkscrew Willow

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Tamarix aphylla

Athel Tree

[26] Clause 58

Insert after clause 57:

58 Savings and transitional provision

A development application made, but not finally determined, before the commencement of *Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)* is to be determined as if the plan had been exhibited but had not been made.

[27] Schedule 2 Exempt Development

Omit the Schedule. Insert instead:

Schedule 2 Exempt Development

(Clause 12)

Note. Clauses 12, 13A and 13B contain further requirements for exempt development.

Column 1	Column 2
Type of development	Development standards
Access ramps for the disabled	<p>Height must not exceed 1m above ground level.</p> <p>Must not have a grade greater than 1:14.</p> <p>Must be set back at least 1.5m from boundaries of the relevant land.</p> <p>Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.</p> <p>Must not be carried out on contaminated risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.</p>

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Column 1	Column 2
Type of development	Development standards
<p>Advertisements and advertising structures</p> <p>General standards</p>	<p>Must not flash or be displayed on, or erected above, the parapet or eaves of a building.</p> <p>Must not cover mechanical ventilation inlets or outlets.</p> <p>Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.</p> <p>Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.</p> <p>Must not be carried out on contaminated risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.</p>
<p>A-frame advertising boards and structures</p> <p>Applies to boards or structures advertising goods, located outside a shop or business premises on land in Zone 8—Urban Centre, Zone 9—Local Centre and Zone 10—Neighbourhood Centre.</p>	<p>Must meet the standards required under Sutherland Shire Council Environmental Specification—Advertising.</p>
<p>Advertisements on bus shelters and seats</p>	<p>Must meet the standards required under Sutherland Shire Council Environmental Specification—Advertising.</p>
<p>Advertisements on industrial premises</p>	<p>Must be no more than 1 advertisement installed on the premises and it must relate to the use of the premises. However, where a site comprises a multiple use occupancy premises, a single freestanding directory board may be erected.</p> <p>Must not exceed 5m² in area.</p>

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Column 1	Column 2
Type of development	Development standards
	<p>Must not be located more than 4.5m above ground level or project above the parapet of the building or the eaves line if the building has a pitched roof, whichever is the lesser.</p> <p>Must be fixed flush to the front elevation of a building on the premises except where the advertisement is a freestanding directory board for a multiple occupancy premises.</p> <p>A freestanding directory board must not result in the removal of landscaping.</p>
<p>Advertisements on roll down blinds and awnings</p> <p>Applies to roll down blinds and awnings attached to premises on land in Zone 8—Urban Centre, Zone 9—Local Centre and Zone 10—Neighbourhood Centre.</p>	<p>Advertisement must not cover more than 20% of the area of the blind or awning.</p> <p>Advertisement must relate to the use of premises on which it is installed.</p>
<p>Awning fascia advertisements</p>	<p>Must relate to the use of the premises to which the advertisement is attached.</p>
<p>Banners and flags advertising special events</p> <p>Applies to banners and flags displayed on the land on which the special event is to be held.</p>	<p>Must be constructed of light weight, banner-type material.</p> <p>Must not be installed more than 21 days before, and must be removed no later than 2 days after, the special event.</p>
<p>Banners and flags used for promotional purposes</p> <p>Applies to banners and flags used for promotional purposes, other than those relating to special events.</p>	<p>Banner or flag used for promotional purposes (whether the same or a different banner or flag) must not be displayed on the land concerned:</p> <p>(a) for more than 14 consecutive days, or</p> <p>(b) on more than 4 occasions, or</p> <p>(c) for a total of more than 28 days, in any 12-month period.</p> <p>Must be removed no later than 2 days after the relevant promotion finishes.</p>

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Column 1	Column 2
Type of development	Development standards
Business identification signs and building identification signs	<p>Must have an area not greater than the following:</p> <ul style="list-style-type: none"> (a) in the case of a business identification sign that relates to a home occupation—0.5m², (b) in any other case—2.5m². <p>If located over a public road, must be located 2.6m or more above the road.</p> <p>Must not protrude more than 300mm from the wall of any building on which the sign is installed.</p> <p>Must be no more than 1 business identification sign relating to any home occupation carried out in the dwelling or ancillary building concerned.</p> <p>Business identification signs that relate to home occupations must be affixed:</p> <ul style="list-style-type: none"> (a) to the building concerned, and (b) no higher than 3m above ground or pavement level and below the eaves line of the building.
Community advertisements and notices	<p>In the case of a community advertisement or notice intended to be temporary (other than a beach, motor vehicle or boat advertisement or notice):</p> <ul style="list-style-type: none"> (a) must not be installed on the land concerned for more than 21 consecutive days, or for a total of more than 28 days, in any 12-month period, and (b) must not exceed 2.5m² in area, and (c) sponsorship details must take up no more than 30% of the advertisement or notice.

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Column 1	Column 2
Type of development	Development standards
	<p>In the case of a community advertisement or notice intended to be permanent (other than a beach, motor vehicle or boat advertisement or notice):</p> <ul style="list-style-type: none"> (a) must not exceed 3.5m in height from ground level and 5m² in area, and (b) sponsorship details must take up no more than 30% of the advertisement or notice, and (c) if the advertisement or notice relates to a building, it must be attached to the building. <p>In the case of a beach advertisement or notice:</p> <ul style="list-style-type: none"> (a) must be displayed only at entrances to beaches fronting Bate Bay and on surf lifesaving towers, and (b) sponsorship details must take up no more than 10% of the advertisement or notice. <p>In the case of a motor vehicle or boat advertisement or notice, the vehicle or boat must principally be used for the conveyance of goods or passengers.</p>
<p>Inflatable structures used for promotional purposes</p> <p>Applies to inflatable structures displayed on the land on which the promotion is to be held.</p>	<p>Inflatable structure (whether advertising the same or a different promotion) must not be displayed on the land concerned:</p> <ul style="list-style-type: none"> (a) for more than 14 consecutive days, or (b) on more than 4 occasions, or (c) for a total of more than 28 days, in any 12-month period. <p>Must be removed no later than 2 days after the relevant promotion finishes.</p>

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Column 1	Column 2
Type of development	Development standards
Real estate advertisements Applies to advertising that the premises are for sale or lease.	Must be displayed on the premises to which it relates. Must be no more than 1 real estate advertisement displayed on the premises. Must not exceed 2.5m ² in area. Must be removed no later than 14 days after the completion of the sale or the granting of the lease to which the advertisement relates.
Suspended under awning advertisements	Must be no more than 1 suspended under awning advertisement for each premises to which the advertisement relates. Must not exceed 1.5m ² in area. If located over a public road, must be located 2.6m or more above the road. Must relate to the use of premises on which the advertisement is installed.
Under awning shop front advertising on building facades	Must relate to the use of the building. Must be located below the awning level.
Aerials and satellite dishes	In the case of an aerial: <ul style="list-style-type: none"> (a) height must not exceed 3m above the roof ridge, and (b) must not have a surface area that is visible from outside the premises to which the aerial relates of greater than 0.3m², and (c) no more than 1 per residential building. In the case of a satellite dish: <ul style="list-style-type: none"> (a) must not be higher than the roof ridge, and (b) diameter of the dish must not exceed 750mm, and (c) must not be installed forward of the building line or on roof areas visible from any public road, and

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Column 1	Column 2
Type of development	Development standards
Air conditioning units	<p>(d) must not be visible from any public place, including roads, public open space, public recreation areas and waterways, and</p> <p>(e) the dish and any supporting structure must be finished in a non-reflective colour that blends in with the surrounding environment, and</p> <p>(f) no more than 1 per residential building.</p> <p>Must not be carried out on foreshore land or heritage item land.</p> <p>Must meet the standards for installation and tree removal and pruning.</p> <p>External air conditioning unit:</p> <p>(a) must be set back at least 500mm from any side or rear boundary, and</p> <p>(b) if ground mounted, must not be installed within the front building setback, and</p> <p>(c) must not be attached to the street front elevation of any building facing the street, and</p> <p>(d) must not be attached above the second storey on residential buildings unless located on a balcony where the unit is not clearly visible from street level, and</p> <p>(e) must not be mounted on the roof of premises that are not industrial premises.</p> <p>Must not include a cooling tower as part of the air conditioning system.</p> <p>Installation must not reduce the structural integrity of the building.</p> <p>Any opening created by the installation must be adequately weatherproofed.</p>

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Column 1	Column 2
Type of development	Development standards
<p>Awnings, canopies, security blinds, storm blinds and shutters Applies to retractable structures only.</p>	<p>Must be designed so as not to:</p> <ul style="list-style-type: none"> (a) emit noise exceeding an LAeq of 5 dB(A) above background noise level when measured at the property boundary, or (b) be audible in any residential room on adjoining property, or (c) emit any tonal, impulsive or intermittent sounds. <p>Must not be carried out on foreshore land. Must not be carried out on heritage item land, except if the fabric of the building is maintained and the air conditioning unit is not visible from a public place. Must meet the standards for sewer mains and tree removal and pruning.</p> <p>Must not be installed above the second storey of any building. Security blind or shutter must not be installed on the street front elevation of any buildings that are business premises or on shopfront awnings. Must not be carried out on bush fire prone land, except if constructed of non-combustible materials. Must not be carried out on foreshore land. Must not be carried out on heritage item land, except if the fabric of the building is maintained. Must meet the standards for tree removal and pruning.</p>
<p>Barbecues</p>	<p>Height must not exceed 2.7m above ground level. Must be set back from the front boundary of the relevant land behind:</p> <ul style="list-style-type: none"> (a) the building line of the relevant land, and (b) the alignment of any dwelling on any adjoining land.

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Column 1	Column 2
Type of development	Development standards
Bird aviaries and pet animal shelters	<p>Must be set back at least 500mm from side and rear boundaries of the relevant land, but may be installed closer to a side or rear boundary if a heat shield is incorporated in the barbecue or the barbecue adjoins a non-combustible fence.</p> <p>Must be located so that the risk of the spread of fire from the barbecue to any other structure is minimised.</p> <p>Must be located so that the barbecue does not cause a nuisance while being used.</p> <p>Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.</p> <p>Must not be carried out on contaminated risk land or foreshore land.</p> <p>Must not be carried out on heritage item land, except if the fabric of the building is maintained and the barbecue is not visible from a public place.</p> <p>Must meet the standards for excavation, sewer mains, storm water and tree removal and pruning.</p> <p>Must not occupy an area greater than 10m².</p> <p>Height must not exceed 2.7m above ground level.</p> <p>Must be located in the rear or side yards.</p> <p>Must be set back at least 500mm from all boundaries of the relevant land.</p> <p>Must be no more than 1 bird aviary per property.</p> <p>Must be no more than 20 fowls and no more than 5 of any other poultry.</p> <p>Must not be located within 4.5m of a dwelling, public hall or school, or premises used for the manufacture, preparation, sale or storage of food.</p>

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Schedule 1 Amendments

Column 1	Column 2
Type of development	Development standards
Building alterations (external)	<p>Must not be carried out on acid sulfate soils land if part of a development that requires development consent under clause 23.</p> <p>Must not be carried out on contaminated risk land or foreshore land.</p> <p>Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.</p> <p>Must not be carried out on heritage item land, except if the fabric of the building is maintained and the aviary or animal shelter is not visible from a public place.</p> <p>Must meet the standards for excavation, sewer mains, storm water and tree removal and pruning.</p> <p>Note. Standards for the keeping of poultry are specified in Part 5 of Schedule 2 to the <i>Local Government (General) Regulation 2005</i>.</p>
Applies to external building alterations, other than alterations:	
<ul style="list-style-type: none"> (a) to residential flat buildings, or (b) to the street frontage of buildings on land in Zone 8—Urban Centre, Zone 9—Local Centre, Zone 10—Neighbourhood Centre or Zone 11—Employment, or (c) that change or increase the existing footprint or floorspace of the building concerned, unless the alterations comprise the installation of bay windows that do not extend more than 300mm beyond the building footprint, or (d) that involve the repositioning or enlarging of windows above ground level, or (e) that involve the enclosure of open areas or reduce the area of any windows or doorways. 	

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Schedule 1

Column 1	Column 2
Type of development	Development standards
General standards	<p>Alterations must be non-structural.</p> <p>Alterations involving lead paint removal must not cause lead contamination of the air or ground water.</p> <p>Must not be carried out on bush fire prone land, except if constructed in accordance with the NSW Rural Fire Service guidelines titled <i>Planning for Bush Fire Protection</i> ISBN 0 9751033 2 6, dated December 2006.</p> <p>Must not be carried out on foreshore land or heritage item land.</p> <p>Must meet the standards for tree removal and pruning.</p>
Glassed areas Applies to installation of glassed areas, including windows and external doors with glass.	<p>Opaque or other obscuring glazing must be replaced with similar opaque or obscuring glazing so as not to impact on the privacy of neighbouring properties.</p>
Recladding of roofs and walls	<p>Existing materials must be replaced with similar materials that do not increase the reflectivity of the roof or wall.</p> <p>Must not involve any change to roof shape or roof pitch or brick veneering.</p>
Skylight roof windows and roof ventilators, including solartube or similar installations	<p>Must not reduce the structural integrity of the building concerned.</p> <p>Any opening created by the installation must be adequately weatherproofed.</p>
Building alterations (internal) Applies to internal building alterations, other than alterations that:	
(a) increase the existing floor area of premises, or	
(b) change the footprint, external size or envelope of the building.	
General standards	<p>Must be non-structural.</p> <p>Must not be carried out on foreshore land or heritage item land.</p> <p>Must meet the standards for car spaces.</p>

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Column 1	Column 2
Type of development	Development standards
<p>Alterations to business and industrial premises</p> <p>Applies to alterations, other than alterations to premises, or to any part of premises, that is used for the preparation or storage of food for sale to the public.</p> <p>Alterations to residential buildings</p> <p>Applies to alterations, other than alterations:</p> <p>(a) to the building, or to any part of the building, that is used for the preparation or storage of food for sale to the public, or</p> <p>(b) for the installation of oil or solid fuel heating appliances.</p> <p>Cabanas and gazebos</p> <p>Applies to a cabana or gazebo that occupies an area not greater than 10m².</p>	<p>Must not compromise fire safety or affect accessibility to fire exits.</p> <p>Replacement of internal doors, walls, windows, ceiling or floor linings or deteriorated frame members must be done with:</p> <p>(a) equivalent materials, or</p> <p>(b) materials of improved quality.</p> <p>Must not be carried out for the purpose of changing the use of rooms whether by removal of existing walls or partitions or by other means.</p> <p>Must not involve enclosure of open areas or reduce the area of any windows or doorways.</p> <p>Total combined floor space of all cabanas and gazebos erected on the land concerned must not exceed 40m².</p> <p>Floor must be located at or near ground level.</p> <p>Height must not exceed 4m above ground level.</p> <p>Must be set back behind the following:</p> <p>(a) the building line of the relevant land,</p> <p>(b) the alignment of any dwelling on any adjoining land.</p> <p>Must be set back from the side and rear boundaries of the relevant land:</p> <p>(a) at least 1.5m if the land is in Zone 1—Environmental Housing (Environmentally Sensitive Land), Zone 2—Environmental Housing (Scenic Quality) or Zone 3—Environmental Housing (Bushland), or</p> <p>(b) at least 500mm in any other case.</p>

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Schedule 1

Column 1	Column 2
Type of development	Development standards
<p>Change of use of premises Applies to the following different uses of premises:</p> <p>(a) business premises, resulting from a change from one kind of business premises to another or a change from a shop, a restaurant or a food shop,</p> <p>(b) a shop, resulting from a change from one kind of shop to another or a change from business premises, a restaurant or a food shop,</p> <p>(c) a food shop, resulting from a change from one kind of food shop to another,</p> <p>(d) a restaurant, resulting from a change from one kind of restaurant to another,</p> <p>(e) a light industry, resulting from a change from one kind of light industry to another,</p> <p>(f) a warehouse, resulting from a change from one kind of warehouse to another.</p>	<p>Must not be carried out on acid sulfate soils land if part of a development that requires development consent under clause 23.</p> <p>Must not be carried out on bush fire interface property or bush fire prone land, except if constructed of non-combustible materials.</p> <p>Must not be carried out on contaminated risk land, flood liable risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.</p> <p>Hours of operation must be between 6 am and 9 pm on any day, except in the case of light industry where the hours of operation exclude Sundays and public holidays.</p> <p>Must be no change to the area of any floor space or to parking, landscaping or waste facilities the subject of consent by the consent authority and in existence before the use is changed.</p> <p>If the development is a light industry:</p> <p>(a) the premises must have a gross floor area of less than 500m², and</p> <p>(b) the changed use must not be as a vehicle and mechanical repair premises, and</p> <p>(c) the premises must have access to off-street loading facilities, and</p> <p>(d) the changed use must not require internal building alterations.</p> <p>Changed use of premises must not:</p> <p>(a) involve handling, storing or using hazardous chemicals or materials otherwise than on a domestic scale (except on farms and at a distance of more than 25m from any habitable building), or</p>

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Column 1 Type of development	Column 2 Development standards
Clothes hoists and lines	<p>(b) release any hazardous chemicals or materials or any pollutants into the environment.</p> <p>Changed use must not cause interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic, parking or otherwise.</p> <p>Must not be carried out on foreshore land or heritage item land.</p> <p>Must be installed at ground level.</p> <p>Must be installed behind the building concerned, or in the side or rear yard.</p> <p>Must not be installed on balconies or elevated decks.</p> <p>Must meet the standards for tree removal and pruning.</p>
<p>Cubby houses and playground equipment Applies to a cubby house or to playground equipment that occupies an area not greater than 10m².</p>	<p>Total combined floor space of any cubby house or playground equipment on the land concerned must not exceed 40m².</p> <p>Height must not exceed 4m above ground level.</p> <p>Floor must be located at or near ground level.</p> <p>Must be set back behind the following:</p> <p>(a) the building line of the relevant land,</p> <p>(b) the alignment of any dwelling on any adjoining land.</p>

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Column 1	Column 2
Type of development	Development standards
<p>Decks and patios Applies to a deck or patio that occupies an area not greater than 20m².</p>	<p>Must be set back from the side and rear boundaries of the relevant land:</p> <ul style="list-style-type: none"> (a) at least 1.5m if the land is in Zone 1—Environmental Housing (Environmentally Sensitive Land), Zone 2—Environmental Housing (Scenic Quality) or Zone 3—Environmental Housing (Bushland) or bush fire prone land, or (b) at least 500mm in any other case. <p>Must not be carried out on contaminated risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for access, car spaces, excavation, installation, landscaped area, sewer mains, storm water and tree removal and pruning.</p> <p>Finished surface level must be no more than 1m above ground level.</p> <p>Must be set back behind the following:</p> <ul style="list-style-type: none"> (a) the building line of the relevant land, (b) the alignment of any dwelling on any adjoining property. <p>Must be set back at least 1.5m from side and rear boundaries of the relevant land in the following cases:</p> <ul style="list-style-type: none"> (a) if the land is in Zone 1—Environmental Housing (Environmentally Sensitive Land), Zone 2—Environmental Housing (Scenic Quality) or Zone 3—Environmental Housing (Bushland), (b) a deck or patio that has a height of more than 500mm above ground level, (c) a deck to a swimming pool if the pool or the deck stands higher than 500mm above ground level,

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Column 1	Column 2
Type of development	Development standards
	<p>(d) the deck or patio is on bush fire prone land.</p> <p>Must be set back at least 900mm from side and rear boundaries of the relevant land in all other cases.</p> <p>Must be sufficiently stepped down from any associated dwelling so as to prevent the entry of water to the dwelling.</p> <p>Must not be carried out on bush fire prone land, except if constructed in accordance with the NSW Rural Fire Service guidelines titled <i>Planning for Bush Fire Protection</i> ISBN 0 9751033 2 6, dated December 2006.</p> <p>Must not be carried out on bush fire interface property, contaminated risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for access, car spaces, excavation, floor area, landscaped area, sewer mains, storm water and tree removal and pruning.</p>
<p>Demolition</p> <p>Applies to demolition of:</p> <p>(a) development that is exempt development, other than retaining walls, and</p> <p>(b) a structure where an order to demolish has been issued by the Council under the Act.</p>	<p>Must comply with the Australian Standard AS 2601—2001, <i>Demolition of structures</i>.</p> <p>Must not be carried out in connection with the decontamination, rehabilitation or remediation of contaminated land (within the meaning of Part 7A of the Act).</p> <p>Must not be carried out on acid sulfate soils land if part of a development that requires development consent under clause 23.</p> <p>Must not be carried out on contaminated risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for tree removal and pruning.</p>

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Column 1	Column 2
Type of development	Development standards
<p>Driveways and pathways Applies to driveways or pathways, other than driveways or pathways on any public land (within the meaning of the <i>Local Government Act 1993</i>) unless installed by the Council on land vested in or under the control of the Council.</p>	<p>Must not be elevated or suspended above ground level.</p> <p>Driveway or access gradients must comply with the access gradient specified in the Australian and New Zealand Standard AS/NZS 2890.1:2004, <i>Parking facilities—Off-street car parking</i>.</p> <p>Must be graded and drained so that drainage does not cause a nuisance to users of adjoining land or footpaths.</p> <p>Must be structurally sound and of stable construction.</p> <p>Must not be carried out on contaminated risk land, flood liable risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water, and tree removal and pruning.</p> <p>Note. The relevant roads authority (usually the Council) should be contacted about any requirements relating to connection of any driveway to the relevant road.</p>
<p>Fences and gates Applies to new and replacement fences and gates, other than the following:</p> <ul style="list-style-type: none"> (a) fences required by the <i>Swimming Pools Act 1992</i>, (b) fences on street frontages of land occupied by dual occupancies, townhouses or villa houses, (c) fences for residential flat buildings, (d) front fences erected on land at Alford's Point, Barden Ridge, Bangor, Bonnet Bay, Illawong, Lucas Heights, Menai, Woronora Heights or Sylvania Waters if covenants applying to the land restrict the erection of such fences, 	

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Column 1	Column 2
Type of development	Development standards
(e) fences erected between the rear of dwellings and the waterway at Sylvania Waters if covenants applying to the land restrict the erection of such fences,	
(f) solid masonry side or rear fences over 1m high,	
(g) fences erected in conjunction with a retaining wall over 600mm high.	
General standards	<p>Must be constructed so as not to cause a drainage nuisance.</p> <p>Must not be carried out on bush fire interface property, except if constructed of non-combustible materials.</p> <p>Must not be carried out on bush fire prone land if constructed of brushwood.</p> <p>Must not be carried out on contaminated risk land, foreshore land or heritage item land.</p> <p>Must not be carried out on flood liable risk land, except if constructed of open form fencing.</p> <p>Must meet the standards for access, excavation, sewer mains, storm water, and tree removal and pruning.</p>
Front fences and gates	Height must not exceed:
Applies to front fences and gates and fences between the building line and the street or any other public place, other than fences or gates on commercial premises.	<p>(a) in the case of an open form fence on industrial premises—2.5m above ground level, or</p> <p>(b) in any other case—1m above ground level.</p> <p>Open form front fences erected on industrial premises must be set behind any landscaping required by, or carried out under, a development consent.</p> <p>Gates must not open beyond the property boundaries.</p>

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Column 1	Column 2
Type of development	Development standards
Side and rear fences and gates Applies to side fences behind the building line and rear fences and gates.	Height must not exceed: <ul style="list-style-type: none"> (a) in the case of an open form fence on industrial premises—2.5m above ground level, or (b) in the case of a fence that is constructed of timber, metal or lightweight materials—1.8m above ground level, or (c) in the case of an open form fence on residential premises—1.8m above ground level, or (d) in any other case—1m above ground level.
Filming Applies to carrying out of a filming project within the meaning of the <i>Local Government Act 1993</i> .	Must be on private land. Must not create significant interference with the neighbourhood. A filming management plan must be prepared and lodged with Council at least 5 days before filming that: <ul style="list-style-type: none"> (a) specifies the name, address and phone number of the person or company filming (including a contact person), and (b) describes the nature of the proposed filming, and (c) specifies the dates, times, location and proposed daily duration of the proposed filming, and (d) specifies the number of persons who will be involved in the filming while it is being carried out, and (e) specifies the types of cameras proposed to be used, and (f) gives details of any structures proposed to be installed, and (g) describes any proposed parking arrangements, and (h) describes any anticipated disruption to persons in the neighbourhood, and

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Column 1	Column 2
Type of development	Development standards
	<ul style="list-style-type: none"> (i) specifies what approvals, if any, are required from any public authorities and whether these have been obtained, and (j) is accompanied by evidence of public liability insurance of an amount of not less than \$10 million. <p>Owners or occupiers of land within a 50m radius of proposed filming must be provided with the following, by letterbox drop, at least 5 days before filming:</p> <ul style="list-style-type: none"> (a) the name, address and telephone number of the person or company carrying out the filming (including a contact person), (b) a description of the nature of the proposed filming and any anticipated disruption to persons in the neighbourhood.
Flagpoles	<p>Height must not exceed 6m above ground level.</p> <p>Must not project beyond property boundaries.</p> <p>Must be no more than 1 flagpole per property.</p> <p>Must not be used to display a flag that exceeds 1m² in area.</p> <p>Must not be used to display flags that are advertisements.</p> <p>Must not be carried out on acid sulfate soils land if part of a development that requires development consent under clause 23.</p> <p>Must meet the standards for tree removal and pruning.</p>

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Column 1	Column 2
Type of development	Development standards
<p>Greenhouses, garden sheds and studios Applies to a greenhouse, garden shed or studio that occupies an area not greater than 10m².</p>	<p>Total combined floor space of any greenhouse, garden shed or studio on the land concerned must not exceed 40m².</p> <p>Height must not exceed 4m above ground level.</p> <p>Floor must be located at or near ground level.</p> <p>Must be set back behind the following:</p> <ul style="list-style-type: none"> (a) the building line of the relevant land, (b) the alignment of any dwelling on any adjoining land. <p>Must be set back from the side and rear boundaries of the relevant land:</p> <ul style="list-style-type: none"> (a) at least 1.5m if the land is in Zone 1—Environmental Housing (Environmentally Sensitive Land), Zone 2—Environmental Housing (Scenic Quality) or Zone 3—Environmental Housing (Bushland) or bush fire prone land, or (b) at least 500mm in any other case. <p>Must not be carried out on acid sulfate soils land if part of a development that requires development consent under clause 23.</p> <p>Must not be carried out on bush fire prone land, except if constructed in accordance with the NSW Rural Fire Service guidelines titled <i>Planning for Bush Fire Protection</i> ISBN 0 9751033 2 6, dated December 2006.</p> <p>Must not be carried out on bush fire interface property, contaminated risk land, flood liable risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for access, car spaces, excavation, installation, landscaped area, sewer mains, storm water and tree removal and pruning.</p>

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Column 1	Column 2
Type of development	Development standards
Home occupations	<p>Sound producing machinery, equipment or fittings associated with or forming part of a mechanical ventilation system or refrigeration system that is used in carrying out the home occupation must be designed so as not to:</p> <ul style="list-style-type: none"> (a) emit noise exceeding LAeq of 5 dB(A) above the background level in any octave band from 63 Hz centre frequencies inclusive, as measured at the property boundary in accordance with the Australian Standard AS 1055.1—1997, <i>Acoustics—Description and measurement of environmental noise—General procedures</i>, or (b) emit any tonal, impulsive or intermittent sounds, or (c) be audible in any residential room on adjoining property. <p>Must be carried out between 8 am and 6 pm, Monday to Saturday only. Must meet the standards for car spaces. Must not:</p> <ul style="list-style-type: none"> (a) involve handling, storing or using hazardous chemicals or materials otherwise than on a domestic scale (except on farms and at a distance of more than 25m from any habitable building), or (b) release any hazardous chemicals or materials or any pollutants into the environment.
Horse stabling	<p>Horses must not be kept on a wetland. Must be no more than 1 horse per lot. Must not be kept, and any part of any stable, corral, exercise yard or the like must not be located, closer than 9m from:</p> <ul style="list-style-type: none"> (a) any dwelling, school, shop, office, factory, workshop, church, public hall, or

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Column 1	Column 2
Type of development	Development standards
Letterboxes	<p>(b) any premises used for the manufacture, preparation or storage of food.</p> <p>Each horse must be provided with a yard having an area of at least 30m² and a width of at least 3m.</p> <p>Bushland within horse yards (paddocks) must be fenced off to protect the vegetation from damage.</p> <p>Horse yards or paddocks that contain, or are adjacent to, drainage lines, or are adjacent to bushland, must have a 300mm fenced off buffer from the drainage line or bushland.</p> <p>Horse stabling must not cause interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic, parking or otherwise.</p> <p>Must not be carried out on foreshore land or heritage item land.</p> <p>Must meet the standards for tree removal and pruning.</p> <p>Must not be installed at a height greater than 1.2m above ground level.</p> <p>Must not be carried out on foreshore land.</p> <p>Must not be carried out on heritage item land, except if the fabric of the building is maintained.</p> <p>Must meet the standards for car spaces, excavation, installation, landscaped area, sewer mains, storm water and tree removal and pruning.</p>

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Column 1	Column 2
Type of development	Development standards
<p>Outdoor eating areas Applies to outdoor eating areas if the development is in conjunction with a restaurant.</p>	<p>Must meet the standards required under <i>Sutherland Shire Council Environmental Specification—Outdoor Eating Areas</i>. Must not be carried out on foreshore land or heritage item land.</p>
<p>Applies to outdoor eating areas on public land within the meaning of the <i>Local Government Act 1993</i> only if undertaken in accordance with a licence from the Council.</p>	<p>Must meet the standards for access, car spaces, excavation, floor area, landscaped area, sewer mains, storm water and tree removal and pruning.</p>
<p>Pergolas, awnings, shade structures and sunshades Applies to the installation of a pergola, fixed awning, shade structure or sunshade that does not exceed 20m², other than:</p> <ul style="list-style-type: none"> (a) a shop front awning, or (b) an installation on premises in Zone 12—Special Uses. 	<p>Must be installed at ground floor level or over an existing first floor deck. Height must not exceed 2.7m above:</p> <ul style="list-style-type: none"> (a) ground level, if proposed to be erected at ground floor level, or (b) the deck, if proposed to be erected over an existing first floor deck. <p>Must be set back behind the following:</p> <ul style="list-style-type: none"> (a) the building line of the relevant land, (b) the alignment of any dwelling on any adjoining land. <p>Must be set back from the side and rear boundaries of the relevant land:</p> <ul style="list-style-type: none"> (a) at least 1.5m if the land is in Zone 1—Environmental Housing (Environmentally Sensitive Land), Zone 2—Environmental Housing (Scenic Quality) or Zone 3—Environmental Housing (Bushland) or bush fire prone land, or (b) at least 500mm in any other case. <p>Must not be carried out on bush fire prone land, except if constructed of non-combustible materials. Must not be carried out on contaminated risk land, flood liable risk land, foreshore land or heritage item land.</p>

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Column 1	Column 2
Type of development	Development standards
<p>Rainwater tanks Applies to the installation of rainwater tanks, other than on a lot within the meaning of the <i>Strata Schemes (Freehold Development) Act 1973</i> or the <i>Strata Schemes (Leasehold Development) Act 1986</i>.</p>	<p>Must meet the standards for access, car spaces, excavation, floor area, landscaped area, sewer mains, storm water and tree removal and pruning.</p> <p>Must be designed to capture and store roof water from gutters or down pipes on a building only.</p> <p>Drainage connections must comply with the Australian and New Zealand Standard AS/NZS 3500.1:2003, <i>Plumbing and drainage—Water services</i>.</p> <p>Overflows must be connected to an approved storm water system.</p> <p>Height must not exceed 3m above ground level (including any stand).</p> <p>Must be set back behind the following:</p> <ul style="list-style-type: none"> (a) the building line of the relevant land, (b) the alignment of any dwelling on any adjoining land. <p>Must be set back at least 450mm from side and rear boundaries of the relevant land.</p> <p>Capacity must not exceed 15,000L.</p> <p>Must be installed and maintained in accordance with any standards set by the applicable public authority that has responsibility for the supply of water to the premises on which the tank is installed.</p> <p>Must be prefabricated, or constructed from prefabricated elements that were designed and manufactured for the purpose of the construction of a rainwater tank.</p> <p>Must not involve the excavation beyond 1m below ground level, or the filling of more than 1m above ground level.</p> <p>Must be enclosed and any inlet screened.</p>

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Column 1 Type of development	Column 2 Development standards
	<p>Any lid must be designed to prevent entry by children (whether or not by accidentally entering, climbing or falling into the tank).</p> <p>Must contain a first flush system to prevent the entry of animals and contaminants.</p> <p>Suitable proofing for the prevention of mosquito breeding must be provided.</p> <p>Must not include pumps except where a recycling and reuse system is employed.</p> <p>Any motorised pump must be designed so as not to:</p> <ul style="list-style-type: none"> (a) emit any noise exceeding LAeq of 5 dB(A) above the background level in any octave band from 63 Hz centre frequencies inclusive, as measured at the property boundary in accordance with the Australian Standard AS 1055.1—1997, <i>Acoustics—Description and measurement of environmental noise—General procedures</i>, or (b) emit any tonal, impulsive or intermittent sounds, or (c) be audible in any residential room on adjoining property. <p>A sign must be affixed to the tank clearly stating that the water in the tank is “Rainwater—not for human consumption”.</p> <p>Must not be carried out on acid sulfate soils land if part of a development that requires development consent under clause 23.</p> <p>Must not be carried out on contaminated risk land, flood liable risk land, foreshore land or heritage item land.</p> <p>Must comply with the standards for installation, landscaped area, sewer mains, storm water and tree removal and pruning.</p>

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Column 1	Column 2
Type of development	Development standards
<p>Retaining walls Applies to retaining walls that do not exceed 600mm above ground level.</p>	<p>Site must not be filled, or raised, more than 300mm within 1.5m of side or rear boundaries of the relevant land.</p> <p>Retaining walls must be for the purpose of retaining soil on site and not to enable filling of the site.</p> <p>Must be no longer than 20m.</p> <p>Must not result in there being more than 2 successive rows of retaining walls on the land being supported.</p> <p>Must be constructed so as not to cause a drainage nuisance.</p> <p>Must not be carried out on acid sulfate soils land if part of a development that requires development consent under clause 23.</p> <p>Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.</p> <p>Must not be carried out on contaminated risk land, flood liable risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for access, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.</p>
<p>Subdivision Applies to subdivision for the purpose of creating a lot of land to be acquired by, or dedicated to, the Council or the corporation for the purpose of public open space.</p>	
<p>Water heaters Applies to the installation of water heaters, other than solar water heaters, (including the replacement of existing heat pump hot water heaters). Where located on the roof, it must be flush with roof alignment.</p>	<p>Where located on the roof, the height must not exceed the highest point of a pitched roof, or 1m above the highest point of a flat roof, of the building it will serve.</p> <p>Where located on the roof, it must be flush with roof alignment.</p> <p>Must complement colour of roofing materials.</p>

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Schedule 1 Amendments

Column 1	Column 2
Type of development	Development standards
	<p>Must not be visible from any:</p> <ul style="list-style-type: none"> (a) street, or (b) foreshore, or (c) public place (including any waterway or reserves), or (d) windows of habitable rooms of adjoining properties. <p>Must be set back behind the following:</p> <ul style="list-style-type: none"> (a) the building line of the relevant land, (b) the alignment of any dwelling on any adjoining land. <p>Must not reduce the structural integrity of the building or involve structural alterations.</p> <p>Must be designed so as not to:</p> <ul style="list-style-type: none"> (a) emit any noise exceeding LAeq of 5 dB(A) above the background level in any octave band from 63 Hz centre frequencies inclusive, as measured at the property boundary in accordance with the Australian Standard AS 1055.1—1997, <i>Acoustics—Description and measurement of environmental noise—General procedures</i>, or (b) emit any tonal, impulsive or intermittent sounds, or (c) in the case of a domestic water heater—be audible in any residential room on adjoining property between 8 pm and 7 am on Monday to Friday or between 10 pm and 8 am on weekends or public holidays. <p>Must not be carried out on acid sulfate soils land if part of a development that requires development consent under clause 23.</p>

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Schedule 1

Column 1	Column 2
Type of development	Development standards
	<p>Must not be carried out on foreshore land or heritage item land.</p> <p>Must meet the standards for excavation, installation, landscaped area, sewer mains, storm water and tree removal and pruning.</p>

[28] Schedule 3 Complying Development

Omit the Schedule. Insert instead:

Schedule 3 Complying Development

(Clause 13)

Note. Clauses 13, 13A and 13B contain further requirements for complying development.

Part 1 Complying development in Zone 1, 2, 3, 4, 12, 13 or 15

Column 1	Column 2
Type of development	Development standards
<p>Awnings, carports, pergolas, shade structures and sunshades</p> <p>Applies to an awning, carport, pergola, shade structure or sun shade that:</p> <p>(a) occupies an area not greater than 40m², and</p> <p>(b) is not exempt development under Schedule 2.</p>	<p>Height must not exceed 4m above ground level.</p> <p>Must be set back behind the following:</p> <p>(a) the building line of the land,</p> <p>(b) the alignment of any dwelling on any adjoining land.</p> <p>Must be set back from the side and rear boundaries of the land:</p> <p>(a) at least 1.5m if the land is in Zone 1—Environmental Housing (Environmentally Sensitive Land), Zone 2—Environmental Housing (Scenic Quality) or Zone 3—Environmental Housing (Bushland) or bush fire prone land, or</p> <p>(b) at least 500mm in any other case.</p>

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Schedule 1 Amendments

Column 1	Column 2
Type of development	Development standards
<p>Bed and breakfast accommodation Applies to use of a dwelling for bed and breakfast accommodation, other than:</p> <p>(a) a dwelling that is part of a dual occupancy, townhouse, villa house or residential flat building, or</p> <p>(b) a dwelling on land that is adjacent to Zone 22—Arterial Road, if the development would involve a new vehicular accessway, or the alteration of an existing accessway, to an arterial road in that zone.</p>	<p>Finished floor level must be no more than 1m above ground level.</p> <p>Must not be carried out on land that is adjacent to Zone 22—Arterial Road if the development involves a new vehicular accessway, or alters an existing accessway, to an arterial road in that zone.</p> <p>Must not be carried out on bush fire interface property or bush fire prone land, except if constructed of non-combustible materials.</p> <p>Must not be carried out on contaminated risk land, flood liable risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for access, car spaces, landscaped area, storm water and tree removal and pruning.</p> <p>Maximum of 1 sign, provided by the Sutherland Shire Tourism Association Inc, advertising the accommodation on the site.</p> <p>Advertising sign must:</p> <p>(a) be located behind the building alignment, and</p> <p>(b) not have an area of more than 1.5m².</p> <p>Must provide at least 1 off-street car space for guests in addition to any residential parking.</p> <p>Car spaces must be located so as to minimise disturbance to, and preserve the privacy of, other residences.</p> <p>Locks must be fitted to guest rooms and external doors, and must be capable of being opened from the inside by a single handed action without the need for a key.</p> <p>Must not be carried out on bush fire prone land, contaminated risk land, flood liable risk land, foreshore land or heritage item land.</p>

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Column 1	Column 2
Type of development	Development standards
<p>Building alterations (internal) Applies to internal building alterations, other than:</p> <ul style="list-style-type: none"> (a) alterations to incomplete buildings, or (b) the installation of oil or solid fuel heating appliances, or (c) the installation of any commercial mechanical exhaust ventilation system, or (d) alterations that are exempt development under Schedule 2. 	<p>Must meet the standards for car spaces, storm water and tree removal and pruning.</p> <p>Alterations to any part of residential premises used for the purpose of preparation or storage (or both) of food for sale to the public as part of a home occupation must comply with:</p> <ul style="list-style-type: none"> (a) the Australian Standard AS 4674—2004, <i>Design, construction and fit-out of food premises</i>, and (b) the <i>Code for Commercial Home Catering</i>.
<p>Cabanas and gazebos Applies to a cabana or gazebo that:</p> <ul style="list-style-type: none"> (a) occupies an area not greater than 40m², and (b) is not on land that is adjacent to Zone 22—Arterial Road if the development involves a new vehicular accessway, or alters an existing accessway, to an arterial road in that zone, and (c) is not exempt development under Schedule 2. 	<p>Must not be carried out on bush fire prone land, except if constructed in accordance with the NSW Rural Fire Service guidelines titled <i>Planning for Bush Fire Protection</i> ISBN 0 9751033 2 6, dated December 2006.</p> <p>Must not be carried out on heritage item land.</p> <p>Must meet the standards for access, car spaces, floor space and landscaped area.</p> <p>Height must not exceed 4m above ground level.</p> <p>Finished floor level must not be greater than 1m above ground level.</p> <p>Must be set back behind the following:</p> <ul style="list-style-type: none"> (a) the building line of the land, (b) the alignment of any dwelling on any adjoining land. <p>Must be set back from the side and rear boundaries of the relevant land:</p> <ul style="list-style-type: none"> (a) at least 1.5m if the land is in

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Schedule 1 Amendments

Column 1	Column 2
Type of development	Development standards
<p>Cubby houses, garden sheds, greenhouses and studios</p> <p>Applies to a cubby house, garden shed or studio that:</p> <p>(a) occupies an area not greater than 40m², except on land in Zone 15—Private Recreation, and</p> <p>(b) is not on land that is adjacent to Zone 22—Arterial Road if the development involves a new vehicular accessway, or alters an existing accessway, to an arterial road in that zone, and</p> <p>(c) is not exempt development under Schedule 2.</p>	<p>Zone 1—Environmental Housing (Environmentally Sensitive Land), Zone 2—Environmental Housing (Scenic Quality) or Zone 3—Environmental Housing (Bushland) or bush fire prone land, or</p> <p>(b) at least 500mm in any other case.</p> <p>Must not be carried out on acid sulfate soils land if part of a development that requires development consent under clause 23.</p> <p>Must not be carried out on bush fire interface property, contaminated risk land, flood liable risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for access, landscaped area, storm water and tree removal and pruning.</p> <p>Must be erected in rear or side yards.</p> <p>Height must not exceed 4m above ground level.</p> <p>Must be set back behind the following:</p> <p>(a) the building line of the land,</p> <p>(b) the alignment of any dwelling on any adjoining land.</p> <p>Must be set back from the side boundaries of the relevant land:</p> <p>(a) at least 1.5m if the land is in Zone 1—Environmental Housing (Environmentally Sensitive Land), Zone 2—Environmental Housing (Scenic Quality) or Zone 3—Environmental Housing (Bushland) or bush fire prone land, or</p> <p>(b) at least 500mm if the proposed building is detached and to the rear of any dwelling with which it is associated, or</p> <p>(c) at least 900mm in any other case.</p>

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Column 1	Column 2
Type of development	Development standards
<p>Decks and patios Applies to a deck or patio that:</p> <p>(a) occupies an area not greater than 40m², and</p> <p>(b) is not exempt development under Schedule 2.</p>	<p>Finished floor level must be no more than 1m above ground level.</p> <p>Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.</p> <p>Must not be carried out on bush fire interface property, contaminated risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for access, car spaces, floor space, landscaped area, storm water and tree removal and pruning.</p> <p>Finished surface level must not be greater than 1m above ground level.</p> <p>Must be set back behind the following:</p> <p>(a) the building line of the land,</p> <p>(b) the alignment of any dwelling on any adjoining land.</p> <p>Must be set back at least 1.5m from the side and rear boundaries of the relevant land in the following cases:</p> <p>(a) the deck or patio is located on land in Zone 1—Environmental Housing (Environmentally Sensitive Land), Zone 2—Environmental Housing (Scenic Quality), Zone 3—Environmental Housing (Bushland), or bush fire prone land,</p> <p>(b) the deck or patio has a height of more than 500mm above ground level,</p> <p>(c) it is a deck to a swimming pool and the pool or the deck stands higher than 500mm above ground level.</p> <p>Must be set back at least 900mm from side and rear boundaries of the relevant land in any other case.</p>

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Column 1	Column 2
Type of development	Development standards
<p>Demolition Applies to demolition of buildings and retaining walls, other than demolition that is exempt development under Schedule 2.</p>	<p>Must not be carried out on acid sulfate soils land if part of a development that requires development consent under clause 23.</p> <p>Must not be carried out on bush fire interface property, contaminated risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for access, floor space, landscaped area, storm water and tree removal and pruning.</p> <p>Must comply with the Australian Standard AS 2601—2001, <i>Demolition of structures</i>.</p> <p>Must not be carried out in connection with the decontamination, rehabilitation or remediation of contaminated land (within the meaning of Part 7A of the Act).</p> <p>Must not be carried out on acid sulfate soils land if part of a development that requires development consent under clause 23.</p> <p>Must not be carried out on contaminated risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for tree removal and pruning.</p>
<p>Dwelling houses Applies to the erection of, or additions or alterations to, single storey or two-storey dwelling houses, other than:</p> <ul style="list-style-type: none"> (a) the addition of any storey to two storey dwelling houses, or (b) any erection, alterations or additions on land: <ul style="list-style-type: none"> (i) in Zone 1—Environmental Housing (Environmentally Sensitive Land), Zone 2—Environmental Housing (Scenic Quality) or Zone 3—Environmental Housing (Bushland), or 	

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Schedule 1

Column 1	Column 2
Type of development	Development standards
(ii) on which the Australian Noise Exposure Forecast (endorsed by Airservices Australia and current on the commencement of this plan) is between 20 and 25, or	
(iii) land that is adjacent to Zone 22—Arterial Road if the development involves a new vehicular accessway, or alters an existing accessway, to an arterial road in that zone, or	
(iv) land in a Greenweb Support area or Greenweb Core area, as shown on the Greenweb Map, or	
(v) land that is an internal lot.	
General standards	<p>Must have vehicular access from the lowest order road shown on the Road Hierarchy Map if the development has 2 or more road frontages.</p> <p>Must not be carried out on acid sulfate soils land if part of a development that requires development consent under clause 23.</p> <p>Must not be carried out on bush fire interface property, except if constructed in accordance with the NSW Rural Fire Service guidelines titled <i>Planning for Bush Fire Protection</i> ISBN 0 9751033 2 6, dated December 2006.</p> <p>Must not be carried out on contaminated risk land, flood liable risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for access, floor space, landscaped area, storm water and tree removal and pruning.</p>

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Schedule 1 Amendments

Column 1 Type of development	Column 2 Development standards
	<p>Must be set back from the front boundary by:</p> <ul style="list-style-type: none"> (a) 7.5m, and (b) not less than the alignment of any dwelling on any adjoining land. <p>In the case of corner properties, must be set back:</p> <ul style="list-style-type: none"> (a) 7.5m from the narrowest street frontage, and (b) 3.5m from the second street. <p>Must be set back from the rear boundaries by a minimum of 6m.</p> <p>Finished ground floor level must be within 1m of the existing ground level.</p> <p>Basement footprint must not exceed the ground floor footprint.</p> <p>Maximum area of the site to be affected by cut or fill to a greater depth than 300mm must not exceed 60% of the dwelling footprint.</p> <p>Cut for slab on ground construction must not extend further than 900mm beyond the dwelling footprint.</p> <p>Filling must be contained within the footprint of the dwelling.</p> <p>Natural rock outcrops on the site greater than 5m² in area must be retained.</p> <p>Vegetative cover on slopes greater than 18° must be maintained.</p> <p>Dwelling entry must face the street and the dwelling must overlook any other adjacent public areas.</p> <p>Dwelling must not present blank walls to any street frontage.</p> <p>Maximum length of any external wall without openings is 6m.</p> <p>Habitable room windows with a direct outlook to habitable rooms in any adjacent dwelling within 9m must be offset by a minimum of 1m to limit the views into the adjacent windows.</p>

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Column 1	Column 2
Type of development	Development standards
<p>Single storey dwelling houses</p> <p>Applies to:</p> <p>(a) a proposed single storey dwelling house, and</p> <p>(b) the additions to a single storey dwelling house, other than the addition of a second storey.</p>	<p>Must not reduce existing sunlight access to useable private open space and windows of living areas of any adjoining property to less than four hours between 9 am and 3 pm on 21 June.</p> <p>Living areas must be orientated between north-west and north-east.</p> <p>Dwelling must provide at least one primary area of useable private open space at ground level and directly accessible from a living area with minimum dimensions of 6m x 6m.</p> <p>Minimum of 10m² of the outdoor private open space for the dwelling must receive direct sunlight at ground level for at least four hours between 9 am and 3 pm on 21 June.</p> <p>Roof or wall cladding materials must not be highly reflective.</p> <p>Must not involve the installation of any oil or solid fuel heating appliance or any commercial mechanical exhaust ventilation system.</p> <p>Minimum of 2 car spaces must be provided behind the building line.</p> <p>Note. See separate entry under "Garages" in this Table for relevant standards relating to the erection of garages as complying development. See also entry under "Driveways or pathways" in Schedule 2 for relevant standards relating to the installation of driveways as exempt development.</p> <p>Building height must not exceed 5.4m, as measured from the ground level to the highest point of the roof.</p> <p>Must be set back at least 900mm from the side boundaries.</p>

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Schedule 1 Amendments

Column 1	Column 2
Type of development	Development standards
<p>Two-storey dwelling houses Applies to:</p> <p>(a) a proposed two-storey dwelling house, and</p> <p>(b) the addition of a second storey to a single storey dwelling house, and</p> <p>(c) a second storey alteration or addition to an existing two storey dwelling house.</p>	<p>Must comply with the height requirements of clause 33 (4).</p> <p>Must not involve the erection of any balconies off the second storey that face the side or rear boundaries.</p> <p>Second storey must be set back at least 1.5m from the side boundaries.</p> <p>Second storey depth must not exceed:</p> <p>(a) 10m, and</p> <p>(b) 50% of the depth of the allotment, measured from the primary street frontage.</p> <p>Second storey must not contain a kitchen or primary living area.</p>
<p>Fences, gates and retaining walls Applies to fences, gates and retaining walls, other than the following:</p> <p>(a) fences on street frontages of land occupied by dual occupancies, townhouses or villa houses,</p> <p>(b) fences erected on land at Alford's Point, Barden Ridge, Bangor, Bonnet Bay, Illawong, Lucas Heights, Menai, Woronora Heights or Sylvania Waters if covenants applying to the land restrict the erection of such fences,</p> <p>(c) fences erected between the rear of dwellings and the waterway at Sylvania Waters if covenants applying to the land restrict the erection of such fences,</p> <p>(d) fences, gates and retaining walls that are exempt development under Schedule 2.</p>	<p>Front fences within the front building line must not exceed 1m in height above ground level.</p> <p>Side or rear fences, behind the building line, must not exceed 1.8m in height above ground level.</p> <p>Retaining walls:</p> <p>(a) must be set back at least 500mm from any boundary, and</p> <p>(b) must not exceed 1m in height above ground level, and</p> <p>(c) must not be longer than 20m, and</p> <p>(d) must be for the purpose of retaining soil on the site and not to enable filling of the site.</p> <p>Must not be carried out on land that is adjacent to Zone 22—Arterial Road if the development involves a new vehicular accessway, or alters an existing accessway, to an arterial road in that zone.</p> <p>Must not be carried out on acid sulfate soils land if part of a development that requires development consent under clause 23.</p>

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Column 1	Column 2
Type of development	Development standards
<p>Fire alarms</p> <p>Applies to:</p> <ul style="list-style-type: none"> (a) internal alterations to a building, and (b) internal alterations to a building, together with mounting of any antenna, and any support structure, on an external wall or roof of a building occupying a space of not more than 450mm × 100mm × 100mm. <p>Applies to development for the purpose of:</p> <ul style="list-style-type: none"> (a) converting a fire alarm system from connection with the alarm monitoring system of New South Wales Fire Brigades to connection with the alarm monitoring system of a private service provider, and (b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider, and 	<p>Must not be carried out on bush fire interface property or bush fire prone land, except if constructed of non-combustible materials.</p> <p>Must not be carried out on contaminated risk land, flood liable risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for access, car spaces, floor space, landscaped area, storm water and tree removal and pruning.</p>

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Schedule 1 Amendments

Column 1 Type of development	Column 2 Development standards
(c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider.	
<p>Garages Applies to a garage that:</p> <p>(a) occupies an area not greater than 40m², and</p> <p>(b) is not on land that is adjacent to Zone 22—Arterial Road if the development involves a new vehicular accessway, or alters an existing accessway, to an arterial road in that zone.</p>	<p>Height must not exceed 4m above ground level.</p> <p>Must be set back behind the following:</p> <p>(a) the building line of the land,</p> <p>(b) the alignment of any dwelling on any adjoining land.</p> <p>Must be set back as follows from the side and rear boundaries of the relevant land:</p> <p>(a) at least 1.5m if the land is in Zone 1—Environmental Housing (Environmentally Sensitive Land), Zone 2—Environmental Housing (Scenic Quality) or Zone 3—Environmental Housing (Bushland) or bush fire prone land,</p> <p>(b) at least 500mm if the garage is detached and to the rear of any dwelling with which it is associated,</p> <p>(c) at least 900mm in any other case.</p> <p>Finished floor level must be no more than 1m above ground level.</p> <p>Must not be carried out on bush fire prone land, except if constructed in accordance with the NSW Rural Fire Service guidelines titled <i>Planning for Bush Fire Protection</i> ISBN 0 9751033 2 6, dated December 2006.</p> <p>Must not be carried out on bush fire interface property, contaminated risk land, flood liable risk land, foreshore land or heritage item land.</p>

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Schedule 1

Column 1	Column 2
Type of development	Development standards
<p>Seawalls Applies to reconstruction, replacement or repair of seawalls in Sylvania Waters.</p>	<p>Must meet the standards for access, car spaces, floor space, landscaped area, storm water and tree removal and pruning.</p>
<p>Subdivision of land Applies to subdivision of land for any of the following purposes:</p> <ul style="list-style-type: none"> (a) widening of a public road by a roads authority (within the meaning of the <i>Roads Act 1993</i>), (b) adjusting a boundary between lots (including correcting an encroachment on a lot), (c) creating a lot within the meaning of the <i>Strata Schemes (Freehold Development) Act 1973</i> or the <i>Strata Schemes (Leasehold Development) Act 1986</i>, (d) creating a lot for a public reserve. 	<p>In the case of subdivision carried out for the purpose of adjusting a boundary between lots:</p> <ul style="list-style-type: none"> (a) the size and dimensions of resulting lots must not be less than any relevant minimum size and dimensions provided for in clauses 39–42, and (b) the subdivision must not result in an increased number of lots or the reorientation of lots. <p>In the case of subdivision carried out for the purpose of creating a lot within the meaning of the <i>Strata Schemes (Freehold Development) Act 1973</i> or the <i>Strata Schemes (Leasehold Development) Act 1986</i>:</p> <ul style="list-style-type: none"> (a) the erection of any building comprised in the lot must have been approved and carried out after 1 July 1988, and (b) any development carried out for the purpose of the building (including the erection of the building) must have been carried out in accordance with any relevant development consent, and (c) the development must not result in strata subdivision of dual occupancy that does not comply with clause 40.

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Schedule 1 Amendments

Column 1	Column 2
Type of development	Development standards
Swimming pools	<p>In the case of subdivision creating a lot for a public reserve, the size and dimension of any residue lot must not be less than any relevant minimum size and dimensions provided for in clauses 39–42.</p> <p>Must be installed or erected in rear or side yards, behind the building line.</p> <p>Pool must be set back as follows from the side and rear boundaries of the relevant land:</p> <ul style="list-style-type: none"> (a) at least 1.5m to the waterline of the pool if the land is in Zone 1—Environmental Housing (Environmentally Sensitive Land), Zone 2—Environmental Housing (Scenic Quality) or Zone 3—Environmental Housing (Bushland) or bush fire prone land, (b) at least 1.5m to the waterline of the pool if the pool, its surrounds or decking stands higher than 500mm above ground level, (c) at least 1m to the waterline of the pool in any other case. <p>In-ground pool must not exceed a height of 1m above ground level.</p> <p>Above ground pre-fabricated pool (where any coping width is no greater than 250mm wide) must not exceed a height of 1.2m above ground level.</p> <p>Pool pump and equipment associated with the pump must be designed so as to be sound insulated or isolated so that the noise emitted does not exceed an LAeq of 5 dB(A) above background noise level in any octave band from 63 Hz centre frequencies inclusive, as measured at the property boundary in accordance with the Australian Standard AS 1055.1—1997, <i>Acoustics—Description and measurement of environmental noise—General procedures</i>.</p>

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Schedule 1

Column 1	Column 2
Type of development	Development standards
	<p>Pool, surrounds and any decking must be screened by plants if the pool, its surrounds or decking stands more than 500mm above ground level.</p> <p>Child resistant barriers must meet the standards specified by the <i>Swimming Pools Act 1992</i>.</p> <p>Must meet the standards required under <i>Sutherland Shire Council Environmental Specification—Swimming Pools</i>.</p> <p>Must not be part of a development that requires development consent under clause 23.</p> <p>Must not be carried out on bush fire interface property, except if associated fencing and decking is constructed of non-combustible materials.</p> <p>Must not be carried out on bush fire prone land, except if associated fencing is constructed of non-combustible materials.</p> <p>Must not be carried out on contaminated risk land, flood liable risk land, foreshore land or heritage item land.</p> <p>Must meet the standards for landscaped area, storm water and tree removal and pruning.</p> <p>Note. The <i>Swimming Pools Act 1992</i> and regulations contain standards in relation to swimming pools, including child resistant barriers.</p> <p>Note. See also provisions for decks or patios.</p>

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Schedule 1 Amendments

Part 2 Complying development in Zone 5, 6, 8, 9, 10, 11 or 21

Column 1	Column 2
Type of Development	Development Standards
<p>Building alterations (external) Applies to external building alterations to buildings that have been lawfully constructed, other than:</p> <p>(a) alterations to incomplete buildings, and</p> <p>(b) buildings on land that is adjacent to Zone 22—Arterial Road if the development involves a new vehicular accessway, or alters an existing accessway, to an arterial road in that zone, and</p> <p>(c) alterations that are exempt development under Schedule 2.</p>	<p>Alterations to buildings on community land within the meaning of the <i>Local Government Act 1993</i> must be undertaken in accordance with a plan of management under that Act.</p> <p>Must not contravene any conditions of a development consent applicable to building or its use.</p> <p>Must not involve the making of, or the alteration to the size of, any opening in the roof of a building or any opening in an external wall (such as a doorway or window), other than facades below the awning on shopfronts in Zone 8—Urban Centre, Zone 9—Local Centre or Zone 10—Neighbourhood Centre that may be altered to increase window openings.</p> <p>If the alterations involve the erection of a roof over a wash bay area for a business that carries out wet processes (such as the washing of motor vehicles), the wash bay area must be set back behind the building line.</p> <p>Must not:</p> <p>(a) alter existing storm water disposal arrangements, or</p> <p>(b) reduce landscaping on site, or</p> <p>(c) increase the total floor space or footprint of the premises, or</p> <p>(d) reduce the provision of parking or loading and unloading areas.</p> <p>Must not be carried out on acid sulfate soils land if part of a development that requires development consent under clause 23.</p>

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Amendments

Schedule 1

Column 1 Type of Development	Column 2 Development Standards
<p>Building alterations (internal) Applies to internal alterations to buildings that have been lawfully constructed, other than:</p> <ul style="list-style-type: none"> (a) alterations to incomplete buildings, or (b) alterations for the installation of any commercial mechanical exhaust ventilation system, or (c) alterations that are exempt development under Schedule 2. 	<p>Must not be carried out on bush fire interface property, contaminated risk land, flood liable risk land, foreshore land or heritage item land.</p> <p>Must not be carried out on bush fire prone land, except if constructed in accordance with the NSW Rural Fire Service guidelines titled <i>Planning for Bush Fire Protection</i> ISBN 0 9751033 2 6, dated December 2006.</p> <p>Must meet the standards for access and tree removal and pruning.</p> <p>Must not contravene any conditions of a development consent applicable to building or its use.</p> <p>Must not increase the gross floor area of buildings used for industry or business premises (including pedestrian arcades) unless:</p> <ul style="list-style-type: none"> (a) the increase in area results from the addition of an internal mezzanine floor, and (b) the internal mezzanine floor is added for the purpose of storage or amenities, and (c) the increase in area does not exceed 50m². <p>Alterations to any part of residential premises used for the purpose of preparation or storage (or both) of food for sale to the public as part of a home occupation must be undertaken in accordance with:</p> <ul style="list-style-type: none"> (a) the Australian Standard AS 4674—2004, <i>Design, construction and fit-out of food premises</i>, and (b) the <i>Code for Commercial Home Catering</i>.

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Column 1 Type of Development	Column 2 Development Standards
	<p>Alterations to a food shop or restaurant:</p> <p>(a) must comply with the Australian Standard AS 4674—2004, <i>Design, construction and fit-out of food premises</i>, and</p> <p>(b) must not involve the erection or installation of an externally mounted or located exhaust duct, fan or refrigeration unit.</p> <p>Alterations for the purpose of a beauty salon or a hairdresser, must be undertaken in accordance with any relevant standards under the <i>Local Government Act 1993</i> (being standards that are enforceable by the making of Order No 5 under the Table to section 124 of that Act).</p> <p>Alterations to sound producing machinery, or fittings, associated with or forming part of an existing mechanical ventilation system or refrigeration system:</p> <p>(a) must be sound insulated or isolated so that the noise emitted does not exceed LAeq of 5 dB(A) above the background level in any octave band from 63 Hz centre frequencies inclusive, as measured at the property boundary in accordance with the Australian Standard AS 1055.1—1997, <i>Acoustics—Description and measurement of environmental noise—General procedures</i>, and</p> <p>(b) must not emit any tonal, impulsive or intermittent sounds.</p> <p>Alterations involving sewer connections must meet the standards contained in an approval under the <i>Local Government Act 1993</i>.</p> <p>Must not be carried out on heritage item land.</p> <p>Must meet the standards for car spaces.</p>

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Schedule 1

Column 1	Column 2
Type of Development	Development Standards
<p>Change of use of premises Applies to the following different uses of premises:</p> <p>(a) light industry, resulting from a change from industry, bulky goods or recreation facility to light industry,</p> <p>(b) a warehouse, resulting from a change from industry, bulky goods premises, or recreation facility to a warehouse.</p>	<p>Must satisfy the conditions imposed by the consent authority for the use in existence before the use changed, in relation to:</p> <p>(a) gross floor area, (b) parking, (c) loading, (d) landscaping, (e) waste management, (f) external storage, (g) ancillary sale of products.</p> <p>Changed use must not be as a vehicle and mechanical repair premises.</p> <p>Hours of operation exclude Sunday and public holidays in the case of light industry.</p> <p>Changed use must not:</p> <p>(a) involve handling, storing or using hazardous chemicals or materials otherwise than on a domestic scale (except on farms and at a distance of more than 25m from any habitable building), or (b) release any hazardous chemicals or materials or any pollutants into the environment.</p> <p>Changed use must not cause interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic, parking or otherwise.</p> <p>Must not be carried out on foreshore land or heritage item land.</p>

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Column 1	Column 2
Type of Development	Development Standards
<p>Subdivision of land Applies to subdivision of land for any of the following purposes:</p> <p>(a) widening of a public road by a roads authority (within the meaning of the <i>Roads Act 1993</i>),</p> <p>(b) adjusting a boundary between lots (including correcting an encroachment on a lot),</p> <p>(c) creating a lot within the meaning of the <i>Strata Schemes (Freehold Development) Act 1973</i> or the <i>Strata Schemes (Leasehold Development) Act 1986</i>,</p> <p>(d) creating a lot for a public reserve.</p>	<p>In the case of subdivision carried out for the purpose of adjusting a boundary between lots:</p> <p>(a) the size and dimensions of resulting lots must not be less than any relevant minimum size and dimensions provided for in clauses 39–42, and</p> <p>(b) the subdivision must not result in an increased number of lots or the reorientation of lots.</p> <p>In the case of subdivision carried out for the purpose of creating a lot within the meaning of the <i>Strata Schemes (Freehold Development) Act 1973</i> or the <i>Strata Schemes (Leasehold Development) Act 1986</i>:</p> <p>(a) the erection of any building comprised in the lot must have been approved and carried out after 1 July 1988, and</p> <p>(b) any development carried out for the purpose of the building (including the erection of the building) must have been carried out in accordance with any relevant development consent, and</p> <p>(c) the development must not result in strata subdivision of dual occupancy that does not comply with clause 40.</p> <p>In the case of subdivision creating a lot for a public reserve—the size and dimension of any residue lot must not be less than any relevant minimum size and dimensions provided for in clauses 39–42.</p>

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Part 3 Complying development certificate conditions

Note 1. Complying development must comply with the requirements of the Act, the regulations, and this plan. This includes carrying out the development in accordance with the plans and specifications referred to in the complying development certificate.

Note 2. Information relevant to the carrying out of complying development is also contained in other legislation, including the *Building and Construction Industry Long Service Payments Act 1986*, the *Home Building Act 1989*, the *Protection of the Environment Operations Act 1997*, the *Roads Act 1993*, the *Swimming Pools Act 1992* and the *Sydney Water Act 1994*.

1 Notice to adjoining premises

The person having the benefit of the complying development certificate must give the occupier of any adjoining premises at least 2 days notice before work commences, and provide:

- (a) the name and accreditation number of the appointed principal certifying authority, and
- (b) the builder's name, telephone number and licence number.

2 Documents to be available

A copy of the complying development certificate and the accompanying documents must be available on site at all times during demolition and construction.

3 Security for council property

Prior to work commencing:

- (a) the current condition of any council property in the vicinity of the development must be documented and photographed and provided to the Council at the time notice to commence demolition or the erection of a building is given, and
- (b) security must be provided in accordance with the Council's Schedule of Fees and Charges for Goods and Services.

4 Public liability insurance for demolition

Prior to demolition work commencing, the person having the benefit of the complying development certificate must ensure that the person carrying out the demolition work has a current public liability insurance policy to the value of at least \$5,000,000 that covers injury or damage that may arise as a consequence of carrying out that work and must provide evidence

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of that policy to the Council at the time notice to commence demolition is given.

5 Public roads

- (1) Prior to work commencing:
 - (a) consent from the relevant roads authority under the *Roads Act 1993* for each opening of a public road that will be required by the development must be held, and
 - (b) written permission from the relevant roads authority under the *Roads Act 1993* to stand or operate vehicles or machines required by the development on the footpath reserve must be held, and
 - (c) consent from the relevant roads authority under the *Roads Act 1993* to construct each footpath crossing required by the development, at a level acceptable to the roads authority, must be provided to the principal certifying authority.
- (2) All construction materials, sheds, temporary water closets, spoil, hoardings and machinery that relate to the development must be kept within the site, other than machinery that is subject to a permission under subclause (1) (b).

6 Waste management plan

Prior to any work commencing, if the development involves the demolition or construction of a building, a waste management plan must be submitted to the Council in accordance with the development control plan.

7 Sediment and erosion controls

- (1) Run-off and erosion controls must be implemented to prevent erosion, water pollution or the discharge of loose sediment on the surrounding land by:
 - (a) diverting uncontaminated run-off around cleared or disturbed areas, and
 - (b) erecting and maintaining a silt fence to prevent debris escaping into drainage systems or waterways, and
 - (c) preventing tracking of sediment by vehicles onto roads, and
 - (d) stockpiling topsoil, excavated material, construction and landscaping supplies and debris within the site.

Note. Under the *Protection of the Environment Operations Act 1997* it is an offence to pollute any waters.

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- (2) Any removal or disturbance of vegetation or topsoil must be confined to within 3 metres of the proposed development.

8 Construction hours

All construction relating to the development, other than development involving internal alterations within a shopping arcade or centre, must be undertaken between the following hours:

- (a) Monday to Friday—7.00 am to 6.00 pm,
(b) Saturday—8.00 am to 5.00 pm,

and no such construction is to be undertaken on a Sunday or a public holiday.

9 Noise control during demolition and construction

The noise of a demolition or construction site when it is in operation must not exceed the background noise level by more than the following LAeq level, measured over a period of 15 minutes, when measured at the nearest affected premises:

- (a) if the entire construction and demolition period is estimated to be 4 weeks or less—20dB(A),
(b) if the entire construction and demolition period is estimated to be longer than 4 weeks but less than 26 weeks—10dB(A),
(c) if the entire construction and demolition period is estimated to be longer than 26 weeks—5dB(A).

10 Landscaping

- (1) Measures to comply with Sutherland Shire Council Environmental Specification—Landscaping must be taken to protect all trees and bushland areas that are located on the site of the development or on any adjacent road reserve during construction and demolition.
- (2) Measures must include the following:
- (a) installation of adequate protective fencing and tree guards,
(b) identification of the area for root zone protection,
(c) protection of the root zone area by exclusion of storage materials within the dripzone, erosion control and soil pH maintenance.

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11 Work adjacent to swimming pools

Measures must be taken to ensure compliance with the standards under the *Swimming Pools Act 1992* if work is undertaken on any building or structure that comprises all or part of a child resistant barrier under that legislation.

12 Work involving asbestos

Demolition or removal of material that contains asbestos material, and that is not *licensed work* under Chapter 7 of the *Occupational Health and Safety Regulation 2001*, must be carried out in accordance with *Working with asbestos: Guide 2008* (ISBN 0 7310 5159 9) published by WorkCover Authority.

Note 1. The maximum allowable area of bonded asbestos material that is excluded from the definition of *licensed work* is 10m².

[29] Schedule 6

Omit the Schedule. Insert instead:

Schedule 6 Heritage items

(Clause 54)

Key to identifiers—corresponding to number given in Sutherland Shire Heritage Inventory

A = item of non-Aboriginal archaeological significance
Ar = item comprises an area or precinct that is an archaeological site
B = item is a building
L = item is a landscape
Lf = item is a significant landform
Ot = item is an item other than any of the above (includes monuments, relics and fences)
R = item is of regional heritage significance
S = item is of State heritage significance
T = item is a significant tree or trees

Alfords Point**Alfords Point Road**

Alfords Point, Georges River State Recreation Area—**L194-R**

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Schedule 1

Audley (Royal National Park)

Artillery Hill

Stone work on road, 300m from the Visitors Centre, crosses Winifred Falls Track—**A109**

Audley Road/Sir Bertram Stevens Drive

Audley Historic Recreational Complex, comprising:

- (a) Junction of Audley Road and Sir Bertram Stevens Drive—Audley group—**A057S**
- (b) House, eastern side of road, on western approach to Audley Weir—**B001**
- (c) Ranger's cottage, corner Lady Carrington Drive—**B002**
- (d) Shelter pavilion, corner Lady Carrington Drive—**B003**

Lady Carrington Drive

Lady Carrington Drive, from Audley to Sir Bertram Stevens Drive, Lady Carrington Drive group, including the roadway, sandstone cobble stone paving, Mullion Brook (unlocated site of former Ranger's Cottage)—**A058**

Barden Ridge

Old Illawarra Road

Western end of Woronora Road, over Sabugal Causeway to Old Illawarra Road, Old Illawarra Road—**A003**

Note. Part of the above item is within land that is deferred matter (see clause 4 (b)).

Other

Lots A, B and C, DP 321089, Shackles Beach—**Lf4**

Bonnet Bay

Washington Drive

Nos 185–195, waterfront—sandstone formations—**Lf11**

Note. Part of the above item is within land that is deferred matter (see clause 4 (b)).

Bundeena (Royal National Park)

Brighton Street

Site of 1920 Bundeena Wharf, eastern end of Horderns Beach—**A030, L113**

Bundeena and Maianbar

Rock formation on foreshore, described locally as "Pulpit Rock" (minor), to the west of Red Jacks Point, Royal National Park—**Lf24**

Vegetated islands off Maianbar containing some threatened species of vegetation—**T45**

Deeban spit—sand spit extending from Bonnie Vale towards Burraneer Headland—**Lf26**

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Sandstone formations in headland at Cabbage Tree Point, including Pulpit Rock (major). (Fronting 1–49 Crammond Avenue.) At base of headland, sandstone rock shelf provides public access—**Lf27**

Median plantings, including *Angophora costata* (Smooth-barked Apple or Sydney Red Gum), Thompson Street—**T46**

Remnant canopy, including *Angophora costata* (Smooth-barked Apple or Sydney Red Gum), *Eucalyptus robusta* (Swamp Mahogany), *Banksia integrifolia* (Coast Banksia), Bundeena Park—**T47**

Remnant canopy, including *Angophora costata* (Smooth-barked Apple or Sydney Red Gum), *Eucalyptus haemastoma* (Scribbly Gum), *Corymbia gummifera* (Red Bloodwood), Bundeena Public School grounds—**T48**

Sandstone cliff formation at Bundeena Reserve. Sandstone platform containing igneous features—**Lf28**

Cliff face and rock platform, fronting 1–55 Neil Street—**Lf29**

Bundeena Drive

Nos 25–31, Bundeena House—**B004**

Horderns Beach

Horderns Beach, between Crammond Avenue and Brighton Street—**L114–R**

Loftus Street

Nos 96–98, Bundeena Park Store, corner of Brighton and Loftus Streets—**B276**

Scarborough Street

Nos 74–78, Bundeena Caravan Park—**L115**

Simpsons Road

Remaining cabins, generally fibro, tin and timber frame—Bonnie Vale cabins—**A060**

End of Simpsons Road, Simpsons Hotel site, sandstone remains, seawall and Norfolk Island pines—**A061**

No 8, house—**B277**

Burraneer**Bermuda Place**

No 1, boatshed—**B313**

No 7, house—**B265**

Burraneer Bay Road

Street trees (possibly remnant canopy) consisting of *Eucalyptus racemosa* (Snappy Gum or Small-leaf Scribbly Gum), along Burraneer Bay Road, between Gannons Road and Coral Road—**T53**

Street trees, consisting of *Eucalyptus paniculata* (Grey Ironbark), southern side of Burraneer Bay Road, between Dolans Road and Elm Place—**T54**

Dolans Road

No 93, “Coolangatta”, house—**B275**

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Schedule 1

Dunkeld Close

No 4, house—**B266**

Eurabalong Road

Nos 1–9, house—**B212**

Goobarah Road

No 4, house—**B267**

Gunnamatta Road

Southern end of Gunnamatta Road on foreshore, remains of bath walls—**A119**

Hazel Place

Nos 2C, 11 and 15, boatsheds (group)—**B316**

Loch Lomond Crescent

No 3, “Loch Lomond”—**B215**

Portview Place

No 6, house and grounds—**B269, L030**

Rutherford Avenue

No 18, boatshed—**B317**

No 22, “Minnamurra”—**B216**

Shell Road

No 14, house—**B217**

Smarts Crescent

Nos 6–16, “Mount Vincent”, house—**B218**

Nos 27–31, house—**B270**

Woolooware Road

Alignment of first road in Sutherland Shire—Woolooware Road—**A006**

No 224, boatshed—**B318**

No 255A, boatshed/house—**B319**

No 295, boatshed/house—**B320**

No 321, “Attwells Boat Brokerage”, boatshed/house—**B321**

Nos 344–350, garden, including nearby street trees—**L170**

Street trees, between Burraneer Bay Road and Wren Place—**L187**

Other

Beach on western side of Gunnamatta Bay, fronting 2–34 Bulls Road—**Lf30**

Sandstone rock platform on foreshore, fronting 1–5 Bell Place and 1–9 Eurabalong Road—**Lf31**

Sandstone cliff formation running along 2–52 Rutherford Avenue and 2–16 Loch Lomond Crescent—**Lf32**

Single tree, *Angophora costata* (Smooth-barked Apple or Sydney Red Gum), southern end of Dolans Road South, in vegetated unformed part of public road—**T55**

2 trees, *Eucalyptus racemosa* (Snappy Gum or Small-leaf Scribbly Gum), eastern side of Dolans Road South, north of 129 Burraneer Bay Road and 54 Dolans Road—**T56**

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Caringbah

Kingsway

Park, south-western corner, Port Hacking Road—**L186-R**

Caringbah South

Baliga Avenue

No 39, boatshed—**B332**

Bayside Place

No 21, house and boatshed “Elanora”—**B278**

Burraneer Bay Road

2 street trees, southern side of Burraneer Bay Road, east from intersection with Port Hacking Road—**T52**

Caringbah Road

Street trees, including *Eucalyptus microcorys* (Tallow Wood), Caringbah Road, west of Laguna Street and west of Kanoona Street—**T49**

Street trees (possibly remnant canopy), consisting of *Eucalyptus racemosa* (Snappy Gum or Small-leaf Scribbly Gum), southern side of Caringbah Road, between Oleander Parade and Gannons Road and returning into Oleander Parade—**T50**

Street trees, consisting of *Eucalyptus racemosa* (Snappy Gum or Small-leaf Scribbly Gum), eastern side of Oleander Parade, at intersection with Burraneer Bay Road—**T51**

Fernleigh Road

Nos 44–46, “Fernleigh”—**B005-S**

Frangipani Place

No 4, “Rellum”, house—**B264**

Mirral Road

No 41, boatshed—**B235**

President Avenue

EC Waterhouse National Camellia Garden, corner Kareena Road—**L134-R**

Wallami Street

No 24, house—**B287**

Water Street

Nos 28 and 32, including The Terraces and former stables—**B010**

Willarong Road

No 359, boatshed—**B279**

No 432, boatshed and stone walls—**B280**

No 509, cottage, boatshed and jetty—**B239**

No 527, waterfront cottage—**B234**

No 541, boatshed/dwelling and swimming enclosure—**B342**

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Schedule 1

Como

Bonnet Avenue

No 39, house—**B281**

Como Parade

No 105, corner Warraba Street, house—**B013**

Cremona Road

No 2, “Café de Como”, house—**B016**

End of Cremona Road, Como Pleasure Grounds—**L048-R, A039**, including pavilion site—**A040**, boatshed—**A041**, sea walls—**A042**, tidal baths—**A043** and Scylla Bay—**A044**

Railway Bridge

North of Cremona Road, former Como railway bridge (now cycleway), lattice girder railway bridge—**A009**

North of Cremona Road, Como railway bridge (current railway bridge)—**A020**

Northern end of Cremona Road, Como railway bridge—**L197-R**

Wolger Street

No 41, corner Burunda Street, house—**B019**

Cronulla

Arthur Avenue

No 8, house—**B067** (also No 40 The Esplanade)

Note. The property has 2 frontages. Arthur Avenue is the street frontage.

Burraneer Bay Road

Nos 20–24 Burraneer Bay Road, Cronulla Public School, main building and grounds—**B021**

Connels Road

No 15, house—**B022**

Cronulla Street

Between Tonkin Street and Cronulla Street—Cronulla Railway Station—**A026, B026-S**

Nos 2–6, “Cronulla Theatre”, corner Kingsway—**B027**

Nos 8–12, commercial building—**B028**

No 41, Cronulla Post Office—**B025**

Nos 66–70, Commonwealth Bank—**B029**

No 112, State Bank—**B030**

Nos 146–148, Cronulla Street, Monro Park—**L008-R**

Darook Park Road

No 9, boatshed, garage and walls—**B282**

Elouera Road/Kingsway

At the eastern end of Kingsway—sea wall (south of Dunningham Park)—**A049**

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Ewos ParadeSouthern end of Oak Park—Oak Park rock pool—**A047**Southern end of Shelly Park, Shelly Park rock pool—**A048**No 157, corner Rose Street, house—**B032**Shelly Beach and Park—**L003**Street trees (opposite Oak Street)—**L055**Oak Park—**L058****Excelsior Road**No 6, house and garden trees—**B036, L070**No 22, house—**B037****Franklin Road**No 54, house—**B038****Gerrale Street**Gerrale Street (opposite Mentone Avenue), Parramatta Street and surrounding streets—brick kerbing—**A051**Nos 80–82, house—**B042**Nos 97–99, corner Nicholson Parade, commercial pair—**B041**South Cronulla Beach and Cronulla Park—**L002–R****Giddings Avenue**“Thornton Hall”, corner Nicholson Parade, part of St Aloysius School—**B043****Gowrie Street**Remains of Salmon Haul ocean wharf, eastern end of Salmon Haul Reserve—**A027**Bass and Flinders memorial—**A055****Grasmere Crescent**No 30, garden—**L032****Gunnamatta Road**Wharf, Broadway and steps, at end of street—**B315****Hampshire Street**No 12, corner Nicholson Parade, house—**B044****John Street**Nos 10–12, “Miami’s” kindergarten, house and garage—**B045****Kingsway**Nos 43–45, “Masonic Temple”—**B046**Dunningham Park (also fronts Elouera Road)—**L001**Street trees, corner Libra Avenue—**L168****Links Avenue**No 17, corner Berry Street—**B048****Lucas Street**No 9, corner Barony Street, “Elanora Mackinnon House” and gardens—**B049, L056**

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Schedule 1

McDonald Street

Foreshore between North and South Cronulla Beaches—rock pool—**A050**

Nicholson Parade

Southern end of Nicholson Parade, Hungry Point—Fisheries Research Institute—**A036, L061S**

On rise, east of Gunnamatta Baths—Gunnamatta Park, including dressing pavilion—**A046, L033**

Oak Street

No 8, house—**B052**

Parramatta Street

No 50, house—**B055**

Prince Street

To the north of Dunningham Park, North Cronulla Surf Club—**B056**

Richmount Street

No 12, “Moonbow”, house—**B057**

No 14, house—**B058**

St Andrews Place

No 1A, St Andrews Church of England, church, rectory and grounds—**B059**

Surf Road

Nos 4–8, “School of Arts”—**B063**

Taloombi Street

Laneway, between 51 and 53 Taloombi Street, sandstone steps from street to waterfront—**A113**

No 47, boatshed—**B283**

No 52, “Coombe Grange”—**B064**

No 53, boatshed/dwelling—**B284**

The Esplanade

To the east of Cronulla Park, Cronulla Surf Club—**B065**

Cronulla Sports Complex—**B066**

No 40, house (also No 8 Arthur Avenue)—**B067**

Walking path on eastern foreshore—**L059**

Bass and Flinders Point and Salmon Haul Reserve (at southern point of Cronulla Peninsula)—**L060–R**

Tonkin Street

Tonkin Park—**L068**

Via Mare

No 8, house—**B070**

Waratah Street

Northern end of Waratah Street, Cronulla Wharf, stone steps—**A114**

Abutting Gunnamatta Park, substation (Electric Light Department)—**B071**

Wilshire Avenue

No 14, Uniting Church—**B073**

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Other

Possible remnant canopy, consisting of *Eucalyptus racemosa* (Snappy Gum or Small-leaf Scribbly Gum) and *Angophora costata* (Smooth-barked Apple or Sydney Red Gum), mainly on eastern side of Gunnamatta Road—**T62**

Street plantings, consisting of *Eucalyptus* (possibly Snappy Gum), eastern side of northern end of Franklin Road—**T64**

Frontage trees, consisting of *Eucalyptus paniculata* (Grey Ironbark) and some *Eucalyptus pilularis* (Blackbutt), main frontages to Woolooware Primary School, Wills Road and Riverview Avenue—**T65**

Street plantings, consisting of *Ficus hillii* (Hill's Weeping Fig), Hume Road boundary to golf course—**T67**

Remnant foreshore vegetation, at head of Gunnamatta Bay, consisting of mixed species shrubs and understorey plants—**T68**

Linear cultural exotic planting of rail embankment, consisting of coral trees—**T69**

Remnant eucalypt canopy in Tonkin Park, adjacent to car park—**T70**

Sandstone platform at head of Gunnamatta Bay, below south-western corner of Tonkin Park—**Lf33**

Sandstone caves and wind eroded formations on foreshore, from Darook Park towards 29 Darook Park Road—**Lf34**

Bass and Flinders Point, South Cronulla, consisting of remnant native *Cupaniopsis anacardioides* (Tuckeroo) and endangered Sutherland Shire littoral rainforest—**T71**

Sandstone cliff feature above Esplanade walkway, between Kingsway and Cronulla Park—**Lf35**

Dolans Bay**Parthenia Street**

No 92, house—**B285**

Port Hacking Road

No 733, house—**B280**

Port Hacking Road South

No 698, house—**B009**

No 742, "Our Lady of Mercy Convent"—**B074**

Engadine**Banksia Avenue**

No 133, house—**B075**

Railway Parade (Princes Highway)

No 43, house—**B077**

Waratah Road

"The Boys Town"—**Ar**, including Bakery Trade Industry building and Meat Trade Industry building—**A112, B078, B079**, "Memorial Hospital"—**B080** and grounds—**L160**

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Woronora Road

No 277, "Homelea", corner Fairview Avenue—**B081**

Stand of *Pinus radiata* (Radiata Pine or Monterey Pine) and *Lophostemon confertus* (Brush Box), Cooper Street Reserve, on Princes Highway frontage—**T13**

The "Needles", Lot 7038, DP 1027187, rock formations in river, immediately downstream of the Causeway—**Lf3**

Grays Point

Grays Point

Sandy beach next to boat ramp—**Lf13**

"Swallow Rock" rock formations, east of boat ramp—**Lf14**

Mangrove stands, between Swallow Rock and foreshore—**Lf15**

Grays Point rocky foreshore to public reserve—**Lf16**

Mangrove stands, between Grays Point and Point Danger—**Lf17**

DP 12160, Mansion Bay, sandstone foreshore (between 8–70A Mansion Point Road)—**Lf18**

North West Arm Road

No 152, house—**B083**

Peninsula Road

No 129, house, boatshed and sea wall—**B288**

Gundamaian (Royal National Park)

Deer Park Road (Deer Park)

On foreshore between Dark Bay and Carruthers Bay, access stairs to jetty and boatshed, "Chaldercot"—**A065**

"Chaldercot"—**B084-R**

Point Danger

On western side of Gundamaian, site of landscaping and jetty remains—**A062**

On western side of Gundamaian, remains of landscape and jetty—**A063**

Wants Point

On eastern side of Gundamaian, remains of jetty—**A064**

Warumbul Road (Gogerly's Point)

Gogerly's Point—**Ar**, including west of "Rathane", "Telford" and landscaping—**A066**, **B091**, north of "Hilltop", "Rathane" cottage and associated buildings and landscape setting—**A067**, **B089**, adjacent to "Hilltop", "Gogerly's Cottage"—**A068**, **B085S**, south of "Rathane", "Hilltop" and landscaping—**A069**, **B086**, east of "Hilltop", Lamont house site—**A070**, boatsheds—**B087**, Timber cottages—**B088**, within landscape setting for Rathane, rotunda—**B090**, gardens/grounds—**L036-R**

Warumbul Road (Warumbul)

North of Graham's Point, Warumbul—**A071**

Remnant period garden and ancillary foreshore structures in grounds of Warumbul—**L035**

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Schedule 1 Amendments

Gwawley Bay

Sandy Beach, between 12 Marra Place and 1 Holts Point Place—**Lf19**

Sandy Beach, between 75–93 Holt Road—**Lf20**

Sandy Beach, between 31–47 Holt Road—**Lf21**

Sandy Beach, between 5–9 Holt Road—**Lf22**

Sandy Beach, between 2–12 Woodlands Road—**Lf23**

GyMEA

Kingsway

Nos 782–800, corner Talara Road, Hazelhurst garden—**L101**

Street plantings, *Eucalyptus*, mainly southern side, between Talara Road North and Premier Street North—**T31**

Princes Highway

Stands of *Eucalyptus microcorys* (Tallow Wood), *Eucalyptus pilularis* (Blackbutt), *Eucalyptus racemosa* (Snappy Gum or Small-leaf Scribbly Gum), *Eucalyptus grandis* (Rose Gum) and *Eucalyptus globoidea* (White Stringybark) along Princes Highway, between Kingsway and The Boulevard—**T30**

Note. Part of the above item is within land that is deferred matter (see clause 4 (b)).

GyMEA Bay

GyMEA Baths, north-western corner of GyMEA Bay—**L039**

Bayhaven Place

No 9, house—**B291**

Coonong Road

Street trees, consisting of *Eucalyptus microcorys* (Tallow Wood), footpath reserve, outside 67 Coonong Road—**T34**

Single tree, *Eucalyptus*, north-eastern corner of Winkin Avenue and Coonong Road—**T35**

CooperNOOK Avenue

No 38, boatshed—**B240**

Ellesmere Road

No 116, waterfront cottage—**B242**

No 180, house—**B096**

Forest Road

Street trees, consisting of *Eucalyptus pilularis* (Blackbutt), southern side of Forest Road, opposite Manchester Road—**T37**

Street trees, consisting of *Eucalyptus pilularis* (Blackbutt), southern side of Forest Road, opposite Walker Avenue—**T38**

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Amendments

Schedule 1

GyMEA Bay Road

Street trees, consisting mainly of *Eucalyptus pilularis* (Blackbutt) and *Eucalyptus globoidea* (White Stringybark), GyMEA Bay Road, south, between President Avenue and High Street—**T32**

Street trees, consisting of *Eucalyptus*, north-eastern corner of GyMEA Bay Road and Forest Road—**T33**

Street trees, consisting of *Eucalyptus racemosa* (Snappy Gum or Small-leaf Scribbly Gum), south-western corner of GyMEA Bay Road and Forest Road—**T36**

Pinaroo Place

No 24A, house—**B094**

Heathcote

Bottle Forest Road

On southern side of laneway leading to Heathcote Sesquicentenary Park, site of former Heathcote Brickworks—**A033**

Bottle Forest Road (and former brickpit embankment)

Street trees, Blue Gum, *Eucalyptus pilularis* (Blackbutt) and Stringybark—**L153**

Dillwynnia Grove

Nos 1–21, corner Tecoma Street, Heathcote Hall and grounds—**B098, L151–S**

No 40, “Kennet Villa”—**B099**

East Heathcote

Dillwynnia Grove—cultural street trees, *Lophostemon confertus* (Brush Box)—**T11**

Forest Road—natural street plantings, including *Eucalyptus pilularis* (Blackbutt), *Syncarpia glomulifera* (Turpentine) and *Angophora*—**T12**

Princes Highway

No 1330, former railway cottage—**B100**

Wilson Parade

No 1, house—**B101**

No 122, house—**B102**

Illawong

Bignell Street

At the end of Bignell Street, stone jetty—**A116**

No 4, foreshore house, boatshed and stone wall—**B293**

Nos 7–13, stone boatshed, seawall and basin—**B294**

Nos 20–22, early waterfront housing and boatsheds—**B295**

Nos 60, 64, 66, 68 and 72, houses and boatsheds (group)—**B296**

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Schedule 1 Amendments

Cranbrook Place

Nos 9–21, sculptures, pathways and steps, seawall and swimming enclosure—**B343**

Nos 16–20, “Cranbrook”, house and gardens (also Nos 45–53 Fowler Road)—**B103, L022**

Fowler Road

Nos 45–53, “Cranbrook”, house and gardens (also Nos 16–20 Cranbrook Place)—**B103, L022**

No 69, house and boatshed—**B298**

Nos 77–79, seawall—**B299**

No 118, house—**B104**

Nos 119–121, boatshed, house, wharf and stone waterfront—**B297**

Griffin Parade

Nos 9–11, early waterfront house—**B301**

Old Ferry Road

Between Old Illawarra Road and Old Ferry Road junction, Old Illawarra Road—**A004**

Old Punt crossing (Lugarno ferry)—**A007**

Stone wharf—**A117**

200m west of No 1R, waterfront houses (group of 5)—**B302**

Jannali**Jannali Avenue**

Stand of *Eucalyptus pilularis* (Blackbutt), Jannali Avenue, between Mitchell Avenue and Louise Street—**T29**

Jannali Avenue/Railway Parade

Jannali Railway Station and immediate surrounds—**A025**

Mitchell Avenue

Cultural planting, comprising *Lophostemon confertus* (Brush Box)—**T28**

Kangaroo Point**Ilma Avenue**

No 9, boatshed and house—**B303**

Kangaroo Point Road

Nos 6–8, boatshed and wall—**B304**

No 10, house—**B109**

No 25, house and garden—**B108, L080**

Nos 72–74, boatshed—**B305**

Nos 105–107, house—**B258**

No 162, corner Tara Street, house—**B111**

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Amendments

Schedule 1

Kirrawee

Acacia Road

No 94, "Botany View", house—**B112**

No 189, house—**B140**

President Avenue

No 455, corner Oak Road, house—**B114**

Princes Highway/Oak Road/Flora Street

Site of former brickworks, Sutherland Brick Company claypits—**A034**

Lilli Pilli

Bareena Street

No 18, "Waratah" and garden trees—**B118, L006**

Beckton Place

Nos 20–24, "Beckton", house and boatsheds—**B120, B237**

Gow Avenue

No 24, waterfront cottage—**B238**

Korokan Road

Nos 16–18, "Nuimburra" and adjoining house—**B262**

Lilli Pilli Point Road

At the end of Lilli Pilli Point Road, site of Lilli Pilli wharf—**A045**

Moombara Crescent

Nos 17–19, "Moombara"—**B123–R**

Sandbar Place

No 1, house—**B124**

Shiprock Road

No 34, boatshed—**B286**

Turriel Bay Road

No 33, waterfront cottage—**B236**

Wallendbeen Avenue

No 10, "Wallendbeen Lodge"—**B125**

Other

Remnant mixed canopy at eastern end of Lilli Pilli Point Reserve—**T44**

Shiprock rock feature on foreshore, opposite 2 Shiprock Road, together with the Shiprock Aquatic Reserve, extending from 12 Wallendbeen Avenue to 18 Shiprock Road—**Lf25**

Loftus

Loftus Avenue

Loftus Heights, east of Illawarra Railway Line, Old Illawarra Highway—**A107**

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Schedule 1 Amendments

National AvenueNo 9, house—**B127**No 44, house—**B128****Nattai Street (opposite on railway land)**Loftus Junction Railway Signal Box —**A121-S****Princes Highway (on edge of Royal National Park)**Former “Gardeners Garage”—**B130****Menai****Menai Town Centre**Between Carter Road and Old Illawarra Road, Moreton Bay Fig, Lot 101, DP 1038691—**T6****Other**Between Heathcote Road and Mill Creek, Commonwealth land held for defence purposes, sandstone escarpment, DP 828667—**Lf1**Commonwealth land held for defence purposes, sandstone escarpment, DP 828667—**Lf2***Eucalyptus maculata* (Spotted Gum), POR 456, DP 752034, DP 210890—**T1****Note.** Part of the above item is within land to which this plan does not apply because of clause 4 (c) of this plan.*Angophora costata x bakerii*, POR 90, DP 507721—**T2****Note.** The above item is partly within land that is deferred matter (because of clause 4 (b) of this plan) and partly within land to which this plan does not apply (because of clause 4 (c)).*Eucalyptus squamosa* PT 185, DP 752034, DP 210890—**T4***Eucalyptus paniculata* (Grey Ironbark) POR 249, DP 752034, Lot 22, DP 818821, Lot 25, DP 874608, Pt 2, DP 1032102, Pt 3, DP 1032102, POR 272, DP 752034, POR 274, DP 752034—**T5****Note.** Part of the above item is within land to which this plan does not apply because of clause 4 (c).**Miranda****Forest Road**Street trees, consisting of *Eucalyptus pilularis* (Blackbutt), southern side of Forest Road, immediately east of junction with Alkaringa Road—**T39****Kiora Road**Street trees, alternate planting of *Lophostemon confertus* (Brush Box) and Camphor Laurels—**L164****Matson Crescent**No 13, house—**B228**No 32, waterfront house—**B335**Nos 42, 46, 50–56, 60 and 62, boatsheds and boatshed/dwellings—**B336**

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Amendments

Schedule 1

Port Hacking Road

Gwawley Creek storm water canal, eastern side of Port Hacking Road, 200m south of Box Road—**L075**

The Boulevarde

Remnant stand, consisting of *Eucalyptus racemosa* (Snappy Gum or Small-leaf Scribbly Gum), northern side of The Boulevarde, between Aster Avenue and Ingara Avenue—**T42**

Cultural plantings, consisting of *Melaleuca quinquenervia* (Broad-leaved Paperbark), school frontage, opposite Edward Avenue—**T43**

Miranda Centre School War Memorial, northern end of The Boulevarde—**L163, Ot**

Oyster Bay

Caravan Head Road

Nos 141 and 151, waterfront cottages—**B308**

Carina Road

No 27, boatshed and cottage—**B307**

Green Point Road

Nos 14–20, 22 and 40, waterfront cottages—**B308**

Sage Avenue

No 2, “Desiree”—**B139**

Shipwright Place

Nos 17 and 19, waterfront cottages—**B308**

Ward Crescent

Nos 20, 24, 28, 30 and 32, waterfront houses/boatsheds (group)—**B309**

Stands of *Avicennia marina* (Grey Mangrove), fringing Coronation Bay—**Lf12**

Royal National Park

Other

Avenue of trees, consisting of Bunya Pine, Hoop Pine and Monterey Pine or Radiata Pine, Royal National Park entry at Loftus Junction and extending into Royal National Park—**AL175**

Audley Road

“Bedford”—**B129**

Bottle Forest Road

From Farnell Avenue west to Loftus Ridge, military parade site—**A076**

Cabbage Tree Basin

At weir on northern end of Cabbage Tree Basin, Bundeena/Maianbar water supply—**A075**

Costens Point

On western side of Costens Point, house sites and associated remains—**A072**

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Schedule 1 Amendments

Commencing north-west of sites at Costens Point, Old Coast Road—**A073**

Florence Parade

Commencing at Grays Point and terminating at Lady Rawson Parade, Florence Parade—**A080**

Jibbon Head

Erected in cliff face at Jibbon Head, plaque—**A110**

On Jibbon Beach south-west of Jibbon Head, shell grit beach mine—**A111**

McKell Avenue

Eastern side of Fosters Flat, above creek, 350m north of Couranga Track, Fosters Flat saw pit—**A059**

East of Illawarra railway line and northern end of Wilson Parade, former clay pit associated with railway contractors—**A077**

Rawson Drive

Rawson Drive—**Ar**, Including site of bridge across tributary of Temptation Creek—**A078**, East of Illawarra railway line, beside fire trail, Old Illawarra Highway remains—**A108**

Red Jacks Point

Red Jacks Point, remains of house sites—**A074**

Sutherland**Adelong Street**

Nos 3–7, row of 3 houses—**Ar**

No 5, house—**B143**

No 7, house—**B144**

No 10, house—**B145**

Auburn Street

No 68, house—**B147**

Clio Street

No 52, house—**B152**

East Parade

Nos 9–15, house—**B154**

Nos 21–23, former School of Arts—**B157**

No 77, corner Sutherland Street, house—**B159**

Street trees, alternate planting of Port Jackson Fig and *Lophostemon confertus* (Brush Box)—**L174**

Eton Street

Former Sutherland Intermediate High School building (now part of Sutherland Primary School)—**B161**

Sutherland War Memorial (Peace Park)—**Ot, L192**

Flora Street

Sutherland Primary School, corner Eton and Merton Streets, including original building and grounds—**B162**

Corner Merton Street, church—**B163**

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Amendments

Schedule 1

No 116, house—**B164**

No 122, corner Glencoe Street, house—**B165**

Glencoe Street

No 56, house and fence—**Ot, B172**

Jannali Avenue

No 123, rear frontage to Vesta Street, house—**B173**

No 125, corner Moira Street, house—**B174**

No 129, “Lark Ellen Nursing Home”—**B175**

Linden Street

Bounded by Linden Street, First Avenue, Sutherland Oval and Prince Edward Park, Woronora Cemetery—**A052**

Between cemetery office and Linden Street, site of mortuary line, Woronora Cemetery—**A053**

No 148, corner Sutherland Street, house—**B177**

“Cooee Tree”, *Eucalyptus racemosa* (Snappy Gum or Small-leaf Scribbly Gum), 1.8m diameter trunk, Sutherland Park—**L043-S**

Sutherland Park—**L044-R**

Woronora Cemetery—**L045-S**

Old Princes Highway

Western side of Old Princes Highway, 50m south of Cronulla Branch line, site foundations for steam tramway (western side)—**A018**

No 753, former steam tramway office—**A019**

Sutherland Railway Station—**A024**

South of Cronulla Branch Line junction, electrical substation—**A035**

No 685 (next to overpass), commercial building—**B178**

No 808, (corner Boyle Street), “Boyles Sutherland Hotel”—**B179**

No 816, Commonwealth Bank—**B180**

Eton Street and Old Princes Highway, Forby Sutherland Memorial Gardens and Council grounds, Council chambers—**L017**

Railway Station precinct, bridge, retaining walls and fig trees—**L104**

Rawson Avenue

“National Avenue” street trees—**L108-R**

Toronto Parade

No 90, house—**B189**

No 94, house—**B190**

No 100, corner Clio Street, “Brinsley’s Joinery Works”—**A032, B191**

No 102, house—**B192**

No 104, “Walton”—**B193**

Other

Single tree, *Eucalyptus punctata* (Grey Gum), opposite 115 The Grande Parade, located in Prince Edward Park Reserve—**T14**

Cultural plantings of *Lophostemon confertus* (Brush Box), northern and southern boundaries of sports ovals off The Grand Parade—**T15**

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Schedule 1 Amendments

Stand of *Eucalyptus haemastoma* (Scribbly Gum) and *Eucalyptus racemosa* (Snappy Gum or Small-leaf Scribbly Gum), Park Reserve, on western side of Linden Street—**T16**

2 trees, *Tristaniopsis laurina* (Water Gum), Linden Street footpath reserve, opposite Adelong Street—**T17**

Stand of *Eucalyptus microcorys* (Tallow Wood) and *Eucalyptus pilularis* (Blackbutt), Sunbury Street road reserve, between Tudor Road and Hornby Avenue—**T18**

2 trees, *Eucalyptus racemosa* (Snappy Gum or Small-leaf Scribbly Gum), either side of Sumner Street at Sutherland Road junction—**T19**

Single tree, *Eucalyptus microcorys* (Tallow Wood) in footpath reserve at 160 Sutherland Road—**T20**

Single tree, *Ficus rubiginosa* (Port Jackson Fig), opposite Oxford Street on eastern side of East Parade—**T21**

Single tree, *Ficus rubiginosa* (Port Jackson Fig), East Parade, at the Bus Interchange—**T22**

Single tree, *Ficus rubiginosa* (Port Jackson Fig), western side of Eton Street, outside 51 Eton Street—**T23**

Street plantings, consisting of *Eucalyptus scoparia* (Willow Gum), western side of Belmont Street, from Morley Street to Cook Street—**T24**

Cultural plantings, consisting of 4 *Lophostemon confertus* (Brush Box), Acton Street, in front of Olsens Funeral Chapel—**T25**

Street trees, consisting of *Eucalyptus microcorys* (Tallow Wood), *Eucalyptus pilularis* (Blackbutt), *Eucalyptus saligna* (Sydney Blue Gum), northern side of Old Princes Highway, fronting 42 Auburn Street—**T26**

Single tree, *Eucalyptus pilularis* (Blackbutt), south-western corner of Waratah Street and Acacia Road intersection—**T27**

Sylvania

Belgrave Street

West of 1929 Tom Ugly's Bridge at Horse Rock Point, stone setting at 1929 Tom Ugly's Bridge—**A012**

Street tree outside No 39, Norfolk Island pine—**L161**

Canberra Road

No 23, corner Pembroke Street, house—**B194**

Evelyn Street

No 5, house—**B197**

Harrow Street

No 35, boatshed, jetty and walls—**B310**

Murralin Lane

No 35, "Glenn Robin", house, Fairy House, boatshed and jetty—**B198**

Port Hacking Road

Nos 101–151, house (part of Frank Vickery Village No 16)—**B134**

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Amendments

Schedule 1

Princes Highway

Former St Marks Church (now part of public school)—**B200**

Nos 56–60, corner Endeavour Street, old church—**B201**

Fig tree (on southern approach to Tom Ugly's Bridge)—**L087**

Sylvania Waters

Sylvania Waters canal development

Sylvania Waters canal development—**L074–R**

Taren Point

Old Taren Point Road

At northern end of Old Taren Point Road, west of Captain Cook Bridge, disused ramp for punt—**A015**

Taren Point Road

Spanning Georges River between Taren Point and Rocky Point, Captain Cook Bridge (1965)—**A016**

Captain Cook Bridge (1965) and southern approach—**L072–R**

Waterfall

McKell Avenue

Nos 7, 8, 9 and 10, pair of semi-detached houses—**B205**

Other

At southern end of railway yards, on eastern side of the railway line—Waterfall Railway turntable—**A022**

Opposite 1899 Princes Highway, watertank—**A023**

On eastern side of Waterfall Station, row of 3 railway workers' cottages including "Community Cottage"—**Ar**

On hillside, 1km south-west of Waterfall, off highway (near freeway), "Camp Couatts", Heathcote National Park—**L158–R**

Woollooware

Caronia Avenue

No 28, house—**B210**

Castlewood Avenue

Nos 26–28, house—**B211**

Kingsway

No 141, "Woollooware House" and stables building—**A054, B214**

Swan Street

No 2, "Wyndham Flats"—**B219**

Woollooware Road

Alignment of first road in Sutherland Shire—Woollooware Road—**A005**

No 79, corner Castlewood Avenue, house—**B222**

No 89, "Castlewood"—**B223–R**

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Schedule 1 Amendments

Other

Single tree, *Ulmus parifolia* (Chinese Weeping Elm), eastern side of Cabramatta Road, at junction with Hyndman Parade—**T57**

2 *Eucalyptus racemosa* (Snappy Gum or Small-leaf Scribbly Gum) on opposite corners of intersection of Munni Street and Cabramatta Road—**T58**

Single tree, *Angophora costata* (Smooth-barked Apple or Sydney Red Gum), south-eastern corner of intersection of Coronia Avenue and Woolooware Road—**T59**

Single tree, *Ficus rubiginosa* (Port Jackson Fig), footpath at 41 The Kingsway—**T60**

Single tree, *Quercus robur* (English Oak), rear garden of 53 Burraneer Bay Road (private property)—**T61**

Trees, including *Sarcocornia quinqueflora* (Saltmarsh), *Avicennia marina* (Grey Mangrove) and *Casuarina glauca* (Swamp Sheoak), frontage to Woolooware High School, Captain Cook Drive—**T63**

Remnant canopy, consisting of *Eucalyptus globoidea* (White Stringybark) and *Eucalyptus paniculata* (Grey Ironbark), Hagger Park at Denman Avenue—**T66**

Woronora**Liffey Place**

No 67, house—**B323**

Menai Road

Site of 1912 bridge across the Woronora River, Menai Road—Woronora Bridge—**A017**

Single tree, *Eucalyptus racemosa* (Snappy Gum or Small-leaf Scribbly Gum), Lot 7015, DP 1027164, western low level bridge approach—**T8**

Prices Circuit

Sandstone Steps, Lot 7007, DP 750234, northern boundary to Woronora School—**Lf7**

Sandstone formations, Lot 7008, DP 1027166, riverfront at southern end of Prices Circuit Reserve—**Lf8**

Stand of *Eucalyptus* and single fig tree, Prices Circuit Crown Reserve, Lot 7008, DP 1027166—**T7**

Trees, *Calodendrum capense* (Cape chestnut), 193 Prices Circuit, Lot 31, DP 11327, planted around 1930 (private property)—**T7A**

Prince Edward Park Road

No 87, house—**B325**

No 105, stone boatshed and seawall—**B324**

No 201, stone house, boatshed and carport—**B326**

Woronora RSL War Memorial—**L110, Ot**

Single tree, *Eucalyptus camaldulensis* (River Red Gum), corner of Prince Edward Park Road and River Road—**T10**

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Amendments

Schedule 1

River Road

No 29R, house—**B226**

The Crescent

Wishing well in creek bed, Lot 104, DP 875898 (AQC), The Crescent—**Lf10**
Single tree, *Eucalyptus pilularis* (Blackbutt), Lot B, DP 379873, rear garden of 4 The Crescent (private property)—**T9**

Yowie Bay

Attunga Road

No 8, house—**B227**

No 139, boatshed—**B328**

No 255, boatshed and house—**B329**

Nos 296–298, boatshed—**B330**

Binda Road

No 19, boathouse, boatskid/ramp, saltwater bath remnants—**B350**

Coolum Place

Nos 2–4, boatshed and baths (also No 5 Kalang Lane)—**B334**

Coora Road

3 trees, *Angophora costata* (Smooth-barked Apple or Sydney Red Gum), eastern end of Coora Road—**T41**

No 1C, boatshed—**B338**

Glen-Ayr Avenue

No 4, boatshed—**B333**

Kalang Lane

No 5, boatshed (also Nos 2–4, Coolum Place)—**B334**

Nos 5 and 6, sandstone seawall—**L026**

Maroopna Road

No 14, “Magnetic”, waterfront cottage—**B344**

Muneela Place

No 4, two-storey stone boatshed—**B337**

Sherwood Avenue

No 6, boatshed—**B339**

No 8, waterfront cottage—**B339**

Wonga Road

No 1, boatshed—**B230**

No 7, house—**B231**

No 16, “Cliff Haven”, house—**B233**

Yellambie Street

No 23A, boatshed and seawall—**B340**

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Schedule 1 Amendments

Other

Stands of *Eucalyptus microcorys* (Tallow Wood) and *Lophostemon confertus* (Brush Box), vegetated unformed parts of Kiora Road, between Forest Road and waterfront to Gynea Bay—**T40**

Miscellaneous items (not listed by location elsewhere)

Woronora-Penshurst pipeline—**A037**

Note. Part of the above item is within land that is deferred matter (see clause 4 (b)).

Royal National Park—**A056**

Note. Part of the above item is within land that is deferred matter (see clause 4 (b)).

Heathcote National Park—**A098**

Note. Part of the above item is within land that is deferred matter (see clause 4 (b)).

Woronora Dam—**A099-S**

On Woronora River, south of Heathcote Road Bridge, Kolora Weir—**A100**

West of Waterfall township, Lake Toolooma Dam—**A101**

West of Waterfall township, Lake Toolooma Dam pumping station—**A102**

Port Hacking

Yennibilli Point, Port Hacking, ballast heap—**A002**

Bounded by Port Hacking River to north, Illawarra rail line to west and Sutherland Shire boundary to south—Royal National Park—**L037-S**

Note. Part of the above item is within land that is deferred matter (see clause 4 (b)).

Bounded by Sutherland Shire boundary to south, military area to west, Heathcote Road to the north and Illawarra railway line to the east—Heathcote National Park—**L143-S**

Note. Part of the above item is within land that is deferred matter (see clause 4 (b)).

Port Hacking mid channel between Little Turiel Bay and Yennibilli Point, ballast shoal (just north-west of Maianbar)—**L034-R**

[30] Dictionary

Insert in alphabetical order:

acid sulfate soils land means land identified on the Acid Sulfate Soils Map.

coastal lake means a body of water specified in Schedule 1 to the *State Environmental Planning Policy No 71—Coastal Protection*.

coastal waters of the State—see section 58 of the *Interpretation Act 1987*.

Code for Commercial Home Catering means the *Sutherland Shire Council Commercial Home Catering Code* as adopted by the Council on 28 November 2005.

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Amendments

Schedule 1

contaminated risk land means land that is being, or has been, used for a purpose which may cause contamination, as specified in the contaminated land planning guidelines that have been notified under section 145C of the Act, unless a notice of completion of remediation work has been given to the Council in accordance with *State Environmental Planning Policy No 55—Remediation of Land*.

development control plan means the *Sutherland Shire Development Control Plan 2006* adopted by the Council as in force on the date of commencement of *Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)*.

flood liable risk land means land identified on the Flood Liable Land Map.

foreshore land means land that is between a foreshore building line and any waterway or waterfront reserve in respect of which the building line is fixed.

Greenweb Map means the Greenweb Map contained within the development control plan.

heritage item land means land identified on the Heritage Map.

high technology medical industry means the manufacturing, production, assembling, processing or research and development of biological, pharmaceutical, medical or paramedical systems, goods or components.

Road Hierarchy Map means the Road Hierarchy Map contained in the development control plan.

Sutherland Shire Council Environmental Specification—Advertising means the *Sutherland Shire Council Environmental Specification—Advertising*, as adopted by the Council on 3 September 2007.

Sutherland Shire Council Environmental Specification—Landscaping means the *Sutherland Shire Council Environmental Specification—Landscaping*, as adopted by the Council on 3 September 2007.

Sutherland Shire Council Environmental Specification—Outdoor Eating Areas means the *Sutherland Shire Council Environmental Specification—Outdoor Eating Areas*, as adopted by the Council on 3 September 2007.

Sutherland Shire Council Environmental Specification—Swimming Pools means the *Sutherland Shire Council Environmental Specification—Swimming Pools*, as adopted by the Council on 3 September 2007.

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Schedule 1 Amendments

[31] Dictionary

Omit the definitions of *bush fire interface area*, *dwelling house*, *Heritage Map*, *landscaped area*, *residential medical practice* and *townhouse*.

Insert instead:

bush fire interface property means land that is recorded as a bush fire interface property on the Bush Fire Interface Property Map within the development control plan.

dwelling house means a building containing only one dwelling.

Heritage Map means the map marked “Sutherland Shire Local Environmental Plan 2006—Heritage Items”, as amended by the maps (or the specified sheets of maps) marked as follows:

Sutherland Shire Local Environmental Plan 2006
(Amendment No 4)—Heritage Items

landscaped area means that part of a site that is used for growing plants, grasses or trees (including bushland), but does not include any building, structure, hard paved area, driveway, garbage storage area or swimming pool, or any planting over a basement, on a podium or roof top or within a planter box.

residential medical practice means one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals who practise in partnership (if there is more than one such professional) and who provide professional health care services to members of the public.

townhouse means a dwelling within a two-storey building, on a lot of land containing 3 or more dwellings, where each dwelling has open space at finished ground level for the exclusive use of the occupants of that dwelling.

[32] Dictionary, definition of “extended family unit”

Omit the definition.

[33] Dictionary, definition of “gross floor area”

Omit paragraph (b). Insert instead:

- (b) so much of the floor area of car parking (including vehicular access to that parking), required to meet any requirements of the consent authority, and

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)

Amendments

Schedule 1

[34] Dictionary, definition of “internal lot”

Insert at the end of paragraph (b):

, or

- (c) an access corridor that is common property in a strata plan or community title scheme.

[35] Dictionary, definition of “storey”

Omit “from the ground level of the lowest point on the site” from paragraph (a).

Insert instead “vertically from the ground level immediately below”.

[36] Dictionary, definition of “the map”

Insert “zoning” after “series of”.

[37] Dictionary, definition of “the map”

Insert in appropriate order:

Sutherland Shire Local Environmental Plan 2006 (Amendment No 4)—Zoning

Department of Primary Industries

EXHIBITED ANIMALS PROTECTION ACT 1986

Appointment of Member
Exhibited Animals Advisory Committee

I, IAN MACDONALD, M.L.C., Minister for Primary Industries, pursuant to sections 6(3) and 6(4)(f) of the Exhibited Animals Protection Act 1986, hereby appoint Craig SOWDEN as a member of the Exhibited Animals Advisory Committee, for a three (3) year term of office.

Dated this 20th day of October 2008.

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

EXHIBITED ANIMALS PROTECTION ACT 1986

Appointment of Member
Exhibited Animals Advisory Committee

I, IAN MACDONALD, M.L.C., Minister for Primary Industries, pursuant to sections 6(3) and 6(4)(a) of the Exhibited Animals Protection Act 1986, hereby appoint Mr Matthew CRANE to the Exhibited Animals Advisory Committee for a three year term of office commencing on 14 January 2009.

Dated this 18th day of November 2008.

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

FISHERIES MANAGEMENT ACT 1994

Notice of Receipt of Application for Aquaculture Lease
Notification under s.163 (7) of the Fisheries Management Act 1994 and cl.33 of the Fisheries Management (Aquaculture) Regulation 2007

OL64/200 within the estuary of Brisbane Water, having an area of 2.7301 hectares to Simon FUNNELL and Jane SMITH of Empire Bay NSW, for a term of 15 years expiring on 18 November 2023.

BILL TALBOT,
Director,
Fisheries Conservation and Aquaculture,
Fisheries, Compliance and Regional Relations,
NSW Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2007

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

The Minister has granted the following Class 1 Aquaculture Lease:

OL66/326 within the estuary of Wallis Lake, having an area of 0.2583 hectares to JARPAY PTY LTD of Tuncurry NSW, for a term of 15 years expiring on 7 April 2023.

AL07/008 within the estuary of Port Stephens, having an area of 0.1992 hectares to VC DIEMAR PTY LTD of Nelson Bay NSW, for a term of 15 years expiring on 20 May 2023.

OL90/023 within the estuary of the Pambula River, having an area of 0.2647 hectares to Michael and Amanda FULTON of Pambula NSW, for a term of 15 years expiring on 23 October 2023.

OL59/257 within the estuary of the Pambula River, having an area of 0.0709 hectares to Stirling and Kerry CULLENWARD of Nethercote NSW, for a term of 15 years expiring on 23 October 2023.

AL07/013 within the estuary of Port Stephens, having an area of 0.2022 hectares to Paul and Yumi SMITH of Five Dock NSW, for a term of 15 years expiring on 20 May 2023.

AL07/014 within the estuary of Port Stephens, having an area of 0.2056 hectares to Paul and Yumi SMITH of Five Dock NSW, for a term of 15 years expiring on 20 May 2023.

OL77/093 within the estuary of the Manning River, having an area of 1.1408 hectares to Robert BAINES of Mitchells Island NSW, for a term of 15 years expiring on 30 September 2023.

Clause 39 (4) – Notice of Aquaculture Lease Renewal

The Minister has renewed the following Class 1 Aquaculture Leases:

OL78/040 within the estuary of Hawkesbury River, having an area of 0.6206 hectares to John STUBBS of Berowra Heights NSW, for a term of 15 years expiring on 20 June 2023.

OL78/041 within the estuary of Hawkesbury River, having an area of 0.5962 hectares to John STUBBS of Berowra Heights NSW, for a term of 15 years expiring on 20 June 2023.

OL62/202 within the estuary of the Hawkesbury River, having an area of 1.4731 hectares to Kevin Allan BUIE of Brooklyn NSW, for a term of 15 years expiring on 18 June 2023.

OL64/030 within the estuary of the Hawkesbury River, having an area of 0.3224 hectares to Kevin Allan BUIE of Brooklyn NSW, for a term of 15 years expiring on 22 August 2023.

OL78/019 within the estuary of the Hawkesbury River, having an area of 1.6118 hectares to Kevin Allan BUIE of Brooklyn NSW, for a term of 15 years expiring on 18 June 2023.

OL90/044 within the estuary of the Wonboyn River, having an area of 2.3285 hectares to ARMITAGE HOLDINGS (VIC) PTY LTD of Wonboyn NSW, for a term of 15 years expiring on 28 July 2023.

OL78/017 within the estuary of Wallis Lake, having an area of 2.5227 hectares to Graham James Moore BARCLAY of Forster NSW, for a term of 15 years expiring on 11 November 2023.

Clause 49 (8) – Notice of Aquaculture Lease Subdivision

The Minister has subdivided the following Aquaculture Lease:

OL76/197 within the estuary of Wapengo Lake is to be subdivided into two leases referred to as AL08/015 having an area of 2.3855 hectares and AL08/016 having an area of 1.3926 hectares to WAPENGO ROCK OYSTERS PTY LTD of Raymond Terrace NSW expiring on 25 October 2022.

BILL TALBOT,
Director,
Fisheries Conservation and Aquaculture,
Fisheries, Compliance and Regional Relations,
NSW Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

Total Allowable Catch for Abalone

I, IAN MACDONALD, M.L.C., Minister for Primary Industries, provide notice pursuant to section 33 of the Fisheries Management Act 1994 (“the Act”), that the Total Allowable Catch Setting and Review Committee established under section 26 of the Act, hereby:

- revokes the determination titled “Total Allowable Commercial Catch for Abalone” dated 27 June 2008; and
- pursuant to Clause 14 of the Fisheries Management (Abalone Share Management Plan) Regulation 2000, has determined that the total allowable catch for abalone for the fishing period beginning 1 July 2008 and ending 30 June 2009 (both dates inclusive) is 105 tonnes.

Dated this 22nd day of December 2008.

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

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Regional Commercial Catch Limits for Abalone

I, IAN MACDONALD, M.L.C., Minister for Primary Industries, pursuant to section 8 of the Fisheries Management Act 1994, do by this notification prohibit the taking of abalone (*Haliotis rubra*) by endorsement holders in the Abalone Share Management Fishery, from the waters described opposite in Column 1 of the Schedule, if the total commercial catch of abalone taken from those waters exceeds the limits specified in Column 2 of the Schedule.

SCHEDULE 1

<i>Column 1 Waters</i>	<i>Column 2 Commercial Catch Limit of Abalone</i>
The waters commonly referred to as Region 1 (North), that is the waters North of the latitude point 32° 42' 40.032''S, also known as the area between the abalone catch reporting zones A to E1.	Five (5) tonnes

<i>Column 1 Waters</i>	<i>Column 2 Commercial Catch Limit of Abalone</i>
The waters commonly referred to as Region 1 (South), that is the waters between the latitude points of 32° 42' 40.032''S and 35° 10' 06.0816''S, also known as the area between the abalone catch reporting subzones F1 to L4.	Five (5) tonnes
The waters commonly referred to as Region 2, that is the waters between the latitude point 35° 10' 06.0816''S and 36° 04' 01.7472''S; also commonly referred to as Region 2, also known as the waters between the abalone catch reporting subzones M1 to R2.	Five (5) tonnes
The waters commonly referred to as Regions 3 and 4, that is the waters South of the latitude point 36° 04' 01.7472''S to the waters bounded by the points 149° 54' 27.5904''E, 37° 04' 26.7456''S and 149° 54' 27.5904''E, 37° 04' 49.8044''S, also known as the waters between the abalone catch reporting subzones S1 to X2.	Forty (40) tonnes
The waters commonly referred to as Regions 5 and 6, that is the waters South bounded by the points 149° 54' 27.5904''E, 37° 04' 26.7456''S and 149° 54' 27.5904''E, 37° 04' 49.8044''S, also known as the waters between the abalone catch reporting subzones Y11 to Z5.	Fifty (50) tonnes

Co-ordinates refer to WGS 84 datum.

The provisions of this fishing closure in respect of endorsement holders in the Abalone Fishery have effect in accordance with provisions of Clause 39 of the Fisheries Management (Abalone Share Management Plan) Regulation 2000.

This fishing closure is effective for a period commencing on the date of gazettal until 30 June 2009, unless sooner amended or revoked.

Dated this 22nd day of December 2008.

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

MINERALS MINISTERIAL ADVISORY COUNCIL

Appointment of Mr Tony McPaul to the NSW Minerals Ministerial Advisory Council

I, IAN MACDONALD, M.L.C., Minister for Mineral Resources, hereby appoint the following person as a Member of the Minerals Ministerial Advisory Council.

Mr Tony McPAUL

from date of appointment for a period of three years

Dated this 18th day of December 2008.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

PLANT DISEASES ACT 1924

Section 5A
Order OR101

Order requiring the labelling of *Citrus* and *Fortunella* plants for sale in New South Wales

I, IAN MACDONALD, M.L.C., Minister for Primary Industries, pursuant to section 5A of the Plant Diseases Act 1924, for the purpose of minimising the risk of the disease Orange Stem Pitting strain of Tristeza virus, by this Order, require an appropriate person to label all *Citrus* and *Fortunella* plants offered for sale in New South Wales.

The appropriate person must identify or ensure that all plants of the genera *Citrus* and *Fortunella* (all species) for sale in New South Wales, or introduced into New South Wales, are identified by a label made of durable waterproof material that states in clearly legible indelible printed letters:

- (a) the name, address and postcode of the nursery or place where the plant was propagated;
- (b) the name of the rootstock and scion of the plant by their variety (or cultivar), common or botanical names.

The label must be attached to each plant for sale, and where plants of the same scion and rootstock are sold in a package, the label must be firmly attached to the package and state the number of plants in the package.

Definitions:

“appropriate person” means:

- (a) an owner or occupier of land or premises on which there are plants of the genera *Citrus* and *Fortunella* (all species) that are for sale in New South Wales, and
- (b) a person in possession of or who introduces into New South Wales plants of the genera *Citrus* and *Fortunella* (all species) that are for sale in New South Wales.

“sell” includes offering or attempting to sell, exposing for sale, and sending, forwarding, or delivering for sale.

Dated this 2nd day of December 2008.

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

PLANT DISEASES ACT 1924

Appointment of Inspectors

I, ANDREW COLIN SANGER, Manager, Agricultural Compliance of the NSW Department of Primary Industries, pursuant to section 11(1) of the Plant Diseases Act 1924 (“the Act”), with powers delegated under section 28C by the Acting Director-General as published in the *New South Wales Government Gazette* No. 134, dated 24 October 2008, hereby appoint the persons named in the Schedule below as inspectors for the purposes of the Act.

SCHEDULE

John Douglas ATKINSON
Lisa Kiki BOURKE
Jarrod Bruce TYLER

Dated this 28th day of November 2008.

A. C. SANGER,
Manager,
Agricultural Compliance,
NSW Department of Primary Industries

MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T08-0259)

No. 3635, CENTRAL WEST GOLD NL (ACN 003 078 591), area of 6 units, for Group 1, dated 15 December 2008. (Orange Mining Division).

(T08-0260)

No. 3636, SYRAH RESOURCES LIMITED (ACN 125 242 284), area of 28 units, for Group 1, dated 23 December 2008. (Wagga Wagga Mining Division).

(T09-1000)

No. 3637, PANGAEA MINERALS PTY LIMITED (ACN 120 631 316), area of 22 units, for Group 1, dated 5 January 2009. (Broken Hill Mining Division).

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(T08-0070)

No. 3470, now Exploration Licence No. 7256, CARPENTARIA EXPLORATION LIMITED (ACN 095 117 981), County of Bland, Map Sheet (8429), area of 8 units, for Group 1, dated 2 December 2008, for a term until 2 December 2010.

(T08-0087)

No. 3489, now Exploration Licence No. 7263, INTEC EXPLORATION PTY LTD (ACN 130 293 202), Counties of Cunningham and Kennedy, Map Sheet (8332), area of 28 units, for Group 1, dated 17 December 2008, for a term until 17 December 2010.

(T08-0118)

No. 3512, now Exploration Licence No. 7262, HONEYSUCKLE HOTEL PTY LIMITED (ACN 104 403 410), County of Irrara, Map Sheets (7838, 7839), area of 13 units, for Group 2, dated 17 December 2008, for a term until 17 December 2010.

(T08-0138)

No. 3532, now Exploration Licence No. 7264, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), County of Yancowinna, Map Sheet (7134), area of 18 units, for Group 1, dated 17 December 2008, for a term until 17 December 2010.

(T08-0189)

No. 3563, now Exploration Licence No. 7259, CLAYMOR RESOURCES PTY LTD (ACN 009 282 777), County of Oxley, Map Sheet (8434), area of 91 units, for Group 1, dated 15 December 2008, for a term until 15 December 2010.

(T08-0190)

No. 3564, now Exploration Licence No. 7260, CLAYMOR RESOURCES PTY LTD (ACN 009 282 777), Counties of Gregory and Oxley, Map Sheet (8434), area of 99 units, for Group 1, dated 15 December 2008, for a term until 15 December 2010.

(T08-0191)

No. 3565, now Exploration Licence No. 7261, CLAYMOR RESOURCES PTY LTD (ACN 009 282 777), Counties of Ewenmar and Oxley, Map Sheet (8434), area of 88 units, for Group 1, dated 15 December 2008, for a term until 15 December 2010.

(T08-0214)

No. 3588, now Exploration Licence No. 7255, BANLONA PTY LIMITED (ACN 106 665 767), Counties of Clarke, Hardinge and Sandon, Map Sheet (9237), area of 23 units, for Group 1, dated 2 December 2008, for a term until 2 December 2010.

(T08-0227)

No. 3601, now Exploration Licence No. 7265, PLATSEARCH NL (ACN 003 254 395), County of Yantara, Map Sheets (7437, 7438), area of 100 units, for Group 1, dated 23 December 2008, for a term until 23 December 2010.

MINERAL CLAIM APPLICATION

(07-83)

Singleton No. 23, now Mineral Claim No. 325 (Act 1992), ULAN STONE PTY LTD (ACN 123 199 191), Parish of Ulan, County of Bligh, area of about 2 hectares, to mine for dimension stone, dated 10 December 2008, for a term until 10 December 2013. As a result of the grant of this title, Exploration Licence No. 6776 has partly ceased to have effect.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

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

(T98-1082)

Exploration Licence No. 5549, ZEOMIN TECHNOLOGIES PTY LTD (ACN 058 694 849), area of 2 units. Application for renewal received 6 January 2009.

(T01-0106)

Exploration Licence No. 5918, DRONVISA PTY LIMITED (ACN 002 070 680), area of 3 units. Application for renewal received 19 December 2008.

(T02-0363)

Exploration Licence No. 6040, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), area of 29 units. Application for renewal received 19 December 2008.

(T04-0059)

Exploration Licence No. 6376, MONARO MINING NL (ACN 073 155 781), area of 49 units. Application for renewal received 30 December 2008.

(Z06-4116)

Exploration Licence No. 6710, EASTERN IRON LIMITED (ACN 126 678 037) and PLATSEARCH NL (ACN 003 254 395), area of 69 units. Application for renewal received 19 December 2008.

(06-4118)

Exploration Licence No. 6711, EASTERN IRON LIMITED (ACN 126 678 037) and PLATSEARCH NL (ACN 003 254 395), area of 100 units. Application for renewal received 19 December 2008.

(06-7097)

Exploration Licence No. 7022, CLAYMOR RESOURCES PTY LTD (ACN 009 282 777), area of 218 units. Application for renewal received 19 December 2008.

(T00-0804)

Mining Purposes Lease No. 277 (Act 1973), Rhonda Winnifred WHITE, area of 2.18 hectares. Application for renewal received 19 December 2008.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(08-1597)

Authorisation No. 6, DIRECTOR GENERAL NSW DEPARTMENT OF PRIMARY INDUSTRIES ON BEHALF OF THE CROWN, Counties of Camden, Cook and Cumberland, Map Sheets (8929, 8930, 9029, 9030, 9129, 9130), area of 727 square kilometres, for a further term until 1 May 2013. Renewal effective on and from 2 December 2008.

(T00-0048)

Exploration Licence No. 5755, TRIAKO RESOURCES LIMITED (ACN 008 498 119), Counties of Cunningham and Kennedy, Map Sheets (8232, 8332), area of 7 units, for a further term until 18 July 2010. Renewal effective on and from 17 December 2008.

(T02-0047)

Exploration Licence No. 6003, BIG ISLAND MINING PTY LTD (ACN 112 787 470), County of St Vincent, Map Sheets (8826, 8827), area of 29 units, for a further term until 2 October 2010. Renewal effective on and from 23 December 2008.

(T02-0459)

Exploration Licence No. 6082, SULTAN CORPORATION LIMITED (ACN 061 219 985), County of Georgiana, Map Sheet (8729), area of 10 units, for a further term until 18 May 2010. Renewal effective on and from 17 December 2008.

(06-106)

Exploration Licence No. 6570, TIRONZ PTY LIMITED (ACN 118 491 581), Counties of Richmond and Rous, Map Sheets (9539, 9540), area of 46 units, for a further term until 7 June 2010. Renewal effective on and from 23 December 2008.

(06-70)

Exploration Licence No. 6591, CAPITAL MINING LIMITED (ACN 104 551 171), County of Gipps, Map Sheet (8430), area of 23 units, for a further term until 28 June 2010. Renewal effective on and from 17 December 2008.

(06-137)

Exploration Licence No. 6593, NEWCREST OPERATIONS LIMITED (ACN 009 221 505), Counties of Bland and Gipps, Map Sheet (8430), area of 39 units, for a further term until 5 July 2010. Renewal effective on and from 17 December 2008.

(06-224)

Exploration Licence No. 6630, PLATSEARCH NL (ACN 003 254 395), County of Fitzgerald, Map Sheet (7637), area of 70 units, for a further term until 6 September 2010. Renewal effective on and from 23 December 2008.

(07-80)

Exploration Licence No. 6831, SULTAN CORPORATION LIMITED (ACN 061 219 985), County of Georgiana, Map Sheets (8729, 8829), area of 48 units, for a further term until 13 July 2010. Renewal effective on and from 17 December 2008.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

CANCELLATION OF AUTHORITY AT REQUEST OF HOLDER

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

(07-170)

Exploration Licence No. 6843, MAGESTAPTY LIMITED (ACN 002 458 728), County of Phillip, Map Sheet (8833). Application for Cancellation received on 11 December 2008.

NOTICE is given that the following authority has been cancelled:

(06-2719)

Exploration Licence No. 5491, MINOTAUR OPERATIONS PTY LTD (ACN 108 925 284), County of Menindee, Map Sheet (7133), area of 19 units. Cancellation took effect on 16 December, 2008.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

PART CANCELLATION

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

(07-345)

Exploration Licence No. 7189, TASMAN GOLDFIELDS NSW PTY LTD (ACN 124 228 473).

Description of area cancelled:

An area of 23 units has been cancelled. For further information contact Titles Branch.

Part cancellation took effect on 12 December 2008.

The authority now embraces an area of 18 units.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

Roads and Traffic Authority

ROAD TRANSPORT (GENERAL) ACT 2005

Notice under Clause 20 of the Road Transport (Mass, Loading and Access) Regulation 2005

NARRABRI SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which Road Train Vehicles may be used subject to any requirements or conditions set out in the Schedule.

MAX KERSHAW,
General Manager,
Narrabri Shire Council
(by delegation from the Minister for Roads)
Dated: 9 December 2008

SCHEDULE

1. Citation

This Notice may be cited as Narrabri Shire Council Road Train Vehicle Route Notice No. 1/2008.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 30th September 2010 unless it is amended or repealed earlier.

4. Application

This Notice applies to those Road Train vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
RT.	SR29.	Yarrie Lake Road, Narrabri Shire.	“Corglen” facility (approx 6km west of Narrabri).	No. 566 Yarrie Lake Road (approx 6.7km west of Narrabri).

ROADS ACT 1993

Order - Section 31

Fixing or Varying of Levels of part of the New England Highway north of Armidale in the Armidale Dumaresq Council area

The Roads and Traffic Authority of New South Wales, by this Order under section 31 of the Roads Act 1993, fixes or varies the levels of part of Highway No 9 – New England Highway between 17.4 km to 19.3 km north of Armidale, as shown on Roads and Traffic Authority Plan No 0009.09.MW.2009.

Jim Campbell
Project Services Manager
Roads and Traffic Authority of New South Wales
31 Victoria Street
Grafton NSW 2460

(RTA papers: FPP 9.5357; RO PM 00167.11)

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

Notice of Compulsory Acquisition of Land at Macquarie Park, Marsfield and North Ryde in the Ryde City Council area

The Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedule below, exclusive of the interests detailed in the third column thereof, 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.

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

SCHEDULE

ALL those pieces or parcels of land situated in the Ryde City Council area, Parishes of Field of Mars and Hunters Hill, County of Cumberland, shown as:

<u>Description</u>	<u>Title Particulars</u>	<u>Registered interest excluded from this compulsory acquisition</u>
Lot 11 DP 1008956	Folio Identifier 11/1008956	
Lot 18 DP 841496	Folio Identifier 18/841496	
Lot 19 DP 841496	Folio Identifier 19/841496	
Lot 3 DP 584170	Folio Identifier 3/584170	
Lot 4 DP 255494	Folio Identifier 4/255494	
Lot 11 DP 710746	Folio Identifier 11/710746	
Lot 40 DP 1090430	Folio Identifier 40/1090430	
Lot 4 DP 868255	Folio Identifier 4/868255	
Lot 5 DP 868255	Folio Identifier 5/868255	
Lot 6 DP 868255	Folio Identifier 6/868255	
Lot 7 DP 881923	Folio Identifier 7/881923	
Lot 8 DP 881923	Folio Identifier 8/881923	
Lot 12 DP 881923	Folio Identifier 12/881923	
Lot 15 DP 881923	Folio Identifier 15/881923	
Lot 9 DP 881923	Folio Identifier 9/881923	
Lot 10 DP 881923	Folio Identifier 10/881923	
Lot 13 DP 881923	Folio Identifier 13/881923	
Lot 16 DP 881923	Folio Identifier 16/881923	
Lot 11 DP 881923	Folio Identifier 11/881923	
Lot 14 DP 881923	Folio Identifier 14/881923	
Lot 17 DP 881923	Folio Identifier 17/881923	
Lot 28 DP 842855	Folio Identifier 28/842855	
Lot 31 DP 842855	Folio Identifier 31/842855	
Lot 13 DP 868513	Folio Identifier 13/868513	

<u>Description</u>		<u>Title Particulars</u>	<u>Registered interest excluded from this compulsory acquisition</u>
Lot 14	DP 868513	Folio Identifier 14/868513	
Lot 15	DP 868513	Folio Identifier 15/868513	
Lot 16	DP 868513	Folio Identifier 16/868513	
Lot 20	DP 868513	Folio Identifier 20/868513	
Lot 21	DP 868513	Folio Identifier 21/868513	
Lot 50	DP 1100623	Folio Identifier 50/1100623	
Lot 18	DP 868513	Folio Identifier 18/868513	
Lot 19	DP 868513	Folio Identifier 19/868513	
Lot 8	DP 845319	Folio Identifier 8/845319	
Lot 9	DP 845319	Folio Identifier 9/845319	
Lot 10	DP 845319	Folio Identifier 10/845319	
Lot 11	DP 845319	Folio Identifier 11/845319	
Lot 15	DP 845319	Folio Identifier 15/845319	
Lot 16	DP 845319	Folio Identifier 16/845319	
Lot 17	DP 845319	Folio Identifier 17/845319	
Lot 18	DP 845319	Folio Identifier 18/845319	
Lot 2	DP 240970	Folio Identifier 2/240970	
Lot 5	DP 240970	Folio Identifier 5/240970	
Lot 6	DP 240970	Folio Identifier 6/240970	
Lot 9	DP 851713	Folio Identifier 9/851713	
Lot 10	DP 851713	Folio Identifier 10/851713	
Lot 12	DP 851713	Folio Identifier 12/851713	
Lot 13	DP 851713	Folio Identifier 13/851713	
Lot 12	DP 879423	Folio Identifier 12/879423	
Lot 13	DP 879423	Folio Identifier 13/879423	
Lot 4	DP 866669	Folio Identifier 4/866669	
Lot 101	DP 865058	Folio Identifier 101/865058	
Lot 17	DP 842855	Folio Identifier 17/842855	
Lot 18	DP 842855	Folio Identifier 18/842855	
Lot 2	DP 9130	Folio Identifier 2/9130	
Lot 2	DP 740581	Folio Identifier 2/740581	
Lot 5	DP 740581	Folio Identifier 5/740581	
Lot 6	DP 866341	Folio Identifier 6/866341	
Lot 7	DP 866341	Folio Identifier 7/866341	
Lot 1	DP 881608	Folio Identifier 1/881608	
Lot 2	DP 881608	Folio Identifier 2/881608	
Lot 8	DP 866341	Folio Identifier 8/866341	
Lot 9	DP 866341	Folio Identifier 9/866341	
Lot 101	DP 1018053	Folio Identifier 101/1018053	

<u>Description</u>		<u>Title Particulars</u>	<u>Registered interest excluded from this compulsory acquisition</u>
Lot 102	DP 1018053	Folio Identifier 102/1018053	
Lot 1	DP 1000760	Folio Identifier 1/1000760	
Lot 2	DP 1000760	Folio Identifier 2/1000760	
Lot 5	DP 1000760	Folio Identifier 5/1000760	
Lot 1	DP 1100500	Folio Identifier 1/1100500	
Lot 2	DP 1100500	Folio Identifier 2/1100500	
Lot 8	DP 1000760	Folio Identifier 8/1000760	
Lot 9	DP 1000760	Folio Identifier 9/1000760	
Lot 20	DP 232723	Folio Identifier 20/232723	
Lot 21	DP 232723	Folio Identifier 21/232723	
Lot 22	DP 232723	Folio Identifier 22/232723	
Lot 23	DP 232723	Folio Identifier 23/232723	
Lot 24	DP 232723	Folio Identifier 24/232723	
Lot 25	DP 232723	Folio Identifier 25/232723	
Lot 15	DP 883750	Folio Identifier 15/883750	
Lot 16	DP 883750	Folio Identifier 16/883750	
Lot 17	DP 883750	Folio Identifier 17/883750	
Lot 18	DP 883750	Folio Identifier 18/883750	
Lot 22	DP 232697	Folio Identifier 22/232697	
Lot 17	DP 1043038	Folio Identifier 17/1043038	
Lot 29	DP 841065	Folio Identifier 29/841065	
Lot 30	DP 841065	Folio Identifier 30/841065	
Lot 31	DP 841065	Folio Identifier 31/841065	
Lot 32	DP 841065	Folio Identifier 32/841065	
Lot 33	DP 841065	Folio Identifier 33/841065	
Lot 34	DP 841065	Folio Identifier 34/841065	
Lot 35	DP 841065	Folio Identifier 35/841065	
Lot 542	DP 1005833	Folio Identifier 542/1005833	
Lot 80	DP 1100553	Folio Identifier 80/1100553	
Lot 5	DP 30007	Folio Identifier 5/30007	
Lot 6	DP 30007	Folio Identifier 6/30007	
Lot 9	DP 30007	Folio Identifier 9/30007	
Lot 10	DP 30007	Folio Identifier 10/30007	
Lot 17	DP 841065	Folio Identifier 17/841065	
Lot 18	DP 841065	Folio Identifier 18/841065	
Lot 36	DP 841065	Folio Identifier 36/841065	
Lot 37	DP 841065	Folio Identifier 37/841065	
Lot 39	DP 841065	Folio Identifier 39/841065	
Lot 40	DP 841065	Folio Identifier 40/841065	DP 1033249 - Proposed Easement unregistered dealing

<u>Description</u>		<u>Title Particulars</u>	<u>Registered interest excluded from this compulsory acquisition</u>
Lot 41	DP 841065	Folio Identifier 41/841065	
Lot 47	DP 841065	Folio Identifier 47/841065	
Lot 107	DP 879421	Folio Identifier 107/879421	
Lot 1	DP 883883	Folio Identifier 1/883883	
Lot 2	DP 1043038	Folio Identifier 2/1043038	
Lot 3	DP 1043038	Folio Identifier 3/1043038	
Lot 4	DP 1043038	Folio Identifier 4/1043038	
Lot 6	DP 1043038	Folio Identifier 6/1043038	
Lot 7	DP 1043038	Folio Identifier 7/1043038	
Lot 8	DP 1043038	Folio Identifier 8/1043038	
Lot 15	DP 1043038	Folio Identifier 15/1043038	
Lot 5	DP 1043038	Folio Identifier 5/1043038	
Lot 9	DP 1043038	Folio Identifier 9/1043038	
Lot 10	DP 1043038	Folio Identifier 10/1043038	
Lot 11	DP 1043038	Folio Identifier 11/1043038	
Lot 12	DP 1043038	Folio Identifier 12/1043038	
Lot 13	DP 1043038	Folio Identifier 13/1043038	
Lot 13	DP 1017829	Folio Identifier 13/1017829	
Lot 15	DP 1017829	Folio Identifier 15/1017829	
Lot 17	DP 1017829	Folio Identifier 17/1017829	
Lot 5	DP 1002229	Folio Identifier 5/1002229	
Lot 6	DP 1002229	Folio Identifier 6/1002229	
Lot 7	DP 1002229	Folio Identifier 7/1002229	

The land is in the possession of the Roads and Traffic Authority of New South Wales.

(RTA papers: F2/387.11051)

Other Notices

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

North Bellingen Tennis Club Incorporated Y2384613
 Sunnybunch-Sunshine Corner Incorporated Y2373620
 Morpeth 7 Day Traders Incorporated Y2220213
 Burraneer Sailing Club Inc Y1203904
 Hebron Christian School Inc Y1531246
 Woronora River Residents Protection Association Incorporated Y2457121
 The Technology Industries Exporters Group Incorporated Y2353040
 Australian Christian Academy Incorporated INC3412606
 Sydney North Regional Development Organisation Incorporated Y2434922
 Baysports Association Canada Bay Incorporated INC9877361
 Bundara Indigenous Academy of Sport & Education Incorporated INC9885856
 Blacktown Workers Tennis Club Incorporated INC9881128
 Cessnock Speedway Association Incorporated INC9881863
 Bucking Thunder Downunder Inc INC9881179
 Brown Swiss Association of Australia Incorporated Y2040509

Dated: 7 January 2009.

ANTHONY DONOVAN,
 A/G Manager,
 Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation pursuant to Section 55A

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 55A of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Homeless Opportunities in Psychology & Employment (H.O.P.E.) Australia Incorporated INC9889300
 Parklands Incorporated INC9880926
 Advocacy Alliance Incorporated INC9886065
 Narrandera Business and Development Group Incorporated INC9876227
 Woolloomooloo Apartment Owners Association Incorporated INC3412912

Australian Liaoning Overseas Friendship Association Incorporated INC9880775

Australians Scammed by Investment Con-Artists Incorporated INC9887388

CLRA Oceania Incorporated INC9885758

Skills for Success Singleton Incorporated INC9886663

Sophistication Show Band Incorporated INC9888246

Dated: 6 January 2009.

ANTHONY DONOVAN,
 A/Manager,
 Financial Analysis Branch,
 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.

Lao Jumpa Media Incorporated INC9881615
 Australian Innovation Association Incorporated INC9877334
 The Enterprising V.I.P.'s Incorporated Y2161101
 Tibooburra Telecentre Incorporated INC9876296
 National Financial Services Federation Incorporated INC9886023
 Australian Equipment Finance Association Incorporated Y2627123
 Friends of Galaringi - The Carlingford Botanic Parkland Incorporated Y1085337
 McAuley Aged Care Facility, Gunnedah Incorporated Y2853015
 Ardlethan Pre-School Association Inc Y0102134
 Two State Community Radio Incorporated Y2309924
 Revesby Business Chamber Incorporated INC9882369
 Bellata Christmas Clamour Incorporated INC9878976
 Eastern Suburbs Community Gardens Association Incorporated Y2372427
 Padstow-East Hills Stroke Support Group Inc Y1128739
 Alliance Francaise Blue Mountains Incorporated INC9876893
 Macquarie University Sport and Recreation Incorporated INC9878209

Dated: 6 January 2009.

ANTHONY DONOVAN,
 A/Manager,
 Financial Analysis Branch,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence of the
Minister for Roads

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Hon. D. A. CAMPBELL, M.P., Minister for Transport and Minister for the Illawarra, to act for and on behalf of the Minister for Roads as on and from 12 January 2009, with a view to his performing the duties of the Honourable M. J. DALEY, M.P., during his absence from duty.

NATHAN REES, M.P.,
Premier

Department of Premier and Cabinet, Sydney 2008.

CO-OPERATIVES ACT 1992

Notice under Section 601AB of the Corporations Act 2001
as Applied by Section 325 of the Co-Operatives Act 1992

NOTICE is hereby given that the Co-operative mentioned below will be deregistered when two months have passed since the publication of this notice.

Maaingal Aboriginal Heritage Co-operative Limited

Dated this 6th day of January 2009.

A. DONOVAN,
Delegate of the Registrar of Co-Operatives

FOOD ACT 2003

THE NSW Food Authority advises convictions under the Food Act 2003, relating to the obstruction of an authorised officer and the interference with seized food, by Nicola Gafen, a person engaged in the handling of food at a food stall operating at the Bondi Junction Organic Food and Farmer's Markets, Bondi Junction Mall, Oxford Street, Bondi Junction NSW 2022. The defendant was charged with two offences under section 43(1) of the Food Act 2003, for the obstruction of an authorised officer during the course of an investigation. The defendant was also charged with one offence under section 41 of the Food Act 2003, for interfering with seized items. The total penalty imposed under the Act was \$4,500 apportioned equally between the three charges. This notice is made after the statutory time for appeal has elapsed.

NSW FOOD AUTHORITY,
PO Box 6682,
Silverwater NSW 1811

FOOD ACT 2003

THE NSW Food Authority advises of a conviction under the Food Act 2003, relating to the sale of food made against Mr Long Fou and Mrs Linda Fou, formerly trading as French Golden Hot Bread, at the business address of Shop 5, 90-95 The Crescent, Homebush West NSW 2140 (no longer trading at this premises). The defendants were each charged with four breaches relating to offences under the Food Act section s21(1), s16(2) and s13(2), incurring a total fine of \$21,000 each. This notice is made after statutory time for appeal has elapsed.

NSW FOOD AUTHORITY,
PO Box 6682,
Silverwater NSW 1811

HERITAGE ACT 1977

Direction pursuant to Section 34(1)(a) to List an Item on
the State Heritage Register

Redstone, 34 Adderton Road, Telopea
SHR No. 1795

IN pursuance of section 34(1)(a) of the Heritage Act 1977, I, the Minister for Planning, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of 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" and shall include all the original interior fixtures and fittings of the item as described in Schedule "A".

Dated: Sydney, 10th day of December 2008.

KRISTINA KENEALLY, M.P.,
Minister for Planning

SCHEDULE "A"

The item known as Redstone, situated on the land described in Schedule "B" together with all original interior fixtures and fittings of the item as detailed in the inventory for SHR No. 1795 held in the office of the Heritage Council of New South Wales.

SCHEDULE "B"

All those pieces or parcels of land known as Lot 7 and part Lot 8, DP 24969 in Parish of Field of Mars, County of Cumberland, shown on the plan catalogued HC 2268 in the office of the Heritage Council of New South Wales.

LORD HOWE ISLAND ACT 1953

2009 Lord Howe Island Board Election

PURSUANT to section 9A(b) of the Lord Howe Island Act 1953, the Electoral Commissioner for New South Wales shall conduct an election for the purpose of determining the Islanders to be appointed to the Lord Howe Island Board pursuant to section 4(3)(a) of the Act.

Nominations:

Nominations are hereby invited to fill four (4) positions on the Board.

To be eligible for nomination, each candidate must be an Islander as defined in the Lord Howe Island Act and be enrolled as an elector for the election.

A candidate at an election shall be nominated by at least 2 persons (other than the candidate) who:

- (a) are enrolled as electors for the election; and
- (b) have not, by that nomination and any other previous nomination in respect of the election, nominated more candidates than there are persons to be elected, i.e. four (4) persons.

Nomination Forms, as prescribed, are available from Mr. Stephen Wills, Deputy Returning Officer, Lord Howe Island Board Election, C/- Lord Howe Island Board Office, Lord Howe Island or Mario Saliba, Returning Officer, NSW Electoral Commission, Level 25, 201 Kent Street, Sydney NSW 2000 (PO Box 693, Grosvenor Place NSW 1220), telephone (02) 9290 5923 or (02) 9290 5941.

Lodgement of Nominations:

Lodgement of a correctly completed nomination form, by the specified time, is the responsibility of the candidate.

Nomination forms can only be lodged with the **Returning Officer, NSW Electoral Commission:**

- by hand: Level 25, 201 Kent Street, Sydney; or
- by post: PO Box 693, Grosvenor Place NSW 1220; or
- by fax: (02) 9290 5939.

Nominations must be received by the Returning Officer, NSW Electoral Commission Sydney before **NOON, FRIDAY, 23 JANUARY 2009.**

Any defect in a nomination must be rectified by the candidate prior to the close of nominations at Noon, Friday, 23 January 2009. A candidate may only withdraw a nomination in writing so as to be received by the Returning Officer prior to the close of nominations.

Should the election be contested, a draw to determine the order of candidates' names on the ballot paper will be conducted at 2:00 p.m., Friday, 23 January 2009, at the office of the Deputy Returning Officer. Candidates or their representatives are invited to witness the draw.

Voting

If more than the required number of nominations is received, a poll will be held between the hours of **8:00 a.m. to 6:00 p.m., on THURSDAY, 12 FEBRUARY 2009.**

MARIO SALIBA,
Returning Officer,
NSW Electoral Commission

NATIONAL PARKS AND WILDLIFE ACT 1974**LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition

THE Minister for Climate Change and the Environment, with the approval of Her Excellency the Governor, declares 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 National Parks and Wildlife Act 1974.

The land is, on publication of this notice, vested in the Minister administering the National Parks and Wildlife Act 1974.

CARMEL TEBBUTT, M.P.,
Minister for Climate Change and the Environment

SCHEDULE

All that land comprising the freehold estate, being Lot 38, DP 44957; Lot 10, DP 753502 and Lots 7 and 9, DP 1132699, Parish of Wullamgambone, County of Gregory, in the Local Government Area of Warren and Lots 1, 4 and 5, DP 1132699, Parish of Pullingawarrina, County of Gregory, in the Local Government Area of Coonamble, having a total area of 2387 hectares.

DECC: 08/3637.

NATIONAL PARKS AND WILDLIFE ACT 1974

Clyde River National Park
Draft Plan of Management

A draft plan of management for Clyde River National Park has been prepared is available free of charge from the NPWS offices at corner Graham and Burrawang Streets, Narooma (tel.: 4476 0800) and at 55 Graham Street, Nowra (tel.: 4428 6300). The plan may also be viewed at Batemans Bay Library, Hanging Rock Place, Batemans Bay and on the website: www.environment.nsw.gov.au.

Written submissions on the plan must be received by The Planning Officer, NPWS, PO Box 707, Nowra NSW 2541, by 27th April 2009.

All submissions received by NPWS are a matter of public record and are available for public inspection upon request to NPWS. Your comments on this plan may contain information that is defined as "personal information" under the NSW Privacy and Personal Information Protection Act 1998. The submission of personal information with your comments is voluntary.

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

LIVERPOOL CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

LIVERPOOL CITY COUNCIL declares with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of drainage and open space.

SCHEDULE

Lot 3, DP 1037957. [4375]

PARKES SHIRE COUNCIL

Roads Act 1993

Dedication of Land as Public Road

NOTICE is hereby given by Parkes Shire Council pursuant to section 10 of the Roads Act 1993, that the land as described in the Schedule below is hereby dedicated as public road. A. McCORMACK, General Manager, Parkes Shire Council, PO Box 337, Parkes NSW 2870.

SCHEDULE

Lot 1 in Deposited Plan 1086234. [4376]

PORT MACQUARIE-HASTINGS COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

PURSUANT to section 10 of the Roads Act 1993, Port Macquarie-Hastings Council hereby dedicates the land owned by it as detailed in the Schedule below as public road. ANDREW ROACH, General Manager, Port Macquarie-Hastings Council, corner Lord and Burrawan Streets, Port Macquarie NSW 2444.

SCHEDULE

Lots 2 and 3, Deposited Plan 1083303, Parish of Albert, County of Macquarie and situated at 2064 Pappinbarra Road, Pappinbarra. [4377]

SHOALHAVEN CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Public Road

NOTICE is hereby given that, pursuant to section 10 of the Roads Act 1993, the land described in the Schedule below is dedicated as public road. R. Pigg, General Manager, Shoalhaven City Council, Bridge Road, Nowra NSW 2541.

SCHEDULE

Lot 20 in Deposited Plan 730003, Parish Nowra, County of St Vincent – 10 Lydon Crescent, West Nowra. [4378]

SINGLETON COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads

NOTICE is hereby given that Singleton Council, in pursuance of section 162 of the Roads Act 1993 and the Roads (General) Regulation 2000, has named the following road.

<i>Description</i>	<i>New Name</i>
That section of road on the eastern side of Cranky Corner – South End Road approximately 3000m from the Stanhope Road entrance.	Glenalister Road.

Authorised by resolution of the Council on 8 December 2008. G. WOODMAN, A/General Manager, Singleton Council, PO Box 314, Singleton NSW 2330. [4379]

WINGECARRIBEE SHIRE COUNCIL

Local Government Act 1993

Sale of Land for Overdue Rates

NOTICE is hereby given to the persons named hereunder that the Wingecarribee Shire Council has resolved in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder of which the persons named appear to be the owners or in which they appear to have an interest and on which the amount of the rates and charges stated in each case as at 1 October 2008, is due:

<i>Property No.</i>	<i>Owners or persons having an interest in the Land</i>	<i>Description of Land (Lot, DP and Address)</i>	<i>Amount overdue for more than 5 years</i>	<i>Amount of all other rates due and in arrears</i>	<i>Total Amount Outstanding</i>
(a)	(b)	(c)	(d)	(e)	(e)
			\$	\$	\$
605000	Stephen Gordon HUTCHING	Lots 11, 12 and 13, section 44, DP 1349, Hakea Street, Hill Top	6,893.12	9,577.22	16,470.34
695700	VELOWING PTY LTD, Barry Francis ANSTEE, Barry Clifton Ernest THOMPSON and Ronald John DEAN- WILLCOCKS CROWN	Lot B, DP 416784, Carpark, Old Hume Highway, Mittagong	1,565.68	7,433.67	8,999.35
710700	Iver CRAIG-GORDON and K D MURPHIE (HOLDINGS) PTY LTD	Lot 7, DP 718101, Sub Surface below 30-48M (Coal Rights only)	2,889.31	3,744.11	6,633.42
1014300	Mabel BUCHANAN	Lots 6, 7, 8, 9, 10 and 11, section 2, DP 1262, Mylora Street, Hill Top	2,032.49	3,873.45	5,905.94
1179100	Maria MITRU	Lots 15, 16 and 17, section 43, DP 1349, Percy Street, Hill Top	14,353.49	10,851.38	25,204.87
1214600	Alan Richard MULLEY	Lots 62, 63, 64, 65 and 66, section 1, DP 1263, Raglan Street Hill Top	1,205.43	3,438.73	4,644.16
1291100	Edith Robyn MASTERSON and Robert Ernest RIGBY	Lots 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29, section 21, DP 1262, Rosina Street, Hill Top	3,366.57	8,605.84	11,972.41
1544100	William John HART	Lot 32, DP 1103769, Victoria Street, Bowral	19,529.17	15,769.21	35,298.38
1664500	James John LEAHY	Lot 4, DP 708447, Wombeyan Caves Road, High Range	23,572.63	13,942.04	37,514.67
1702474	Julie Anne WRIGHT and Larry James MEMERY	Lots 36, 37, 38, 50, 51 and 52, section 35, DP 1384, Laura Street, Hill Top	6,839.65	8,280.77	15,120.42
1702949	MALVINA PASTORAL PTY LTD and WESTPAC BANKING CORPORATION	Lot 1, DP 653737, Wilson Drive, Hill Top	3,589.95	4,009.58	7,599.53
1706955	George JAMES, John Anderson FOGGON, Bernard KENNY, James STUDDS and Charles WATERS	Lot 183, DP 668350 and Lot 183, DP 668401, Kirkland Road, Kangaloon	1,515.96	3,594.81	5,110.77
1717390	Peter Chetham SWAN	Lot 1, DP 1012520, Galway Park Wilson Drive, Colo Vale (Coal Rights only)	441.30	388.68	829.98
1720750	VELOWING PTY LTD, Barry Francis ANSTEE, SOUTHERN FINANCE & INVESTMENT P/L, CKM (MORTGAGES) LIMITED, BIRON CAPITAL PTY LIMITED, FIRST PACIFIC CAPITAL PTY LIMITED and Ronald John DEAN- WILLCOCKS CROWN	Lot 21, DP 1029384, Colo Street, Mittagong	11,540.30	51,801.70	63,342.00

<i>Property No.</i>	<i>Owners or persons having an interest in the Land</i> (a)	<i>Description of Land (Lot, DP and Address)</i> (b)	<i>Amount overdue for more than 5 years</i> (c) \$	<i>Amount of all other rates due and in arrears</i> (d) \$	<i>Total Amount Outstanding</i> (e) \$
1721410	Agnes Louisa TURTON	Lot 61, DP 15260, May Street, Robertson	733.04	3,344.05	4,077.09
1721590	George ABBOTT	Lot 9, DP 312761, Main Street, Robertson	733.74	3,348.56	4,082.30
709000	PUBLIC TRUSTEE	Part Lot 3, Lots 4 and 5, section 33, DP 758098, Old Hume Highway, Berrima	18,498.20	16,684.12	35,182.32
709100	PUBLIC TRUSTEE	Lot 1, DP 1114521, Old Hume Highway, Berrima	13,129.29	11,848.54	24,977.83
709200	PUBLIC TRUSTEE	Lots 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, section 34, DP 758098, Old Hume Highway, Berrima	17,187.00	13,899.25	31,086.25

Default of payment to the Council of the amount stated in column (e) above and any other rates (including extra charges) becoming due and payable after publication of this notice, before the time fixed for sale, the said land will be offered for sale by public auction at Wingecarribee Shire Council Theatre on Friday, 17 April 2009, commencing at 11:00 a.m. M. HYDE, General Manager, Wingecarribee Shire Council, PO Box 141, Moss Vale NSW 2577. [4380]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of BRUCE ARTHUR GREENING, late of 73 Headland Road, Castle Cove, in the State of New South Wales, who died on 16 July 2008, must send particulars of his claim to the executor, c.o. John S. Fordham, Solicitor, 12 Station Street, West Ryde NSW 2114, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 2 December 2008. JOHN S. FORDHAM, Solicitor, 12 Station Street, West Ryde NSW 2114 (PO Box 107, West Ryde NSW 1685), (DX 27551, West Ryde), tel.: (02) 9858 1533. Reference: JSF.HC.08209. [4381]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MAUDE EVELYN RIGG, late of West Ryde, in the State of New South Wales, who died on 9 February 2008, must send particulars of the claim to the administrator, Mark Anthony Rigg, c.o. Mervyn Finlay, Thorburn & Marshall, Level 2, 225 Macquarie Street, Sydney NSW 2000, within one (1) calendar month from 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 administrator had notice. Letters of administration with the Will annexed were granted in New South Wales on 25 November 2008. MERVYN FINLAY, THORBURN & MARSHALL, Level 2, 225 Macquarie Street, Sydney NSW 2000 (DX 796, Sydney), tel.: (02) 9223 6544. Reference: DLT:22008. [4381]

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