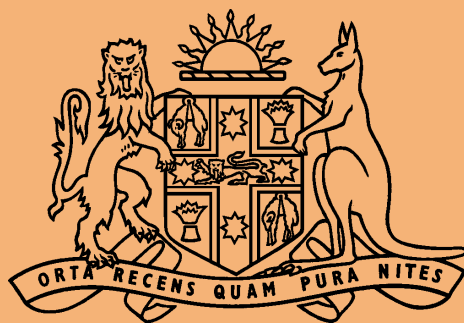




Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Week No. 8/2002

Friday, 22 February 2002

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*Containing numbers 44, 45, 46, 47, 48 and 49
Pages 887 - 1184*

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Close of business every Wednesday

Except when a holiday falls on a Friday, deadlines will be altered as per advice given on this page.

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Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 44

Friday, 15 January 2002

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RURAL FIRES ACT 1997

NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, PHILIP KOPERBERG, Commissioner of N.S.W. Rural Fire Service, under delegation and dated 22nd October 1997 from the Hon BOB DEBUS, Minister for Emergency Services, do, by this notification, direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 6.30 a.m. on 15th February 2002 to midnight on 15th February 2002.

Dated this 15th day of February 2002.

PHIL KOPERBERG, A.M., A.F.S.M., B.E.M.,
Commissioner.

SCHEDULE 1

Fire lit, maintained or used for the purpose of suppressing or controlling any existing bush fire where such fire is lit, maintained or used under the direction of the Commissioner of the N.S.W. Rural Fire Service, any officer of the N.S.W. Fire Brigade, any officer authorised by the Forestry Commission of New South Wales, any officer authorised by the Director of National Parks and Wildlife Service, or any Fire Control Officer, Captain, Deputy Captain, Group Captain or Deputy Group Captain of any bush fire brigade organised or authorised under the Rural Fires Act 1997.

SCHEDULE 2

Fire lit, maintained or used at a registered factory within the meaning of the Factories, Shops and Industries Act 1962, subject to observance of the special condition that all reasonable steps are taken to prevent the escape of fire, sparks or incandescent or burning material therefrom.

SCHEDULE 3

Fire lit, maintained or used at a hospital within the meaning of the Public Hospitals Act 1929, subject to observance of the special condition that the fire is lit in a properly constructed incinerator designed to prevent the escape of fire, sparks or incandescent or burning material therefrom.

SCHEDULE 4

Fire lit, maintained or used by, or under the authority of, a Council as defined in the dictionary of the Rural Fires Act 1997, for the destruction of garbage or other refuse at any sanitary depot provided and controlled by such Council subject to observance of the following special conditions:

- (1) a fire break shall be established and maintained around such depot to a width of not less than thirty metres;
- (2) at least one person shall be in attendance continuously at such depot for the duration of the fire;
- (3) all reasonable steps shall be taken to prevent the escape of fire, sparks or incandescent or burning material therefrom.

SCHEDULE 5

Fire lit, maintained or used by or under the authority of any person or body of persons, corporate or unincorporate, for or in connection with essential repair, or maintenance of services or equipment required for continuance or restoration of the supply or provision of heat, light, power, water, sewerage, transport or communication subject to observance of the special condition that all reasonable steps are taken to prevent the escape of fire, sparks or incandescent or burning material therefrom.

SCHEDULE 6

Fire lit, maintained or used by a Public Authority as defined in the dictionary of the Rural Fires Act 1997, for the disposal of waste or putrescent material likely to cause a health hazard subject to observance of the special condition that the fire is lit in a properly constructed incinerator designed to prevent the escape of fire, sparks or incandescent or burning material therefrom.

SCHEDULE 7

Fire lit, maintained or used between the hours of 7 p.m. and 7 a.m. for a purpose associated with the harvesting of sugar cane subject to observance of the special condition that all reasonable steps are taken to prevent the escape of fire, sparks or incandescent or burning material therefrom.

SCHEDULE 8

Fire lit by the Roads and Traffic Authority of New South Wales or its contractors for the purpose of heating bitumen in tankers, sprayers, storage units, mobile asphalt plants, mobile asphalt pavers and pavement recycling machines for road repair and construction activities subject to the observance of a special condition that adequate fire fighting equipment to the satisfaction of the Commissioner of the Rural Fire Service, or his nominee, is immediately available to prevent the escape of any such fire under circumstances as to cause or to be likely to cause injury or damage to any person or the land or property of the Crown or a Public Authority as defined in the Rural Fires Act 1997, or any other person.

SCHEDULE 9

Fire lit, maintained or used for the purpose associated with the drying of products from vineyards within Wentworth and Balranald Council areas subject to observance of the special condition that inflammable material is removed from around the heating apparatus for a distance of not less than ten metres to the specification of the Fire Control Officer.

SCHEDULE 10

Fire lit by a company contracted for the construction of a natural gas pipeline from Young to Lithgow within the Central Tablelands, Central West Slopes and South West Slopes Weather Forecast Districts provided that adequate fire fighting equipment is immediately available to the satisfaction of the Commissioner of the N.S.W. Rural Fire Service or his nominee to prevent the escape of any such fire under circumstances as to cause or to be likely to cause injury or damage to any person or the land or property of the Crown or a Public Authority as defined in the dictionary of the Rural Fires Act 1997, or any other person.

SCHEDULE 11

Fire lit, maintained or used, for the purpose of food preparation on a gas fired or electric appliance where:

- (a) such appliance is under the direct control of a responsible adult person, present at all relevant times;
- (b) no combustible material of any kind is allowed within three metres of the appliance when it is operating;
- (c) a system of applying an adequate stream of water to the appliance and its surrounds is available for immediate and continuous use; and
- (d) where the appliance is not on premises containing a permanent private dwelling or is more than twenty metres from such dwelling, both the appliance and the land on which it is to be placed have been approved for the purpose by the Council of the area.

SCHEDULE 12

Fire lit, maintained or used in accordance with Regulation 27 of the Rural Fires Regulation 1997, for the production of charcoal, 'but not for the destruction of waste arising therefrom,' subject to the observance of the special condition that all reasonable steps are taken to prevent the escape of fire, sparks or incandescent or burning material therefrom.

SCHEDULE 13

"Oxy-acetylene and electric welding apparatus used in accordance with the N.S.W. Coal Mine Regulations Act 1982, for the purpose of the maintenance and repair of mining equipment subject to a special condition that adequate fire fighting equipment is available and the operation is conducted within an area identified as a colliery holding."

SCHEDULE 14

"Oxy-acetylene and electric welding apparatus used by the company contracted for the construction of an ethane gas pipeline from Young to Leppington within the Metropolitan, Southern Tablelands, Illawarra and Riverina weather forecast districts provided that adequate fire fighting equipment to the satisfaction of Commissioner of the N.S.W. Rural Fire Service, or his nominee, is immediately available to prevent the escape of any such fire under circumstances as to cause or be likely to cause injury or damage to any person or the land or property of the Crown or a Public Authority as defined in the dictionary of the Rural Fires Act 1997, or any other person."

SCHEDULE 15

Any conditions notified in writing by the Commissioner of the N.S.W. Rural Fire Service to individuals or organisations.

SCHEDULE A

Zone B – Lower Western Weather Forecast District.

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SPECIAL SUPPLEMENT

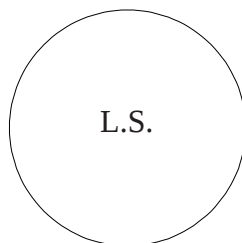
Road Transport Legislation Amendment (Heavy Vehicle Registration Charges and Motor Vehicle Tax) Act 2001 No 106—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Road Transport Legislation Amendment (Heavy Vehicle Registration Charges and Motor Vehicle Tax) Act 2001*, do, by this my Proclamation, appoint 18 February 2002 as the day on which that Act commences.

Signed and sealed at Sydney, this 15th day of February 2002.

By Her Excellency's Command,



CARL SCULLY, M.P.,
Minister for Roads

GOD SAVE THE QUEEN!

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Government Gazette

OF THE STATE OF
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Tuesday, 19 February 2002

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SPECIAL SUPPLEMENT

Sydney Harbour Foreshore Authority Amendment (Foreshore Area) Regulation 2002

under the

Sydney Harbour Foreshore Authority Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Sydney Harbour Foreshore Authority Act 1998*.

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Explanatory note

The object of this Regulation is to substitute the description of the foreshore area contained in Schedule 1 to the *Sydney Harbour Foreshore Authority Act 1998* (being land on or in the vicinity of the foreshores of Sydney Harbour in respect of which the Sydney Harbour Foreshore Authority exercises its functions under that Act).

This Regulation is made under the *Sydney Harbour Foreshore Authority Act 1998*, including sections 45 and 46 (the general regulation-making power).

Clause 1 Sydney Harbour Foreshore Authority Amendment (Foreshore Area)
Regulation 2002

Sydney Harbour Foreshore Authority Amendment (Foreshore Area) Regulation 2002

1 Name of Regulation

This Regulation is the *Sydney Harbour Foreshore Authority Amendment (Foreshore Area) Regulation 2002*.

2 Amendment of Sydney Harbour Foreshore Authority Act 1998 No 170

The *Sydney Harbour Foreshore Authority Act 1998* is amended by omitting the matter in Schedule 1 and by inserting instead the following:

The area bounded by a heavy black line drawn on the map marked “Sydney Harbour Foreshore Authority—Foreshore Area—Amendment No 3” catalogue number 05099916007, dated 15 February 2002, copies of which are deposited in the offices of the Authority and the Department of Planning.

State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries (Amendment No 6)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.
(S01/01230/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries (Amendment No 6)

State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries (Amendment No 6)

1 Name of plan

This plan is *State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries (Amendment No 6)*.

2 Aims of Policy

This Policy aims to amend *State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries* so as to include the land comprising the Caltex site at Ballast Point in Schedule 1 to that Policy, as a consequence of which certain development, if carried out on that land, will be State significant development.

3 Land to which Policy applies

This Policy applies to the land shown edged heavy black on the map sheet marked “Schedule 1—Map 18—Caltex Site, Ballast Point”, a copy of which is deposited in the head office of the Department.

4 Amendment of State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries

The *State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries* is amended as set out in Schedule 1.

State Environmental Planning Policy No 56—Sydney Harbour Foreshores
and Tributaries (Amendment No 6)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 9 State significant development

Insert after clause 9 (1) (a) (ii):

- (iii) the land edged heavy black on the sheet of the map marked “Schedule 1—Map 18—Caltex Site, Ballast Point” (that land being referred to in this clause as *the Caltex site*), or

[2] Clause 9 (2)

Omit “or the Rozelle Hospital site” wherever occurring.

Insert instead “, the Rozelle Hospital site or the Caltex site”.

[3] Clause 10 Consent authority

Insert at the end of clause 10 (1) (b):

- (c) development specified in clause 9 (2) that is carried out on the land edged heavy black on the sheet of the map marked “Schedule 1—Map 18—Caltex Site, Ballast Point”.

[4] Clause 10 (4)

Insert after clause 10 (3):

- (4) Leichhardt Council is the consent authority for development specified in clause 9 (2) that is carried out on the land edged heavy black on the sheet of the map marked “Schedule 1—Map 18—Caltex Site, Ballast Point”.

[5] Schedule 1 State significant development

Insert in appropriate order:

Schedule 1—Map 18—Caltex Site, Ballast Point

Page 3

State Environmental Planning Policy No 56—Sydney Harbour Foreshores
and Tributaries (Amendment No 6)

Schedule 1 Amendments

[6] Schedule 2 Sites of strategic significance

Omit the following:

Schedule 2—Map 23—Caltex Site, Ballast Point

Page 4



Government Gazette

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NEW SOUTH WALES

Number 47

Wednesday, 20 February 2002

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SPECIAL SUPPLEMENT

FREIGHT RAIL CORPORATION (SALE) ACT 2001

Notice under section 42

NOTICE is hereby given that the sale date for the purposes of section 42 of the Freight Rail Corporation (Sale) Act 2001 is 21 February 2002.

Dated 19 February 2002.

MICHAEL EGAN, M.L.C.,
Treasurer of the State of New South Wales

STATE EMERGENCY AND RESCUE MANAGEMENT ACT 1989

Order

I, Dr ANDREW JOHN REFSHAUGE, M.P., Acting Premier, in pursuance of section 60D of the State Emergency and Rescue Management Act 1989, do, by this my Order, declare that the provisions of Part 3A of that Act apply to all volunteer emergency workers from the NSW Rural Fire Service, State Emergency Service and the Volunteer Rescue Association carrying out and supporting storm response operations in the following local government areas:

Gosford, Hornsby, Ryde, Lane Cove, Bankstown, Fairfield, Waverley, Blacktown, Hawkesbury, Parramatta, Sutherland, Warringah, Wyong, Camden, Liverpool, Woollahra, Burwood, Holroyd, Penrith, Randwick, Ku-ring-gai, Willoughby, Pittwater, Campbelltown, Rockdale, Baulkham Hills, Canada Bay and Manly.

This Order is to remain in force until 4 March 2002.

Sydney, 19 February 2002.

Dr ANDREW REFSHAUGE, M.P.,
Acting Premier

STATE EMERGENCY AND RESCUE MANAGEMENT ACT 1989

Order

I, Dr ANDREW REFSHAUGE, M.P., Acting Premier, in pursuance of section 60D (4) of the State Emergency and Rescue Management Act 1989, do, by this my Order, revoke my Order of 27 December declaring that the provisions of Part 3A of that Act apply to all volunteer emergency workers from the NSW Rural Fire Service, State Emergency Service and the Volunteer Rescue Association carrying out or supporting the fire fighting response operations throughout the State.

Sydney, 19 February 2002.

Dr ANDREW REFSHAUGE, M.P.,
Acting Premier

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Government Gazette

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Number 48
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LEGISLATION

Proclamations

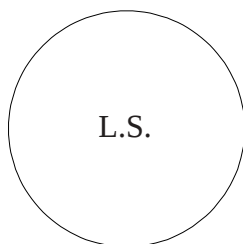
Consumer, Trader and Tenancy Tribunal Act 2001 No 82—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 (1) of the *Consumer, Trader and Tenancy Tribunal Act 2001*, do, by this my Proclamation, appoint 25 February 2002 as the day on which that Act (other than clause 4 of Schedule 6 and Schedule 7.10 [3]) commences.

Signed and sealed at Sydney, this 14th day of February 2002.

By Her Excellency's Command,



JOHN AQUILINA, M.P.,
Minister for Fair Trading

GOD SAVE THE QUEEN!

Explanatory note

Clause 4 of Schedule 6 to the Act commenced on the date of assent (21 November 2001), and Schedule 7.10 [3] to the Act (which inserts section 48HA in the *Home Building Act 1989*) commenced on 1 February 2002.

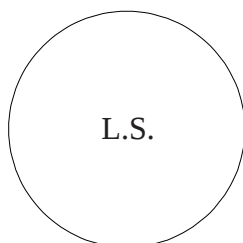
Physiotherapists Act 2001 No 67—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Physiotherapists Act 2001*, do, by this my Proclamation, appoint 22 February 2002 as the day on which the following provisions of that Act commence:

- (a) section 134 in its application to Schedule 6.5,
- (b) Schedule 6.5.

Signed and sealed at Sydney, this 20th day of February 2002.



By Her Excellency's Command,

CRAIG KNOWLES, M.P.,
Minister for Health

GOD SAVE THE QUEEN!

Explanatory note

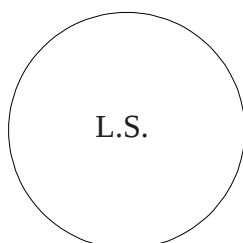
The object of this Proclamation is to commence amendments to the *Medical Practice Act 1992* relating to the referral of matters to an Impaired Registrants Panel under that Act.

Public Sector Management Act 1988— Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 42D of the *Public Sector Management Act 1988*, do, by this my Proclamation, amend Schedules 3A and 3B to that Act as set out in Appendices 1 and 2 to this Proclamation.

Signed and sealed at Sydney, this 14th day of February 2002.



By Her Excellency's Command,

BOB CARR, M.P.,
Premier

GOD SAVE THE QUEEN!

Public Sector Management Act 1988—Proclamation

Appendix 1 Amendment of Part 3 of Schedule 3A (Chief executive positions) to the Act

Omit “Chief Executive Officer, Hawkesbury-Nepean Catchment Management Trust”.

Appendix 2 Amendment of Part 1 of Schedule 3B (Senior executive positions) to the Act

- (1) Omit from the positions relating to the Department of Ageing, Disability and Home Care the position of “Director, Corporate Services”.
- (2) Insert at the end of the positions relating to the Department of Ageing, Disability and Home Care:
Executive Director, Business Improvement
Executive Director, Corporate Services
Executive Director, Disability Services
Chief Financial Officer
Operational Director of Disability (2 positions)
- (3) Insert at the end of the positions relating to the Department of Community Services the position of “Operations Manager—DoCS Helpline”.
- (4) Omit from the positions relating to the Office of Co-ordinator General of Rail:
Executive Director, Finance
Executive Director, Human Resources
- (5) Insert at the end of the positions relating to the Office of Co-ordinator General of Rail the position of “General Manager, Asset Management”.
- (6) Omit from the positions relating to the Department of Corrective Services:
Project Manager, IMS
Insert instead:
Executive Director, Probity and Performance and Chief Ethical Strategist

Public Sector Management Act 1988—Proclamation

- (7) Omit all the positions relating to the Department of Education and Training.

Insert instead:

Deputy Director-General, Corporate Services
Deputy Director-General, Schools
Deputy Director-General, Strategic Planning and Regulation
Deputy Director-General, Technical and Further Education
Assistant Director-General, Primary Education
Assistant Director-General, School Educational Services
Assistant Director-General, Secondary Education
Assistant Director-General, State Training Services
Assistant Director-General, Student Services and Equity
Assistant Director-General, TAFE Educational Services
General Manager, Finance
General Manager, Information Technology and Chief Information Officer
General Manager, Personnel
General Manager, Properties
District Superintendent (40 positions)
Executive Director of Early Childhood, Primary and Rural Education
Executive Director of Secondary Education
Director of Administrative Services
Director of Adult and Community Education
Director of Audit
Director of Financial Accounting
Director of Higher Education
Director of National Art School
Director of Personnel Programs
Director of Properties Services
Director of Properties Support
Director of Public Affairs
Director of Recognition Services
Director of School Accountability and Improvement
Director of Specialist Units
Director of Strategic Research
Director of Student Services and Equity
Director of Technical and Further Education
Director of Training and Development
Director, Adult Migrant English Service
Director, Business Development
Director, Child Protection Investigation Unit

Public Sector Management Act 1988—Proclamation

Director, Corporate Applications
Director, Corporate Management
Director, Disability Programs
Director, External Relations Policy
Director, Industry Programs
Director, Office of Director-General
Director, OTEN—Distance Education
Director, Personnel Services
Director, Professional Support and Curriculum
Director, Quality Initiatives and Promotion of Public Education
Director, School Operations
Director, Skills Development and Workforce Policy
Director, Staffing Services
Director, Strategic Information and Planning
Director, Strategic Projects
Director, TAFE Division (7 positions)
Director, Technology Services
Director, Vocational Education and Training (VET) in Schools
Director, Hunter Institute
Director, Illawarra Institute
Director, New England Institute
Director, North Coast Institute
Director, Northern Sydney Institute
Director, Riverina Institute
Director, South Western Sydney Institute
Director, Southern Sydney Institute
Director, Sydney Institute
Director, Western Institute
Director, Western Sydney Institute
Deputy Director, Hunter Institute
Deputy Director, Northern Sydney Institute
Deputy Director, South Western Sydney Institute
Deputy Director, Southern Sydney Institute
Deputy Director, Sydney Institute and College Director, Ultimo
Deputy Director, Corporate Services, Sydney Institute
Deputy Director, Western Sydney Institute
Assistant Director of Audit
Convenor, Teacher Education Review

Public Sector Management Act 1988—Proclamation

-
- (8) Omit from the positions relating to the Department of Fair Trading:
Assistant Director-General (2 positions)
Insert instead:
Assistant Director-General, Operations
Assistant Director-General, Policy and Strategy
Assistant Director-General, Property and Licensing
- (9) Omit from the positions relating to the Department of Fair Trading:
Director, Compliance, Legal and Safety Division
Deputy Director, Policy Division
Director, Home Building and Property Services Division
- (10) Insert at the end of the positions relating to the Department of Fair Trading:
Director, Legal Services
Director, Projects, Funding and Equity
- (11) Omit from the positions relating to the Department of Health:
Manager, Government Relations
Director, Health Services Policy
Director, Health Public Affairs
Director of Information Management and Chief Health Officer
- (12) Insert in the positions relating to the Department of Health after the position of “Director, Drug Programs Bureau”:
Director, Communications
Director, Counter Disaster Planning and Response
Director, Government Relations
Director, Primary Health and Community
Director of Information Management and Chief Information Officer
Assistant Director, Drug Programs Bureau
Associate Director, Health Public Affairs
- (13) Omit from the positions relating to the Area Health Services under the heading “*South Eastern Sydney Area Health Service*” the position of “Director, Nursing and Community Development”.
- (14) Omit from the positions relating to the Area Health Services under the heading “*South Western Sydney Area Health Service*”:
Director, Corporate Services
Director, Financial Services
-

Public Sector Management Act 1988—Proclamation

- (15) Omit from the positions relating to the Area Health Services under the heading “*Western Sydney Area Health Service*” the position of “Director, Nursing and Corporate Services”.
- (16) Insert at the end of the positions relating to the Department of Housing the position of “Executive Director to the Human Resources CEOs Group”.
- (17) Omit from the positions relating to the Department of Information Technology and Management:
 - Division Manager, Registration and Information Services
 - Director, Multimedia and Electronic Services
- (18) Insert at the end of the positions relating to the Department of Information Technology and Management:
 - Director, Electronic Services
 - Division Manager, Titling and Registry Services
 - Program Manager, Human Services Better Service Delivery Program
- (19) Omit from the positions relating to the Department of Juvenile Justice:
 - Director of Corporate ServicesInsert instead:
 - Director, Management Services
- (20) Omit all the positions relating to the Department of Land and Water Conservation.
 - Insert instead:
 - Deputy Director-General, Natural Resource Management
 - Deputy Director-General, Regional and Commercial Services
 - Assistant Director-General, Strategy and Policy
 - Regional Director, Barwon
 - Regional Director, Central West
 - Regional Director, Far West and Western Lands Commissioner
 - Regional Director, Hunter
 - Regional Director, Murray
 - Regional Director, Murrumbidgee
 - Regional Director, North Coast
 - Regional Director, Sydney South Coast
 - Executive Director, Centre for Natural Resources
 - Executive Director, Information Technology
 - Executive Director, Landscape Management

Public Sector Management Act 1988—Proclamation

Executive Director, Natural Resource Products
 Executive Director, Performance Improvement
 Executive Director, Regional and Commercial Services
 Executive Director, Resources Policy
 Executive Director, Water Management Act Implementation
 Director, Corporate Finance
 Director, Ecosystems
 Director, Human Resources
 Director, Legal and Compliance
 Director, Native Title and Aboriginal Land Claims
 Director, Natural Environmental Services
 Director, Water Management Systems
 General Manager, Land NSW
 General Manager, Soil Services
 General Manager, State Water
 General Manager, Town Water Treatment and Recycling
 General Manager, Water Efficiency Investment Group

- (21) Omit from the positions relating to the Department of Mineral Resources:

Principal Research Scientist
 Director, Corporate Management and Development

- (22) Insert in the positions relating to the Department of Mineral Resources after the position of “Director, Resource Planning and Development” the position of “Director, Strategic Planning and Policy”.

- (23) Omit from the positions relating to the Olympic Co-ordination Authority:

Senior Director, Operations
 Executive Director, Operations
 Deputy Director-General and Executive Director, Development
 Executive Director, Government and Environment Co-ordination

Insert instead:

Deputy Director-General and Executive Director, Development
 Assistant Director-General, Operations
 Executive Director, Operations

- (24) Insert in the positions relating to the Olympic Co-ordination Authority after the position of “Senior Director, Environment” the position of “Senior Director, Operations Development”.

Public Sector Management Act 1988—Proclamation

-
- (25) Omit all the positions relating to the Department of Public Works and Services. Insert instead:

Director, Executive Services Division
Director, Policy Services Division
Operations Director, PMG
Technical Director, Infrastructure and Environmental Services, Asset and Environmental Services Group
Group General Manager, Asset and Environmental Services
Group General Manager, Corporate and Business Services Group
Group General Manager, Strategic Procurement Services
General Manager, Asset Management Services
General Manager, BDS and Government Architect
General Manager, Central Corporate Services Unit
General Manager, CMS and Government Printer
General Manager, Corporate Development
General Manager, Environmental Services and Manly Hydraulics Laboratory
General Manager, HaBS
General Manager, NSW Supply
General Manager, Procurement Consultancies
General Manager, Project Management Group
General Manager, Project Services Branch
General Manager, Q Store
General Manager, Shared Business Support Group
General Manager, State Fleet Services
General Manager, State Mail Service
General Manager, State Valuation Office
Manager, Contracts
Manager, Corporate Finance
Manager, Corporate Strategy
Manager, Dams and Civil Engineering and Principal Engineer
Manager, Financial Services, CCSU
Manager, Information Services and Technology
Manager, Information Technology Services, CCSU
Manager, Procurement Policy
Manager, Procurement and Industry Policy
Manager, Programs Branch
Manager, Strategic Solutions Development and Ministerial Projects
Commercial Business Manager
Corporate Marketing Manager
Cost Centre Manager (2 positions)

Public Sector Management Act 1988—Proclamation

- Regional Manager, Hunter/New England
Regional Manager, North Coast Region
Regional Manager, Riverina/Western Region
Regional Manager, South Coast
Regional Manager, South Coast Region
Regional Manager, Sydney Region
Assistant Manager, Building Design Services
Assistant Government Architect
Chief Information Officer
Client Executive, Healthcare
Client Executive, Justice Portfolio
Client Executive, Local Government Portfolio
Corporate Solicitor
- (26) Omit from the positions relating to the Roads and Traffic Authority:
Director, Finance and Performance Evaluation
Insert instead:
Director Finance
- (27) Omit from the positions relating to the Roads and Traffic Authority:
Manager, Transport Management Centre
Insert instead:
General Manager, Transport Management Centre
- (28) Omit from the positions relating to the Royal Botanic Gardens and Domain Trust:
Senior Assistant Director Plant Sciences
Senior Assistant Director Botanic Gardens
Insert instead:
Director, Plant Sciences
- (29) Omit from the positions relating to the Department of Sport and Recreation:
Deputy Director-General (Client Services)
Insert instead:
Deputy Director-General (Operations)

Public Sector Management Act 1988—Proclamation

- (30) Omit from the positions relating to the State Rail Authority:
Executive Director, Communications
Insert instead:
Executive Director, Communications and Marketing
- (31) Omit all the positions relating to the State Transit Authority.
Insert instead:
Corporate Counsel
Director, Business Development
Director, Engineering Safety and Environment
Financial Controller, Finance and Business Services
General Manager, Finance and Business
General Manager, Human Resources
General Manager, Marketing and Communications
General Manager, Eastern Suburbs Services
General Manager, Newcastle Services
General Manager, North Western Services
General Manager, South Western Services
General Manager, Sydney Ferries
General Manager, Warringah Services
Manager, Computer Systems and Technology
- (32) Insert at the end of the positions relating to Tourism New South Wales the position of “Director, Visitor Services Agencies Shared Services”.
- (33) Insert at the end of the positions relating to the Department of Transport the position of “Director, Metropolitan Strategic Planning”.
- (34) Omit the heading “**Department of Urban Affairs and Planning**”.
Insert instead the heading “**Department of Planning**” and insert all the matter relating to that Department after the matter relating to the Parliamentary Counsel’s Office.
- (35) Omit from the positions relating to the Department of Planning the position of “Executive Director, Metropolitan Area Management”.
- (36) Insert at the end of the positions relating to the Department of Planning the position of “Director, Sydney Strategy”.

Regulations

Consumer, Trader and Tenancy Tribunal Regulation 2002

under the

Consumer, Trader and Tenancy Tribunal Act 2001

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Consumer, Trader and Tenancy Tribunal Act 2001*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to make provision for or with respect to the following:

- (a) the disclosure of interests by members of the Consumer, Trader and Tenancy Tribunal and assessors assisting the Tribunal,
- (b) the functions of assessors,
- (c) the making of applications to the Tribunal and the fees in respect of applications,
- (d) representation of parties in proceedings before the Tribunal,
- (e) the payment of costs in respect of Tribunal proceedings,
- (f) rehearings by the Tribunal,
- (g) aspects of procedure in the Tribunal,
- (h) access to Tribunal records,
- (i) the forms and other requirements ancillary to the *Consumer, Trader and Tenancy Tribunal Act 2001*.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Explanatory note

This Regulation is made under the *Consumer, Trader and Tenancy Tribunal Act 2001*, including section 86 (the general regulation-making power) and the various sections of the Act referred to in the Regulation.

Page 2

Consumer, Trader and Tenancy Tribunal Regulation 2002

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Consumer, Trader and Tenancy Tribunal Regulation 2001

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Consumer, Trader and Tenancy Tribunal Regulation 2001

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Clause 1 Consumer, Trader and Tenancy Tribunal Regulation 2002

Part 1 Preliminary

Consumer, Trader and Tenancy Tribunal Regulation 2002

Part 1 Preliminary

2 Name of Regulation

This Regulation is the *Consumer, Trader and Tenancy Tribunal Regulation 2002*.

3 Commencement

This Regulation commences on 25 February 2002.

4 Definition

(1) In this Regulation:

the Act means the *Consumer, Trader and Tenancy Tribunal Act 2001*.

(2) Notes in the text of this Regulation do not form part of this Regulation.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Clause 4

Members and assessors

Part 2

Part 2 Members and assessors

5 Oath of office by Chairperson, Deputy Chairperson (Determinations) and senior members

If an oath is required to be taken as referred to in clause 15 of Schedule 2 to the Act, it may be taken in one of the forms set out in Schedule 1 to this Regulation.

6 Disclosure of members' interests

(1) A member:

- (a) who has a direct or indirect interest in a matter the subject of present or proposed proceedings of the Tribunal, and
- (b) whose interest appears to raise a conflict with the proper performance of the member's duties in relation to the consideration of the matter,

must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest to the Chairperson (and, if the matter has commenced to be heard, to the parties involved in the matter).

- (2) If the member is the Chairperson, the nature of the interest must be disclosed to the Minister.
- (3) After a member has disclosed the nature of an interest in any matter, the member must not, unless the Minister or Chairperson otherwise determines, exercise, or continue to exercise, the jurisdiction of the Tribunal in the proceedings.

7 Functions of assessors

- (1) For the purpose of conducting an inquiry under section 16 of the Act, an assessor who is authorised in writing by the Chairperson to do so is to carry out such inspections in connection with any matter as the Tribunal may direct and report to the Tribunal as directed.
- (2) In the exercise of his or her functions, an assessor is to act with as little formality as the circumstances permit and according to equity, good conscience and the substantial merits of the matter without regard to technicalities or legal forms.

Clause 6 Consumer, Trader and Tenancy Tribunal Regulation 2002

Part 2 Members and assessors

- (3) Clause 5 applies to and in respect of an inquiry or proposed inquiry by an assessor in the same way as it applies to and in respect of a member of the Tribunal in proceedings or proposed proceedings of the Tribunal.

8 Taking evidence at inquiries

For the purpose of conducting an inquiry under section 16 of the Act, an assessor:

- (a) may inform himself or herself of any matter in such manner as the assessor thinks fit, and
- (b) may, in particular, hear testimony from any person and administer an oath to any person testifying.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Clause 8

Applications

Part 3

Part 3 Applications

9 Applications to Tribunal

- (1) For the purposes of section 24 (2) of the Act, this clause applies in relation to an application to have a matter dealt with by the Tribunal.
- (2) An application may be lodged:
 - (a) at any one of the registries established by the Tribunal, or
 - (b) at a Fair Trading Centre of the Department of Fair Trading, or
 - (c) at any Local Court registry, or
 - (d) if the application relates to a matter in the Motor Vehicles Division—at the offices of the Motor Vehicle Repair Industry Council, or
 - (e) if the application relates to a matter in the Residential Parks Division, Strata and Community Schemes Division or Tenancy Division—at any Department of Fair Trading Renting Services Office, or
 - (f) at any such other place as may be determined by the Chairperson.
- (3) An application must be in the English language.
- (4) The Tribunal may accept lodgment of applications by post, facsimile or electronic means.
- (5) Except where the Registrar otherwise determines, an application is taken to have been lodged when it has been duly lodged in accordance with this Regulation, whether or not payment of any fee occasioned by the lodgment has been made. The Tribunal is, however, entitled to decline to hear proceedings on the application until the fee has been paid.
- (6) An application must be signed and dated by the applicant unless this clause authorises another person to sign the application.
- (7) An application made under the *Residential Tenancies Act 1987* by a landlord may be completed, signed, dated and lodged by the landlord's agent.
- (8) An application made under the *Residential Tenancies Act 1987* by a tenant may be completed, signed, dated and lodged by:
 - (a) the tenant's agent under section 31 of that Act, or

Clause 8 Consumer, Trader and Tenancy Tribunal Regulation 2002

Part 3 Applications

- (b) a person authorised in writing by the tenant to do so.
- (9) An application made under the *Residential Parks Act 1998* by a resident may be completed, signed, dated and lodged by:
 - (a) the resident's agent under section 32 of that Act, or
 - (b) a person authorised in writing by the resident to do so.
- (10) An application made under the *Retirement Villages Act 1999* by an operator of a retirement village may be completed, signed, dated and lodged by any person authorised in writing by the operator to do so.
- (11) An application made under the *Retirement Villages Act 1999* by a resident of a retirement village may be completed, signed, dated and lodged by any person authorised in writing by the resident to do so.
- (12) An application that is lodged by electronic means is taken to be duly signed so long as:
 - (a) it identifies a person who, under this Regulation, is authorised to sign the application, and
 - (b) it indicates that person's approval of the making of the application and (where appropriate) that person's belief in the truth of the information contained in the application.

10 Particulars of application

- (1) For the purposes of section 24 (2) of the Act, an application made to the Tribunal must contain the following particulars:
 - (a) the name and address of the applicant,
 - (b) the name and last known address of each other party,
 - (c) a description of the order or orders sought by the applicant,
 - (d) a concise statement containing particulars sufficient to enable each other party to know the nature of the claim or dispute,
 - (e) if an amount of money is claimed or in dispute, the amount claimed or disputed,
 - (f) if the application relates to a claim or dispute arising from the occupation of any premises—the address of those premises,
 - (g) if the applicant is a corporation—the applicant's ACN.
- (2) The Registrar may, if the applicant requests, delete an applicant's address from the application before forwarding it to other parties to the proceedings.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Clause 10

Applications

Part 3

11 Application fees

- (1) In accordance with section 86 (2) (n) of the Act, the following fees are, subject to this Regulation, payable in respect of an application to have a matter dealt with by the Tribunal in the Division as specified:
- (a) \$27 in the case of a matter in the Residential Parks Division, Retirement Villages Division or Tenancy Division,
 - (b) \$56 in the case of a matter in the Strata and Community Schemes Division,
 - (c) in the case of a matter in the General Division, Home Building Division or Motor Vehicles Division, or in the Commercial Division (unless it is a matter referred to in paragraph (d)):
 - (i) \$27 if the amount claimed or in dispute is not more than \$10,000 or if no amount is claimed or in dispute, or
 - (ii) \$56 if the amount claimed or in dispute is more than \$10,000 but is not more than \$25,000, or
 - (iii) \$150 if the amount claimed or in dispute is more than \$25,000,
 - (d) in the case of a matter in the Commercial Division:
 - (i) \$500 for an application under section 86 or 86A of the *Credit Act 1984*, or
 - (ii) \$62 for an application under the *Consumer Credit (NSW) Code* (except as provided by subparagraph (iii)), or
 - (iii) \$500 for an application under section 101 of the *Consumer Credit (NSW) Code* if the application is made by a credit provider.
- (2) The application fee payable by a person who is an eligible pensioner or an eligible student is \$5.
- (3) No fee is payable in respect of the following:
- (a) an application under section 74, 115 or 116 of the *Credit Act 1984*,
 - (b) an application under section 68 or 88 of the *Consumer Credit (NSW) Code*,
 - (c) an application under section 5 or 6 of the *Credit (Home Finance Contracts) Act 1984*,
 - (d) an application by the Director-General of the Department of Fair Trading.

Clause 10 Consumer, Trader and Tenancy Tribunal Regulation 2002

Part 3 Applications

(4) In this clause:

eligible pensioner means any of the following persons:

- (a) a person who receives a pension, benefit or allowance under Chapter 2 of the *Social Security Act 1991* of the Commonwealth, or a service pension under Part III of the *Veterans' Entitlements Act 1986* of the Commonwealth, and who is the holder of a pensioner concession card issued by or on behalf of the Commonwealth Government,
- (b) a person who receives a pension from the Commonwealth Department of Veterans' Affairs as:
 - (i) the widow or widower of a member of the Australian Defence or Peacekeeping Forces, or
 - (ii) the unmarried mother of a deceased unmarried member of either of those Forces, or
 - (iii) the widowed mother of a deceased unmarried member of either of those Forces,and who does not have income and assets that would prevent the person from being granted a pensioner concession card if the person were eligible for such a card,
- (c) a person who receives a special rate of pension under section 24 of the *Veterans' Entitlements Act 1986* of the Commonwealth,
- (d) a person who holds a Senior's Card (being a card of that name issued by the New South Wales Government).

eligible student means a person who is receiving full-time education at a school, college or university and is a recipient of a student assistance allowance from a Commonwealth government authority in respect of that education.

12 Waiver etc of application fees

If the Tribunal or the Registrar considers that there are special reasons for so doing, the Tribunal or Registrar:

- (a) may direct that an application fee required to be paid under this Regulation be waived wholly or in part, and that any part of the fee waived that has been paid be refunded, and
- (b) may, subject to any conditions the Tribunal or Registrar thinks fit to impose, postpone the time for payment of the whole or a part of any such application fee.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Clause 12

Applications

Part 3

13 Application fees also apply in relation to rehearings and notice to renew proceedings

The provisions of clauses 10 and 11 apply, with any necessary modifications, to and in respect of the following:

- (a) the lodging of a notice under section 43 (2) of the Act to renew proceedings,
- (b) an application under section 68 of the Act for a rehearing.

Clause 13 Consumer, Trader and Tenancy Tribunal Regulation 2002

Part 4 Representation of parties

Part 4 Representation of parties

14 Application for representation

- (1) An application under section 36 (2) of the Act by a party to the Tribunal for permission to be represented in any proceedings may be made:
 - (a) in writing addressed to the Registrar and lodged before the date set down for hearing of the proceedings, or
 - (b) by oral submission at the commencement of the hearing.
- (2) An application for representation that is made in writing must:
 - (a) identify the proceedings with respect to which it is made, and
 - (b) specify the reason why the applicant wishes to be represented, and
 - (c) specify whether representation by a legal practitioner is proposed, and
 - (d) if representation by a legal practitioner is not proposed, specify the name and occupation of the proposed representative, and
 - (e) specifically authorise the representative to make decisions in the absence of the applicant in the proceedings concerned that are binding on the applicant.
- (3) If an application for representation is made in writing, the applicant may include submissions in relation to the competence of the proposed representative or any matter the applicant desires to address in support of the application.
- (4) An application for permission to be represented cannot be determined by the Tribunal unless each other party to the proceedings has been given an opportunity to make oral or written submissions in relation to the application.
- (5) In making an order permitting a party to be represented in any proceedings, the Tribunal may impose such conditions in relation to the representation as the Tribunal thinks fit.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Clause 14

Representation of parties

Part 4

15 Circumstances in which application for representation may be made

An application under section 36 (2) of the Act by a party for permission to be represented in any proceedings may be made in any one or more of the following circumstances only:

- (a) if the proceedings are to be heard in the Home Building Division and involve a claim or dispute for an amount exceeding \$25,000,
- (b) if the party is a body corporate and the body corporate is to be represented by one of its officers,
- (c) if the party is an owners corporation constituted under the *Strata Schemes Management Act 1996* and the corporation is to be represented by the owner or, if there is more than one owner, by one of the owners constituting the corporation, or by the strata managing agent,
- (d) if the party is a community association constituted under the *Community Land Development Act 1989* and the association is to be represented by the proprietor of each development lot in the relevant community plan or, if there is more than one proprietor, by one of the proprietors who is a member of the association, or by the managing agent,
- (e) if the party is a body registered under the *Co-operatives Act 1992* and the body is to be represented by one of its officers,
- (f) if the party is a firm and the firm is to be represented by one of its partners,
- (g) if the party is an incorporated association registered under the *Associations Incorporation Act 1984* and the association is to be represented by one of its officers,
- (h) if the party is an unincorporated body of persons and the body is to be represented by:
 - (i) a secretary or treasurer of the body, or
 - (ii) a member of the executive or management committee of the body who was duly elected at a general meeting of members of the body,
- (i) if the party has a trustee for the management of his or her estate and the person is to be represented by the trustee,
- (j) if the party is a government agency and is to be represented by an officer of that or any other government agency,

Clause 14 Consumer, Trader and Tenancy Tribunal Regulation 2002

Part 4 Representation of parties

- (k) if the party is a landlord of property involved in the proceedings and is to be represented by the managing agent of the property,
- (l) if the party is the owner of a residential park involved in the proceedings and is to be represented by the park manager,
- (m) if the party is the operator of a retirement village involved in the proceedings and is to be represented by an employee or agent (other than a legal practitioner) of the operator,
- (n) if the party is a resident of a retirement village who is to be represented by:
 - (i) a nominated resident of the retirement village in accordance with section 122 of the *Retirement Villages Act 1999*, or
 - (ii) the Residents Committee of the retirement village in accordance with clause 25 of the *Retirement Villages Regulation 2000*,
- (o) if another party in the proceedings is, or is to be represented by a person who is, entitled by law to practise as a legal practitioner, either in New South Wales or elsewhere,
- (p) if another party in the proceedings is a government agency,
- (q) if the Tribunal is of the opinion that the party would be placed at a disadvantage if not represented at the hearing,
- (r) if the Tribunal is of the opinion that representation should be permitted as a matter of necessity due to the likelihood that complex issues of law or fact will arise in the proceedings.

16 Representative to be competent

- (1) In dealing with an application for the representation of a party in any proceedings, the Tribunal must not approve the application unless it is satisfied that the representative:
 - (a) has sufficient knowledge of the issues in dispute to enable the representative to represent the applicant effectively at the hearing by the Tribunal of the matter concerned, and
 - (b) is vested with sufficient authority to bind the applicant.
- (2) In determining a written application for representation, the Tribunal is entitled to rely on information supplied by the applicant in support of the application.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Clause 16

Representation of parties

Part 4

17 Representation of unincorporated body

- (1) If an application to have a matter dealt with by the Tribunal is made on behalf of an unincorporated body by an officer of that body who is authorised to do so, each of the members of the body is taken to have agreed to be represented at the hearing of the matter by that officer or by such other person as may be permitted to represent the body at that hearing.
- (2) This clause does not apply in respect of an application to have a matter dealt with by the Tribunal that has been made by the Residents Committee of a retirement village.

Note. Clause 25 of the *Retirement Villages Regulation 2000* makes provision for the manner in which applications are made to the Tribunal by a Residents Committee.

18 Representation by managing agents

- (1) A managing agent who represents a landlord in proceedings is entitled to demand and receive such fee or reward for so doing as may be agreed with the landlord concerned.
- (2) A strata managing agent who represents an owners corporation constituted under the *Strata Schemes Management Act 1996* in proceedings is entitled to demand and receive such fee or reward for so doing as may be agreed with the owners corporation concerned.

19 Costs of representation may be disclosed

If a party in any proceedings is represented by a legal practitioner, the Tribunal may, as a condition of the order permitting the party to be represented, require the legal practitioner to disclose the estimated cost of representation by the practitioner.

Clause 19 Consumer, Trader and Tenancy Tribunal Regulation 2002

Part 5 Costs

Part 5 Costs

20 Costs of assessors

- (1) In accordance with section 18 of the Act, the Tribunal may, in any proceedings in which a party has requested the use of an assessor, make an order as to the extent to which the costs of the assessor are to be paid by any one or more of the parties.
- (2) If the Tribunal makes any such order as to the payment of costs, the parties are to pay the costs in such proportions as they may agree among themselves or, failing agreement, in such manner as may be ordered by the Tribunal.
- (3) The Tribunal may, in any proceedings in the Home Building Division in respect of which:
 - (a) the amount claimed or in dispute is more than \$25,000, and
 - (b) each party is represented by a legal practitioner,order that the costs of an assessor who has assisted the Tribunal (whether or not at the request of a party) are payable by any one or more of the parties.

21 Costs generally

- (1) This clause applies to the awarding of costs by the Tribunal as provided by section 53 of the Act.
- (2) The Tribunal may award costs in relation to proceedings in respect of which the amount claimed or in dispute is not more than \$10,000, or in respect of which no amount is claimed or in dispute, only if the Tribunal is satisfied that there are exceptional circumstances that warrant the awarding of costs.
- (3) In any proceedings in respect of which the amount claimed or in dispute is more than \$10,000 but not more than \$25,000, the Tribunal may award costs in relation to the proceedings only if:
 - (a) the Tribunal is satisfied that there are exceptional circumstances that warrant the awarding of costs, or
 - (b) the Tribunal has made an order under section 30 (2) of the Act in relation to the proceedings.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Clause 20

Costs

Part 5

-
- (4) In any proceedings in respect of which the amount claimed or in dispute is more than \$25,000, the Tribunal may award costs in relation to the proceedings in such circumstances as it thinks fit.
 - (5) Despite any other provision of this clause, the Tribunal may order:
 - (a) that the costs of proceedings on an application for rehearing of a matter are, if the applicant fails to attend the hearing of the application, to be paid wholly or in part by the applicant, or
 - (b) that the costs of any proceedings that the Tribunal considers to be frivolous, vexatious, misconceived or lacking in substance, or as otherwise not to be heard or proceeded with, be paid wholly or in part by the person who instituted the proceedings.
 - (6) The amount of any costs under subclause (5) is to be substantiated in accordance with directions given by the Chairperson or, in the absence of such directions, in such manner as the Tribunal thinks fit.

22 Costs of mediation and neutral evaluation

- (1) In accordance with section 60 of the Act, the parties to proceedings who, for the purposes of a mediation or neutral evaluation under Division 2 of Part 5 of the Act, elect to employ their own mediator or neutral evaluator rather than rely on one arranged by the Tribunal, are to pay the costs of the mediation or neutral evaluation.
- (2) The parties are to pay the costs in such proportions as they may agree among themselves or, failing agreement, in such manner as may be ordered by the Tribunal.

Clause 22 Consumer, Trader and Tenancy Tribunal Regulation 2002

Part 6 Rehearings by Tribunal

Part 6 Rehearings by Tribunal

23 Application for rehearing

- (1) For the purposes of section 68 (1) of the Act:
 - (a) an application to the Chairperson to have completed proceedings reheard by the Tribunal is to be:
 - (i) in writing and in the form approved by the Chairperson, and
 - (ii) lodged with the Chairperson, and
 - (b) the prescribed time within which the application may be made is, subject to subclause (2), 14 days after the date of notification of the Tribunal's order in respect of the completed proceedings.
- (2) If, in accordance with section 49 (2) of the Act, a statement of reasons for the Tribunal's decision is requested, the prescribed time under subclause (1) is extended to 14 days after receipt of the statement.
- (3) If the applicant for a rehearing alleges that a rehearing is justified because he or she did not receive notice of the hearing or notice of termination of a tenancy, the Registrar or other officer accepting lodgment of the application may require that allegation to be verified by oath or affirmation of the applicant before accepting the application.

24 Opportunity for other party to respond to application for rehearing

For the purposes of section 68 (5) (a) (ii) of the Act, the prescribed time within which a party is to be given an opportunity to respond to an application for a rehearing is 7 days after the party has been notified and given a copy of the application.

25 Excluded applications for rehearsings

- (1) For the purposes of section 68 (14) of the Act, an application for a rehearing cannot be made under that section unless:
 - (a) the amount claimed or in dispute is \$500 or more but is not more than \$25,000, or
 - (b) no amount of money is claimed or in dispute.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Clause 24

Rehearings by Tribunal

Part 6

-
- (2) However, the requirement under subclause (1) (a) that the amount claimed or in dispute must be at least \$500 does not apply in respect of the rehearing of any proceedings in the Residential Parks Division, Retirement Villages Division or Tenancy Division.

Note. In any of the Divisions referred to in subclause (2), an application for a rehearing may be made if the amount claimed or in dispute is less than \$500.

- (3) For the purposes of section 68 (14) of the Act, an application for a rehearing cannot be made under that section in relation to proceedings in the Residential Parks Division, Retirement Villages Division or Tenancy Division in respect of which an order for the termination of a tenancy or residency has been made if a warrant of possession has been executed in relation to that order.

Clause 25 Consumer, Trader and Tenancy Tribunal Regulation 2002

Part 7 Procedure generally

Part 7 Procedure generally

26 Proceedings against 2 or more persons having joint liability

For the purposes of section 26 (1) of the Act, the classes of proceedings that are prescribed are those in the Residential Parks Division, Retirement Villages Division, Strata and Community Schemes Division or Tenancy Division in respect of which 2 or more persons have joint liability.

27 Dispensing with hearing

For the purposes of section 34 (2) of the Act, applications under section 86A of the *Credit Act 1984* are prescribed as a class of matters that may be determined under section 34 of the Act without the consent of the parties.

28 Lapsing of proceedings

If an application to initiate proceedings in the Tribunal is made but is not served on the other party or is not otherwise acted on by the applicant during the period of 12 months after the application is made, the application lapses and is taken to have been withdrawn by the applicant.

29 Joinder of parties

- (1) If the Tribunal is of the opinion that a person has a sufficient interest in the dispute to which an application to the Tribunal relates but the person has not been served with notice of the application, the Tribunal may make an order directing that the person be joined either as an applicant or as a respondent, as appears to the Tribunal to be appropriate, and notice of the proceedings is to be served accordingly.
- (2) The powers of the Tribunal under this clause may, in accordance with any relevant directions of the Chairperson, be exercised by the Registrar.

30 Ex parte proceedings

- (1) The Tribunal may proceed to hear a matter in the absence of a party who has failed to attend the hearing:
 - (a) if it is satisfied that notice of the hearing was duly served on the party, or

Consumer, Trader and Tenancy Tribunal Regulation 2002

Clause 29

Procedure generally

Part 7

-
- (b) if:
- (i) being satisfied that service of notice of the hearing has been duly attempted, or
 - (ii) having given directions under clause 46 (6),
- the Tribunal considers that justice requires that the matter be dealt with in the absence of the party concerned.
- (2) If a matter is adjourned by the Tribunal in the absence of a party, the Registrar is to give notice of the time and place of the adjourned hearing to the absent party. If the party who is so notified fails to attend the hearing, the matter may be dealt with in the absence of the party.

31 Issue of summons

- (1) A summons issued under section 40 of the Act must be served not later than 5 working days before the day the person is required to attend in accordance with the summons, except as the Tribunal by order otherwise directs.
- (2) A summons may be signed by any member of the Tribunal, or by the Registrar, a Deputy Registrar or a person authorised in writing by the Registrar to do so.
- (3) It is sufficient compliance with a summons for the production only of a document or other thing if the document or thing is produced to the Registrar at an address specified for the purpose in the summons at any time before the proceedings at which the document or thing is required to be produced.
- (4) A summons is to be issued in Form 1 of Schedule 2.
- (5) For the purposes of section 40 (2) of the Act, the fee of \$31 is prescribed.

32 Allowances and expenses of witnesses

- (1) A person summoned by the Tribunal to appear and give evidence before the Tribunal is entitled to allowances and expenses on the same scale as a witness attending and giving evidence in criminal proceedings before the District Court.
- (2) A summons issued at the request of a party has no effect unless, not later than a reasonable time before the day on which the attendance of the witness is required by the summons, tender is made of an amount in respect of the reasonable expenses of complying with the requirements of the summons.

Clause 32 Consumer, Trader and Tenancy Tribunal Regulation 2002

Part 7 Procedure generally

33 Warrants

- (1) A warrant under section 41 of the Act is to be issued in Form 2 of Schedule 2.
- (2) If any such warrant is issued, it must be executed within 28 days of its issue.

34 Notice to renew proceedings if order of Tribunal not complied with

For the purposes of section 43 (6) of the Act, a notice under that section is to be in Form 3 of Schedule 2.

35 Compliance with order of Tribunal

Any order of the Tribunal in its General Division, Commercial Division, Home Building Division or Motor Vehicles Division is prescribed for the purposes of section 52 (2) (c) of the Act if the order relates to goods or services of a value not exceeding \$1,000.

36 Notice of decisions and reasons

- (1) For the purposes of section 49 (1) of the Act, the prescribed time within which notice of the Tribunal's decision must be given to the parties is 7 days after the Tribunal makes the decision.
- (2) For the purposes of section 49 (2) of the Act, a request by a party for the Tribunal to provide a statement of reasons for its decision is to be in writing to the Registrar and may only be made after the conclusion of the proceedings concerned.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Clause 36

Access to records of Tribunal

Part 8

Part 8 Access to records of Tribunal

37 Definition

In this Part:

record of proceedings means the following body of records in relation to any particular application to the Tribunal:

- (a) the application as lodged by the applicant and any document lodged in reply by the respondent,
- (b) a transcript or sound or audio-visual recording of proceedings,
- (c) any assessor's report,
- (d) any notation of the nature of the issues in dispute as found and recorded by the Tribunal in the course of the hearing of the application,
- (e) any ruling given by the Tribunal with respect to its jurisdiction to hear and determine the application,
- (f) any order made by the Tribunal in respect of the application,
- (g) any written reasons given in respect of the determination of the application,
- (h) such other records as may be determined by the Chairperson.

38 Records

The Registrar is to have the care, custody and control of the following records of the Tribunal:

- (a) records of proceedings,
- (b) minutes of orders and directions of the Tribunal,
- (c) reports or copies of reports furnished to the Tribunal,
- (d) documents or copies of documents produced to the Tribunal in any proceedings, while retained by the Tribunal,
- (e) exhibits, while retained by the Tribunal,
- (f) correspondence received and sent by the Tribunal,
- (g) diaries and other records relating to the listing and hearing of proceedings in the Tribunal.

Clause 38 Consumer, Trader and Tenancy Tribunal Regulation 2002

Part 8 Access to records of Tribunal

39 Right of access

- (1) Any person may apply in writing to the Registrar for access to records of proceedings in the Tribunal.
- (2) The Registrar must grant access, free of charge, to records of proceedings to any person who is a party to the proceedings. However, clause 39 applies to any such person who wants a copy of a record of proceedings.
- (3) On payment of a fee approved by the Minister, the Registrar may grant access to a record of proceedings to any other person who, in the opinion of the Registrar, has a sufficient reason for being given access to the record.
- (4) Nothing in this clause permits access to or the provision of a copy of:
 - (a) any note or other record made by or on behalf of a member of the Tribunal for the member's own use and which the member did not cause to be filed as part of the record of proceedings, or
 - (b) any document kept by the Registrar, if:
 - (i) the Tribunal has ordered that the document not be disclosed without the consent of the Tribunal, or
 - (ii) the disclosure of the document to the party is otherwise prohibited by or under the Act or another law.

40 Copies of record of proceedings and other documents

- (1) The fee payable by a person for a copy of a record of proceedings or other document or any part of that record or document is:
 - (a) \$2 per page or \$21 (whichever is greater) in the case of a written record or document, or
 - (b) \$21 per tape in the case of a sound or audio-visual recording.
- (2) A person who is or was a party to any proceedings is, however, entitled to a single free copy of any order made by the Tribunal in respect of the proceedings and of any written reasons given by the Tribunal in relation to that order.
- (3) Payment of any fee payable under this clause may be waived (either in whole or in part) by the Registrar if the Registrar is satisfied:
 - (a) that the person required to pay it would suffer hardship if required to pay the fee, or
 - (b) that, for any other reason, it would be unfair or unreasonable for the person to have to pay the fee.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Clause 40

Miscellaneous

Part 9

Part 9 Miscellaneous

41 Chairperson may vary or dispense with requirements

- (1) The Chairperson may, of his or her own motion or on application (whether made before or after the expiry of the time limit concerned) by any person, shorten or extend the period of time within which anything would otherwise be required under this Regulation to be done.
- (2) The Chairperson may dispense with compliance with any requirement of this Regulation, either before or after the occasion for compliance arises.

42 Functions of Chairperson that cannot be delegated

In accordance with section 12 (5) of the Act, the functions of the Chairperson under any of the following provisions cannot be delegated:

- (a) section 12 (2) (c) and (d) of the Act,
- (b) clauses 1 (2) (a) and (5) and 2 (3) (a) of Schedule 3 to the Act.

43 Persons or bodies from which matters cannot be transferred to Tribunal

For the purposes of section 22 (2) (b) of the Act, the following persons and bodies are prescribed:

- (a) the Fair Trading Administration Corporation,
- (b) the Ombudsman,
- (c) any person exercising the functions of an ombudsman under any law of the Commonwealth,
- (d) any person authorised, under a law of the State or of the Commonwealth or of another State or Territory, to make decisions or orders, or give directions, that are binding only on one party to a dispute.

44 Transfer of proceedings

- (1) Notice in writing of the transfer to the Tribunal, under section 23 (2) of the Act, of proceedings instituted in a court is to be given to the Registrar by the court concerned, accompanied by all documents relating to the proceedings.

Clause 43 Consumer, Trader and Tenancy Tribunal Regulation 2002

Part 9 Miscellaneous

- (2) On receipt of such a notice of transfer and accompanying documents, the Registrar must serve on all of the parties a notice fixing a date and time for the holding of the hearing or a directions hearing in relation to the proceedings.

45 Objection to participation of member following preliminary conference

An objection under section 55 (3) (b) of the Act may be made in writing addressed to the Registrar and lodged with the Tribunal within 14 days after the matter concerned is listed for hearing or, if the matter is listed for hearing within the 14-day period, may be made by oral submission at the commencement of the hearing of the matter concerned.

46 Interest on judgment debt

- (1) Interest is payable on the outstanding balance for the time being of money adjudged by the Tribunal to be payable and which, being due, remains unpaid.
- (2) Such interest is payable at a rate equal to the rate for the time being prescribed for the purposes of section 39 of the *Local Courts (Civil Claims) Act 1970*.

47 Service of documents

- (1) An application for the purposes of any proceedings must be served on each of the other parties within a reasonable time before the return date endorsed on the application by the Registrar or in accordance with directions under subclause (6).
- (2) Service of a summons is to be effected:
- (a) personally, or
 - (b) in the case of a company:
 - (i) by ordinary post addressed to the company's registered office, or
 - (ii) by leaving a copy with a person who is apparently of or above the age of 16 years at the company's registered office.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Clause 46

Miscellaneous

Part 9

-
- (3) Service of any other document may be effected in any manner provided by section 78 of the Act or in any of the following ways:
- (a) if the person has an address for service on record with the Registry:
 - (i) by pre-paid ordinary post addressed to the person's address for service, or
 - (ii) if the person's address for service is a box in a document exchange, in New South Wales, of Australian Document Exchange Pty Limited, by leaving a copy in that exchange box or in another exchange box for transmission to that exchange box,
 - (b) in such other manner as may be directed by the Chairperson, Deputy Chairperson or Registrar in a particular case.
- (4) Service by post is taken to have been effected on a person at the end of the fourth working day after the date on which the document was posted to the person.
- (5) Service by document exchange is taken to have been effected on a person at the end of the second working day after the date on which the document was left in the person's exchange box or, if the document is left at some other exchange box for transmission to the person's exchange box, in that other exchange box.
- (6) The Chairperson, a Deputy Chairperson or the Registrar may, without hearing from the other parties, do any one or more of the following:
- (a) direct a party to serve an application or any other document on a person who is not a party,
 - (b) direct substituted service to be effected in such manner as the Chairperson, Deputy Chairperson or Registrar considers appropriate,
 - (c) reduce (subject to any relevant Act or law) the time within which service must be effected.
- (7) This clause has effect subject to the provisions of any Act or law or of any directions of the Chairperson under section 24 (3) of the Act.

Clause 47 Consumer, Trader and Tenancy Tribunal Regulation 2002

Part 9 Miscellaneous

48 Transitional provision—appeals concerning BSC insurance provisions

- (1) The Tribunal has the same jurisdiction that the Fair Trading Tribunal had conferred on it under clause 4A of Schedule 5 to the *Fair Trading Tribunal Act 1998* in respect of decisions made in relation to claims under BSC insurance within the meaning of clause 37 of Schedule 4 to the *Home Building Act 1989*.
- (2) Subclause (1) is subject to clauses 6 and 7 of Schedule 6 to the Act.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Oaths or affirmations of office

Schedule 1

Schedule 1 Oaths or affirmations of office

(Clause 4)

Oath

I,....., swear that I will faithfully and impartially discharge the duties of the office of Chairperson/Deputy Chairperson (Determinations)/senior member (delete whichever is inapplicable) of the Consumer, Trader and Tenancy Tribunal of New South Wales.

Affirmation

I,....., solemnly, sincerely and truly affirm and declare that I will faithfully and impartially discharge the duties of the office of Chairperson/Deputy Chairperson (Determinations)/senior member (delete whichever is inapplicable) of the Consumer, Trader and Tenancy Tribunal of New South Wales.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Schedule 2

Forms

Schedule 2 Forms

(Clauses 30, 32 and 33)

Form 1 Summons

(Consumer, Trader and Tenancy Tribunal Act 2001, section 40)

IN THE CONSUMER, TRADER AND TENANCY TRIBUNAL AT:

IN THE MATTER OF:

SUMMONS

To:

of

YOU ARE REQUIRED TO ATTEND, and until you are excused from further attending, for the purpose of:

- giving evidence before the Tribunal (1)
- producing the following: (2)

at the time, date and place specified below.

IF YOU FAIL TO ATTEND a warrant may be issued for your apprehension.

Time, date and place of attendance:

.....

.....

(Signature)

Date

NOTES:

(1) Delete if inapplicable.

(2) Delete if inapplicable. If applicable, specify the documents or things to be produced.

It is sufficient compliance with a summons for the production only of a document or other thing if the document or thing is produced to the Registrar at the address specified above before the time specified.

Consumer, Trader and Tenancy Tribunal Regulation 2002

Forms

Schedule 2

Form 2 Warrant for apprehension of summons defaulter

(Consumer, Trader and Tenancy Tribunal Act 2001, section 41)

To:

On a summons directed to was issued by the Consumer, Trader and Tenancy Tribunal sitting at The summons was duly served on him/her by on but he/she failed to comply with it.

You are by this warrant authorised and directed to apprehend and to bring him/her before the Consumer, Trader and Tenancy Tribunal at For that purpose you may detain him/her in custody until such time as the Chairperson or Deputy Chairperson of the Tribunal, or the Supreme Court, orders his/her release.

This warrant must be executed within 28 days of its issue.

.....

Chairperson/Deputy Chairperson of the Tribunal.

Date

Consumer, Trader and Tenancy Tribunal Regulation 2002

Schedule 2

Forms

Form 3 Non-compliance with Tribunal order—notice to renew proceedings

(Consumer, Trader and Tenancy Tribunal Act 2001, section 43 (6))

- 1 Your name
- 2 Your present address
.....
- 3 Your address when original application was made (if different from above)
.....
- 4 What order have you already obtained?
- 5 Who was the order made against?
- 6 Date on which the order was made / /
- 7 Tribunal's reference number
- 8 In what way has the order not been complied with?
.....
.....
- 9 What order do you want? (Tick where appropriate)
 - ☐ An order for the payment of \$
 - ☐ An order to rectify faulty goods or provide services
 - ☐ An order to provide specified services
 - ☐ An order that I do not have to pay \$.
 - ☐ An order to deliver goods
 - ☐ An order to replace goods or services
 - ☐ An order to return goods to me
 - ☐ Other (please specify)
- 10 It is requested that the application be relisted.

Signature Date / /

Fisheries Management (General) Amendment Regulation 2002

under the

Fisheries Management Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

The Hon EDWARD OBEID, M.L.C.,
Minister for Fisheries

Explanatory note

The object of this Regulation is to amend the *Fisheries Management (General) Regulation 1995*:

- (a) to provide for industry members of the Marine and Estuarine Recreational Charter Management Advisory Committee to represent 8 instead of 9 regions of the industry by combining the Solitary Islands Reserve region and the Mid North Coast and Central Coast region into one region, and
- (b) to make transitional arrangements in relation to industry membership of the Management Advisory Committee (**MAC**) for the estuary prawn trawl restricted fishery.

The amendments described in paragraph (b) take account of the impending closure of Botany Bay to estuary prawn trawling. The Regulation reduces the number of members of the MAC and removes the need for an election in relation to the Botany Bay estuary prawn trawl restricted fishery representative. It provides instead for the current representative to continue as a member of the MAC until 1 May 2002, the date of closure.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 231 and 289 (the general regulation-making power).

Clause 1 Fisheries Management (General) Amendment Regulation 2002

Fisheries Management (General) Amendment Regulation 2002

2 Name of Regulation

This Regulation is the *Fisheries Management (General) Amendment Regulation 2002*.

3 Amendment of Fisheries Management (General) Regulation 1995

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

Fisheries Management (General) Amendment Regulation 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 226Z Advisory Committee

Omit “9” from clause 226Z (2) (a). Insert instead “8”.

[2] Clause 226ZJ Regions for which members are to be elected

Omit “9” from clause 226ZJ (1). Insert instead “8”.

[3] Clause 226ZJ (1)

Omit clause 226ZJ (1) (b) and (c). Insert instead:

- (b) 1 member for the Mid North Coast and Central Coast region (the part of the State between 29°40'S and 32°26'S),

[4] Clause 226ZJ (3)

Insert after clause 226ZJ (2):

- (3) The person holding office as an industry member for the Mid North Coast and Central Coast region under subclause (1) (c) as in force immediately before its repeal by the *Fisheries Management (General) Amendment Regulation 2002* is taken to represent the Mid North Coast and Central Coast region for the duration of the term for which the person was appointed to hold office as an industry member.

Fisheries Management (General) Amendment Regulation 2002

Schedule 1 Amendments

[5] Clause 231 Composition of MAC

Omit from columns 1, 2 and 3 of Part B of the Table to clause 231 the matter relating to “Estuary prawn trawl restricted fishery”.

Insert instead:

Estuary prawn trawl restricted fishery	4	1 member representing commercial fishers who hold an endorsement (including an endorsement for a further period) for which the fishers were eligible under clause 191V (1) (b) 1 member representing commercial fishers who hold an endorsement (including an endorsement for a further period) for which the fishers were eligible under clause 191V (1) (c) 1 member representing commercial fishers who hold an endorsement (including an endorsement for a further period) for which the fishers were eligible under clause 191V (1) (d) 1 member representing commercial fishers who hold an endorsement (including an endorsement for a further period) for which the fishers were eligible under clause 191V (1) (e) or (f)
---	---	--

[6] Clause 279

Insert after clause 278:

279 Provisions relating to closure of Botany Bay estuary prawn trawl restricted fishery

- (1) Until 1 May 2002, clause 231 (2) (a) is taken to require 5 members to be appointed to the Management Advisory Committee for the estuary prawn trawl restricted fishery, including the Botany Bay industry member.
- (2) Despite clause 263, the term of office of the Botany Bay industry member ends on 1 May 2002.

Fisheries Management (General) Amendment Regulation 2002

Amendments

Schedule 1

(3) In this clause:

Botany Bay industry member means the person holding office under Part 11 immediately before the commencement of this clause as the estuary prawn trawl restricted fishery Management Advisory Committee representative for commercial fishers who hold an endorsement (including an endorsement for a further period) for which the fishers were eligible under clause 191V (1) (a).

Associations Incorporation Amendment (Fees) Regulation 2002

under the

Associations Incorporation Act 1984

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Associations Incorporation Act 1984*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase certain fees payable under the *Associations Incorporation Act 1984*.

This Regulation is made under the *Associations Incorporation Act 1984*, including section 73 (the general power to make regulations).

Clause 1 Associations Incorporation Amendment (Fees) Regulation 2002

Associations Incorporation Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Associations Incorporation Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 1 July 2002.

3 Amendment of Associations Incorporation Regulation 1999

The *Associations Incorporation Regulation 1999* is amended as set out in Schedule 1.

Associations Incorporation Amendment (Fees) Regulation 2002

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 3)

Clause 5 Fees

Omit the Table to clause 5. Insert instead:

Table

Provision	\$
Section 9 (Application for incorporation)	91
Section 13 (2) (Application for reservation of name)	34
Section 14 (3) (Application for approval of change of name)	44
Section 20 (2) (Notice of alteration of objects or rules of incorporated association)	33
Section 26 (3) (Application for extension of period within which annual general meeting to be held)	19
Section 27 (1) (Lodgment of annual statement):	
(a) if the statement is lodged one month after the date of the annual general meeting of the association or sooner	39
(b) if the statement is lodged more than one month after the date of the annual general meeting, but less than two months after that date	56
(c) if the statement is lodged two or more months after the date of the annual general meeting	61
Section 27 (2) (Application for extension of period within which an annual statement must be lodged)	19
Section 46 (Application for amalgamation of incorporated associations)	91
Section 48 (Application for incorporation by company limited by guarantee or registered co-operative)	91

Associations Incorporation Amendment (Fees) Regulation 2002

Schedule 1 Amendment

Provision	\$
Section 59 (3) (a) (Inspection of document lodged with the Director-General)	13
Section 59 (3) (b) (Issue of uncertified copy of document lodged with the Director-General):	
(a) if a fee has been paid for inspection of the document:	
(i) for the first page	Nil
(ii) for each additional page	1
(b) if a fee has not been paid for inspection of the document:	
(i) for the first page	13
(ii) for each additional page	1
Section 59 (3) (b) (Issue of certified copy of document lodged with the Director-General):	
(a) for the first page	13
(b) for each additional page	1

Business Names Amendment (Fees) Regulation 2002

under the

Business Names Act 1962

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Business Names Act 1962*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase certain fees charged under the *Business Names Act 1962*.

This Regulation is made under the *Business Names Act 1962*, including section 32 (the general power to make regulations).

Clause 1 Business Names Amendment (Fees) Regulation 2002

Business Names Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Business Names Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 31 March 2002.

3 Amendment of Business Names Regulation 2000

The *Business Names Regulation 2000* is amended as set out in Schedule 1.

Business Names Amendment (Fees) Regulation 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 8 Fees

Omit “\$18” from clause 8 (2) (a) and (b) wherever occurring.
Insert instead “\$19”.

[2] Schedule 2 Fees

Omit the Schedule. Insert instead:

Schedule 2 Fees

(Clause 8)

	Matter	Fee \$
1	Application under section 7 (1) of the Act for registration of a business name	122
2	Application under section 7 (5) of the Act for a further certificate of registration	19
3	Application under section 9 (1) of the Act for the Minister’s consent to the use of a business name	144
4	Lodgment of a statement under section 11 (1) of the Act in connection with the renewal of registration of a business name	94
5	Application under section 11 (1) of the Act for an extension of time to lodge a statement in connection with the renewal of registration of a business name	44
6	Lodgment of statement of change in certain particulars under section 12 of the Act	23

Page 3

Business Names Amendment (Fees) Regulation 2002

Schedule 1

Amendments

	Matter	Fee \$
7	Lodgment of statement of change in persons under section 12 of the Act	23
8	Inspection under section 22 (1) of the Act of a statement relating to a business name	11 for each inspection
9	Application under section 22 (1) of the Act by a person who has the written approval of the Director-General to scan the computerised register of business names to obtain information for sale	6
10	Written inquiry under section 22 (2) of the Act	23 for each business name specified in the inquiry
11	Application under section 22 (3) of the Act for an uncertified reproduction or transparency or extract from a document or transparency forming part of the register, or a copy of or extract from a computerised record relating to a business name:	
	(a) if a fee has been paid for inspection of the document, transparency or record under section 22 (1) of the Act:	
	(i) for up to 3 pages	Nil
	(ii) for each additional page	1
	(b) if a fee has not been paid for inspection of the document, transparency or record under section 22 (1) of the Act:	
	(i) for up to 3 pages	11
	(ii) for each additional page	1

Business Names Amendment (Fees) Regulation 2002

Amendments

Schedule 1

	Matter	Fee \$
12	Application under section 23 (1) (a) of the Act for a certified copy of or extract from the register or a copy of or extract from a document, transparency or computerised record forming part of the register:	
	(a) for one page	11
	(b) for each additional page	2
13	Application under section 23 (1) (b) of the Act for a certificate of registration or non-registration of a business name	19

Community Land Management Amendment (Fees) Regulation 2002

under the

Community Land Management Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Community Land Management Act 1989*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase fees payable to the Registrar of the Residential Tribunal in respect of certain services.

This Regulation is made under the *Community Land Management Act 1989*, including section 122 (the general power to make regulations).

Clause 1 Community Land Management Amendment (Fees) Regulation 2002

Community Land Management Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Community Land Management Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 31 March 2002.

3 Amendment of Community Land Management Regulation 2000

The *Community Land Management Regulation 2000* is amended as set out in Schedule 1.

Community Land Management Amendment (Fees) Regulation 2002

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 3)

Clause 20 Fees

Omit clause 20 (2). Insert instead:

- (2) The following fees are payable to the Registrar in respect of the services specified:

Lodging an application for an order for settlement of a dispute or complaint by an Adjudicator or the Tribunal under Part 4 of the Act:

(a) if the application includes an application for an interim order under section 72 of the Act	\$111
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(b) if it does not	\$56
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Lodging a notice of appeal against an order made by an Adjudicator under section 88 of the Act	\$56
--	------

Lodging an application for a copy of an order made by an Adjudicator or the Tribunal, per page	\$2 (minimum fee \$10)
--	------------------------

Issuing a summons to appear before the Tribunal under section 94 of the Act	\$31
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Conveyancers Licensing Amendment (Fees) Regulation 2002

under the

Conveyancers Licensing Act 1995

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Conveyancers Licensing Act 1995*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase the fee charged in relation to the inspection of the register of holders of licences in force under the *Conveyancers Licensing Act 1995*.

This Regulation is made under the *Conveyancers Licensing Act 1995*, including sections 87 (Register of licensees) and 91 (the general power to make regulations).

Clause 1 Conveyancers Licensing Amendment (Fees) Regulation 2002

Conveyancers Licensing Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Conveyancers Licensing Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 31 March 2002.

3 Amendment of Conveyancers Licensing Regulation 2001

The *Conveyancers Licensing Regulation 2001* is amended by omitting “\$22” from clause 9 (Register of licensees) and inserting instead “\$23”.

Co-operatives Amendment (Fees) Regulation 2002

under the

Co-operatives Act 1992

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Co-operatives Act 1992*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase fees payable in connection with the administration of the *Co-operatives Act 1992*.

This Regulation is made under the *Co-operatives Act 1992*, including section 446 (the general power to make regulations).

Clause 1 Co-operatives Amendment (Fees) Regulation 2002

Co-operatives Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Co-operatives Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 31 March 2002.

3 Amendment of Co-operatives Regulation 1997

The *Co-operatives Regulation 1997* is amended as set out in Schedule 1.

Co-operatives Amendment (Fees) Regulation 2002

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 3)

Schedule 6

Omit the Schedule. Insert instead:

Schedule 6 Fees

(Clause 55)

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
1	19	Application to Registrar for registration—proposed co-operative	\$110 non-trading \$166 trading
2	24	Application to Registrar for registration—existing body corporate	\$166
3	28G	Issue of duplicate certificate	\$23
4	67 (2)	Application for Registrar's certificate	\$28
5	76A (2)	Application for Registrar's consent	\$56
6	108 (3)	Copy of rules	\$6 for the first page and \$1 for each page thereafter to a maximum of \$55
7	113 (2)	Registration of rule alteration	\$11 per rule to a maximum of \$73
8	113 (5)	Issue of certificate of registration of rule alteration	\$28

Page 3

Co-operatives Amendment (Fees) Regulation 2002

Schedule 1

Amendment

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
9	125 (1)	Application to Council for review	\$56
10	126 (3)	Application to Registrar for determination of a member's eligibility to vote	\$110
11	136 (6)	Application to Council for reduction in period for repayment	\$222
12	143	Application to Minister for exemption	\$222
13	145 (1)	Application to Council for approval to convert to a co-operative without share capital	\$56
14	155 (3) (a)	Application to Registrar for approval of disclosure statement	\$222
15	177 (1) (a)	Application to Council for approval of rules restricting voting rights	\$222
16	178 (2)	Application to Council for review of voting entitlement	\$222
17	192 (2) (c)	Lodgment of special resolution (not involving alteration of rules)	\$11 per resolution to a maximum of \$73
18	194 (3)	Application to Registrar for approval of disclosure statement	\$222
19	216 (3) (b)	Application to Council for approval of co-operative to have employee director	\$56

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Co-operatives Amendment (Fees) Regulation 2002

Amendment

Schedule 1

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
20	243	Lodgment by a disclosing entity that is a co-operative of an annual financial report and an annual director's report pursuant to sections 292 and 319 of the Corporations Act (as applied by section 243 of the Act)	Nil
21	244 (1)	Application to Registrar for exemption	\$222
22	250 (1) (d)	Approval of office where register is to be kept	\$28
23*	251 (5)	Obtaining copy of an entry in the Register	\$6 for the first page and \$1 for each page thereafter to a maximum of \$55
24	252 (1)	Lodgment of annual report:	
		(a) on or before the due date	Nil
		(b) more than 1 day but less than 28 days after the due date	\$82
		(c) 28 days or more after the due date	\$166
25	255 (5) (g)	Application to Registrar for exemption to use the word "Co-operative" or abbreviation	\$276
26	257 (e)	Application to Registrar for approval of abbreviation or elaboration of name	\$28
27	259 (1)	Application to Registrar for approval of change of name	\$56

Co-operatives Amendment (Fees) Regulation 2002

Schedule 1 Amendment

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
28	261 (3)	Lodgment of notice of change of address	Nil
29	266 (1)	Lodgment by unlisted disclosing entity of document containing price sensitive information referred to in section 1001B (1) of the Corporations Act (as applied by section 266 of the Act)	Nil
30	266 (1)	Lodgment of disclosure document under sections 706, 707, 721 and 727 of the Corporations Act (as applied by section 266 of the Act)	\$1,660
31	266 (1)	Lodgment of supplementary or replacement disclosure document under section 719 of the Corporations Act (as applied by section 266 of the Act)	Nil
32	266 (1)	Lodgment of disclosure document under section 707 of the Corporations Act (as applied by section 266 of the Act) relating to sale of unquoted securities	\$222
33	266 (4)	Application to Registrar for exemption	\$222
34	266A (2)	Application to Registrar for approval of disclosure statement	\$222
35	268 (3) (a)	Application to Registrar for approval of disclosure statement	\$222

Co-operatives Amendment (Fees) Regulation 2002

Amendment

Schedule 1

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
36	273 (1) (c)	Application to Registrar for approval of terms of issue of CCUs	\$222
37	285 (2)	Application to Council for exemption	\$222
38	289 (3)	Application to Council for approval of maximum share interest	\$222
39*	294 (2) (b)	Inspection of register of notifiable interests	\$28
40	298	Application to Registrar for exemption	\$222
41	300 (1)	Application to Council for approval of share offer	\$222
42	302 (4)	Application to Registrar for extension of period of share offer	\$56
43	308	Application to Council for exemption	\$222
44	311 (2)	Application for Registrar's consent	\$56
45	311A (2)	Application to Registrar for approval of disclosure statement	\$222
46	311B (1)	Application to Registrar for approval of merger or transfer of engagements	\$56
47	312	Application to Council for exemption	\$56
48	316 (4)	Application to Council for exemption	\$222

Co-operatives Amendment (Fees) Regulation 2002

Schedule 1 Amendment

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
49	325	Application to Registrar to exercise powers conferred by section 601AE or 601AF of the Corporations Act (as applied by section 325 of the Act)	\$56
50	326 (2)	Application to Council for exemption	\$56
51	346 (1) (a)	Application for Registrar's permission	\$56
52	348 (1) (f)	Application to Registrar for direction	\$222
53	355 (1)	Application to Registrar for approval of explanatory statement	\$553
54	357 (5)	Lodgment of copy of order	\$28
		Additional fee for late lodgment	\$56
55	369E (2) (f)	Application to Registrar for registration—participating co-operative	\$222
56	369F (2) (d)	Application to Registrar for registration—non-participating co-operative	\$553
57	369K	Lodgment of particulars of alteration	\$28
		Additional fee for late lodgment	\$56

Co-operatives Amendment (Fees) Regulation 2002

Amendment

Schedule 1

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
58	369L (1)	Lodgment of balance sheet:	
		(a) on or before the due date	Nil
		(b) more than 1 day but less than 28 days after the due date	\$82
		(c) 28 days or more after the due date	\$166
59	369M (1)	Lodgment of notice of cessation of business—foreign co-operative	Nil
60	369N (1)	Application to Registrar for certificate of compliance	\$664
61	369Q (3) (a)	Application for Registrar's consent	\$222
62	369R (2)	Application to Registrar for approval of disclosure statement	\$222
63	369R (4)	Application to Registrar for exemption	\$222
64	369S (1)	Application to Registrar for approval of merger or transfer of engagements	\$222
65	402 (1) (a)	Application to Registrar for special meeting	\$222
66	402 (1) (b)	Application to Registrar for inquiry	\$553
67	408 (1)	Application to Registrar for extension or abridgment of time	\$56
68	413A (1) (a)	Inspection of Register	\$11

Co-operatives Amendment (Fees) Regulation 2002

Schedule 1

Amendment

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
69	413A (1) (b)	Inspection of prescribed document	\$11
70	413A (1) (c)	Certified copy of a document	\$12 for the first page and \$2 for each page thereafter to a maximum of \$65 per document
71	440A (2) (c)	Application to Registrar for permission to give notice by newspaper	\$56
72	Sch 3 cl 13 (1)	Lodgment of notice of charge	\$56
73	Sch 3 cl 17 (1) (a)	Lodgment of notice of acquisition of property subject to change	\$56
74	Sch 3 cl 20 (3) (c)	Application to Registrar for extension of time	\$56
75	Sch 3 cl 36 (1)	Lodgment of notice of assignment of charge	\$56
76	Sch 3 cl 36 (2)	Lodgment of notice of variation of terms of charge	\$56
77	Sch 3 cl 37 (2)	Lodgment of memorandum of discharge	\$28
78	Sch 3 cl 42 (1) and (3)	Request of certificate	Nil
79	Sch 3 cl 44	Application to Registrar for exemption	\$222
80	Sch 4 cl 3 (1) (f)	Application to Registrar for direction	\$222

Co-operatives Amendment (Fees) Regulation 2002

Amendment

Schedule 1

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
81	Sch 4 cl 6A (2)	Lodgment of managing controller's report:	
		(a) on or before the due date	Nil
		(b) more than 1 day but less than 28 days after the due date	\$82
		(c) 28 days or more after the due date	\$166
82	Sch 4 cl 6A (3) (b)	Inspection of managing controller's report	\$11
83	Sch 4 cl 7 (1) (c)	Lodgment of receiver's report	Nil
84	Sch 4 cl 12 (1) (a)	Lodgment of notice of order	Nil
		Additional fee for late lodgment	\$28
85	Sch 4 cl 12 (2) (a)	Lodgment of notice of appointment of controller	Nil
		Additional fee for late lodgment	\$28
86	Sch 4 cl 12 (3) (a)	Lodgment of notice that person has entered into possession or taken control of property of co-operative	Nil
		Additional fee for late lodgment	\$28
87	Sch 4 cl 12 (5)	Lodgment of notice of change in situation of controller's officer	Nil
		Additional fee for late lodgment	\$28

Co-operatives Amendment (Fees) Regulation 2002

Schedule 1

Amendment

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
88	Sch 4 cl 12 (6) (a)	Lodgment of notice of cessation as controller	Nil
		Additional fee for late lodgment	\$28
89	Sch 4 cl 14 (2) (c)	Lodgment of copy of controller's report	Nil
		Additional fee for late lodgment	\$28
90	Sch 4 cl 14 (4)	Lodgment of notice by controller that extension of time within which to report has been granted	Nil
		Additional fee for late lodgment	\$28
91	Sch 4 cl 14 (5)	Lodgment of copy of court order that extension of time within which to report has been granted	Nil
		Additional fee for late lodgment	\$28
92	Sch 4 cl 17 (1)	Lodgment of controller's account:	
		(a) on or before the due date	Nil
		(b) more than 1 day but less than 28 days after the due date	\$82
		(c) 28 days or more after the due date	\$166

Co-operatives Amendment (Fees) Regulation 2002

Amendment

Schedule 1

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
93	—	Lodgment of any other document under the Act	Nil
	—	Additional fee for late lodgment	\$28
94	—	Lodgment of any other document under the Corporations Act (as adopted by the Act)	Nil

* Fees payable to the co-operative

Employment Agents Amendment (Fees) Regulation 2002

under the

Employment Agents Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Employment Agents Act 1996*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase fees payable in relation to the licensing of private employment agents.

This Regulation is made under the *Employment Agents Act 1996*, including sections 7, 11 and 31 (the general power to make regulations).

Clause 1 Employment Agents Amendment (Fees) Regulation 2002

Employment Agents Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Employment Agents Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 31 March 2002.

3 Amendment of Employment Agents Regulation 2001

The *Employment Agents Regulation 2001* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 5 Application for licence as private employment agent

Omit "\$105". Insert instead "\$109".

[2] Clause 6 Annual licence fee

Omit "\$105". Insert instead "\$109".

Funeral Funds Amendment (Fees) Regulation 2002

under the

Funeral Funds Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Funeral Funds Act 1979*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase the fees payable to the Director-General of the Department of Fair Trading in relation to funeral contribution funds and pre-arranged funeral funds.

This Regulation is made under the *Funeral Funds Act 1979*, including section 92 (the general power to make regulations).

Clause 1 Funeral Funds Amendment (Fees) Regulation 2002

Funeral Funds Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Funeral Funds Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 31 March 2002.

3 Amendment of Funeral Funds Regulation 2001

The *Funeral Funds Regulation 2001* is amended as set out in Schedule 1.

Funeral Funds Amendment (Fees) Regulation 2002

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 3)

Clause 24 Fees

Omit the Table. Insert instead:

Table

Matter	Fee
For registering a funeral contribution fund	\$359
For registering a pre-arranged funeral fund	\$359
For approving an alteration of or addition to the rules of a funeral contribution fund	\$120
For confirming a scheme of transfer or amalgamation of the contributory funeral benefit business of a funeral contribution fund	\$48
For confirming a scheme of transfer of trust funds under pre-arranged contracts	\$48
For receiving an application for the enlargement or abridgment of time for the doing of any act required by or under the Act to be done	\$48
For receiving a return and any accompanying documents referred to in section 24 (1) of the Act or a return referred to in clause 21	\$48
For receiving a copy of an auditor's report on a pre-arranged funeral fund under clause 17 (2)	\$48
For providing a copy of a return or document, or part of a return or document, certified under the hand and seal of the Director-General to be a true copy	\$1 per page provided that the total fee does not exceed \$30
For confirming the appointment of a substitute or additional trustee under section 38 of the Act	\$48

Motor Dealers Amendment (Fees) Regulation 2002

under the

Motor Dealers Act 1974

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Motor Dealers Act 1974*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase fees for licences under the *Motor Dealers Act 1974* and, in relation to certain of those fees that are required to be distributed between the Motor Dealers Compensation Fund and the Consolidated Fund, to increase the amounts to be apportioned.

This Regulation is made under the *Motor Dealers Act 1974*, including section 57 (the general power to make regulations).

Clause 1 Motor Dealers Amendment (Fees) Regulation 2002

Motor Dealers Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Motor Dealers Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 31 March 2002.

3 Amendment of Motor Dealers Regulation 1999

The *Motor Dealers Regulation 1999* is amended as set out in Schedule 1.

Motor Dealers Amendment (Fees) Regulation 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 61 Distribution of certain fees

Omit "\$626" from clause 61 (a). Insert instead "\$649".

[2] Clause 61 (a)

Omit "\$535". Insert instead "\$555".

[3] Clause 61 (a)

Omit "\$91". Insert instead "\$94".

[4] Clause 61 (b)

Omit "\$85". Insert instead "\$94".

[5] Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Fees

(Clause 60)

Item	Provision	Matter for which fee payable	Fee
1	Section 10 (2)	Application fee for licence made by sole trader	\$100
2	Section 10 (2)	Application fee for licence made otherwise than by sole trader	\$100
3	Sections 10 (3), 12 (7) and 12 (8)	Initial licence fee for unrestricted dealer's licence	\$926
4	Sections 10 (3), 12 (7) and 12 (8)	Initial licence fee for dealer's licence for motor cycles	\$926
5	Sections 10 (3), 12 (7) and 12 (8)	Initial licence fee for car market operator's licence	\$926
6	Sections 10 (3), 12 (7) and 12 (8)	Initial fee for licence (other than licence referred to in item 3, 4 or 5)	\$277

Motor Dealers Amendment (Fees) Regulation 2002

Schedule 1 Amendments

Item	Provision	Matter for which fee payable	Fee
7	Section 20 (1)	Annual licence fee for unrestricted dealer's licence	\$371
8	Section 20 (1)	Annual licence fee for dealer's licence for motor cycles	\$371
9	Section 20 (1)	Annual licence fee for car market operator's licence	\$371
10	Section 20 (1)	Annual fee for licence (other than licence referred to in item 7, 8 or 9)	\$277
11	Section 20C	Fee for duplicate licence	\$23

Motor Vehicle Repairs Amendment (Fees) Regulation 2002

under the

Motor Vehicle Repairs Act 1980

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Motor Vehicle Repairs Act 1980*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase fees payable in relation to the licensing of repair businesses and the certification of repair tradespeople.

This Regulation is made under the *Motor Vehicle Repairs Act 1980*, including section 89 (the general power to make regulations).

Clause 1 Motor Vehicle Repairs Amendment (Fees) Regulation 2002

Motor Vehicle Repairs Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Motor Vehicle Repairs Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 31 March 2002.

3 Amendment of Motor Vehicle Repairs Regulation 1999

The *Motor Vehicle Repairs Regulation 1999* is amended as set out in Schedule 1.

Motor Vehicle Repairs Amendment (Fees) Regulation 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 13 Fees

Omit “\$46” from clause 13 (1) (a). Insert instead “\$48”.

[2] Clause 13 (2) (a)

Omit “\$478”. Insert instead “\$496”.

[3] Clause 13 (2) (b)

Omit “\$229”. Insert instead “\$238”.

[4] Clause 13 (2) (c)

Omit “\$53”. Insert instead “\$55”.

[5] Clause 13 (2) (d)

Omit “\$148”. Insert instead “\$154”.

Pawnbrokers and Second-hand Dealers Amendment (Fees) Regulation 2002

under the

Pawnbrokers and Second-hand Dealers Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Pawnbrokers and Second-hand Dealers Act 1996*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase fees payable in relation to the licensing of pawnbrokers and second-hand dealers.

This Regulation is made under the *Pawnbrokers and Second-hand Dealers Act 1996*, including sections 9, 10A and 43 (the general power to make regulations).

Clause 1 Pawnbrokers and Second-hand Dealers Amendment (Fees)
 Regulation 2002

Pawnbrokers and Second-hand Dealers Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Pawnbrokers and Second-hand Dealers Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 31 March 2002.

3 Amendment of Pawnbrokers and Second-hand Dealers Regulation 1997

The *Pawnbrokers and Second-hand Dealers Regulation 1997* is amended as set out in Schedule 1.

Pawnbrokers and Second-hand Dealers Amendment (Fees)
Regulation 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 8 Licence application fee

Omit “\$347”. Insert instead “\$360”.

[2] Clause 9A Fee on renewal of licence

Omit “\$251” from clause 9A (a). Insert instead “\$260”.

[3] Clause 9A (b)

Omit “\$271”. Insert instead “\$281”.

Property, Stock and Business Agents (General) Amendment (Fees and Contributions) Regulation 2002

under the

Property, Stock and Business Agents Act 1941

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Property, Stock and Business Agents Act 1941*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The objects of this Regulation are:

- (a) to increase the fees and contributions in relation to licences payable under the *Property, Stock and Business Agents Act 1941* by real estate agents, stock and station agents, business agents, strata managing agents, community managing agents and on-site residential property managers, and
- (b) to increase the contributions payable under that Act by licensed conveyancers to the Property Services Compensation Fund.

This Regulation is made under the *Property, Stock and Business Agents Act 1941*, including section 92 (the general power to make regulations).

Clause 1 Property, Stock and Business Agents (General) Amendment (Fees and Contributions) Regulation 2002

Property, Stock and Business Agents (General) Amendment (Fees and Contributions) Regulation 2002

1 Name of Regulation

This Regulation is the *Property, Stock and Business Agents (General) Amendment (Fees and Contributions) Regulation 2002*.

2 Commencement

This Regulation commences on 31 March 2002.

3 Amendment of Property, Stock and Business Agents (General) Regulation 1993

The *Property, Stock and Business Agents (General) Regulation 1993* is amended as set out in Schedule 1.

Property, Stock and Business Agents (General) Amendment (Fees and Contributions) Regulation 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 7 Issue of duplicate licences and certificates

Omit “\$30” from clause 7 (1). Insert instead “\$31”.

[2] Clause 42 Fees payable under the Act

Omit the Table to the clause. Insert instead:

Table

Provision	Fee
Section 23 (2) (d)	In the case of an application for an on-site residential property manager’s licence: \$210 (application fee) \$51 (contribution)
	In any other case: \$630 (application fee) \$153 (contribution)
Section 23A (1) (b)	\$61 (late fee to accompany: (a) an application for restoration of an expired licence, or (b) any number of applications made at the same time for restoration of expired licences of different classes held by the same person, regardless of the term for which the licence is being renewed)
Section 30 (2)	\$25
Section 57 (6) and (9) (c)	\$61
Section 57 (12)	\$31
Section 58 (2)	\$25
Section 59 (5)	\$1

Property, Stock and Business Agents (General) Amendment (Fees and Contributions) Regulation 2002

Schedule 1 Amendments

[3] Clause 44A Compensation Fund contribution by licensed conveyancers

Omit “\$144”. Insert instead “\$147”.

Strata Schemes Management Amendment (Fees) Regulation 2002

under the

Strata Schemes Management Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Strata Schemes Management Act 1996*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase fees payable to the Registrar of the Residential Tribunal and the Director-General of the Department of Fair Trading in respect of certain services.

This Regulation is made under the *Strata Schemes Management Act 1996*, including section 246 (the general power to make regulations).

Clause 1 Strata Schemes Management Amendment (Fees) Regulation 2002

Strata Schemes Management Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Strata Schemes Management Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 31 March 2002.

3 Amendment of Strata Schemes Management Regulation 1997

The *Strata Schemes Management Regulation 1997* is amended as set out in Schedule 1.

Strata Schemes Management Amendment (Fees) Regulation 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 16 Fees

Omit clause 16 (1). Insert instead:

- (1) The following fees are payable to the Registrar in respect of the services specified:

Service	Fee
Lodgment of application for order	\$56
Lodgment of application for interim order	\$56
Lodgment of notice of appeal	\$56
Issue of summons	\$31
Copy of document (other than transcript), per page	\$2 (minimum fee \$10)
Duplicate tape recording of evidence, per cassette	\$33
Copy of written transcript, per page	\$7
Inspection of file	\$11

- (1A) The following fee is payable to the Director-General in respect of the service specified:

Service	Fee
Application for mediation	\$56

[2] Clause 17

Omit the clause. Insert instead:

17 Waiver and remission of fees

- (1) The Director-General may waive payment of the fee under the Act for an application for mediation, or may remit any such fee paid to the Director-General, if the Director-General considers it appropriate to do so in the circumstances.

Strata Schemes Management Amendment (Fees) Regulation 2002

Schedule 1 Amendments

- (2) The Registrar may waive payment of any other fee under the Act, or may remit any such fee paid to the Registrar, if the Registrar considers it appropriate to do so in the circumstances.

Trade Measurement Administration Amendment (Fees) Regulation 2002

under the

Trade Measurement Administration Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Trade Measurement Administration Act 1989*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase certain fees and charges payable under the *Trade Measurement Administration Act 1989*.

This Regulation is made under the *Trade Measurement Administration Act 1989*, including sections 10, 13 and 28 (the general power to make regulations).

Clause 1 Trade Measurement Administration Amendment (Fees) Regulation 2002

Trade Measurement Administration Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Trade Measurement Administration Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 1 April 2002.

3 Amendment of Trade Measurement Administration Regulation 1997

The *Trade Measurement Administration Regulation 1997* is amended as set out in Schedule 1.

Trade Measurement Administration Amendment (Fees) Regulation 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

- [1] **Clause 6 Charges payable in respect of verification or re-verification by an inspector (section 10 of the Act)**

Omit "\$30" from clause 6 (a). Insert instead "\$31".

- [2] **Clause 7 Charges payable by licensee in respect of certification (section 11 of the Act)**

Omit "\$12" from clause 7 (2) (a). Insert instead "\$13".

- [3] **Schedule 2**

Omit the Schedule. Insert instead:

Schedule 2 Other fees and charges

(Clause 8)

Part 1 Fees payable to Commissioner

Column 1	Column 2
Fee to accompany application for servicing licence	\$60
Fee to accompany application for public weighbridge licence	\$60
Periodic licence fee for servicing licence	\$252 per annum for each place at which the licensee carries on business
Periodic licence fee for public weighbridge licence	\$187 per annum for each place at which the licensee carries on business
Fee for issue of certificate of suitability	\$60
Fee for amended licence or certificate of suitability	\$56
Fee for duplicate licence or certificate of suitability	\$26

Trade Measurement Administration Amendment (Fees) Regulation 2002

Schedule 1 Amendments

Part 2 Charges payable to Superintendent

Column 1	Column 2
Verification or re-verification of measuring instruments	
Fee on request for service of an inspector with a view to verification or re-verification of measuring instruments at the owner's premises, where the visit is requested by the owner of the instrument (within the meaning of section 10 of the Act) and:	\$136 for each visit to premises
(a) the instruments could, in the opinion of an inspector, reasonably be taken to the office of an inspector for testing, or	
(b) the instruments could not, in the opinion of an inspector, reasonably be taken to the office of an inspector and less than 7 calendar days' notice of the day of testing has been given to the inspector	
Waiting time	
Charge for the keeping of an appointment to examine or test a measuring instrument where examination or testing is unable to be carried out because the measuring instrument is unavailable or inaccessible or access to it is unreasonably refused:	
(a) in the case of an inspector	\$136
(b) in the case of the Weighbridge Test Unit made available by the Superintendent	\$338 plus \$2.70 per kilometre travelled
Charge payable on keeping of appointment to examine or test a measuring instrument, for time spent waiting before the measuring instrument is made available or access to it is allowed:	
(a) in the case of an inspector	\$34 per quarter hour or part of a quarter hour
(b) in the case of the Weighbridge Test Unit made available by the Superintendent	\$34 per quarter hour or part of a quarter hour

Trade Measurement Administration Amendment (Fees) Regulation 2002

Amendments

Schedule 1

Column 1**Column 2****Examination of instruments that do not comply**

Charge payable to reimburse costs in connection with examination or testing of a measuring instrument with a view to verification or re-verification but where measuring instrument does not comply with requirements for verification or re-verification

The charge that would be payable under Schedule 1 for the verification or re-verification of the measuring instrument

Other instruments

Charge payable to reimburse costs in connection with examination or testing of a measuring instrument:

(a) in the case of a standard of measuring for which a certificate is issued under Regulation 13 of the *National Measurement Regulations 1999* of the Commonwealth

\$31 per quarter hour or part of a quarter hour that each inspector necessarily spends examining and testing the instrument or instruments

(b) in the case of examination and testing of an instrument under section 15 (4) of the Principal Act, at the request of the person in possession of the measuring instrument:

(i) each wheel load weighing instrument

\$60

(ii) each chondrometer

\$60

(iii) a measure being a pipette, milk or cream flask used in connection with dairy products

\$31 per quarter hour or part of a quarter hour that each inspector necessarily spends examining and testing the instrument or instruments

(iv) thermometers

\$31 per quarter hour or part of a quarter hour that each inspector necessarily spends examining and testing the instrument or instruments

(v) dip sticks

\$31 per quarter hour or part of a quarter hour that each inspector necessarily spends examining and testing the instrument or instruments

(vi) other

\$31 per quarter hour or part of a quarter hour that each inspector necessarily spends examining and testing the instrument or instruments

Trade Measurement Administration Amendment (Fees) Regulation 2002

Schedule 1 Amendments

Column 1	Column 2
Charges payable for the use of labour necessary for the exercise of an inspector's functions and not provided for by any of the preceding items	\$34 per quarter hour or part of a quarter hour
Equipment	
Charges payable for the use of equipment provided by the Superintendent:	
(a) Weighbridge Test Unit	\$338 for first two hours of testing, plus \$34 per quarter hour after that plus \$2.70 per kilometre travelled in excess of 100 kilometres where such visit has been requested by the owner, user or other person
(b) masses	\$65 per day
(c) any other equipment	\$65 per day
Advisings	
Charges payable for the provision of technical advice by an inspector relating to the use or installation of measuring instruments, the testing of any package, or the examination of any document in relation to the administration of the Act, the Principal Act or Regulations	\$136 for the first hour plus \$34 per quarter hour or part of a quarter hour

Travel Agents Amendment (Fees) Regulation 2002

under the

Travel Agents Act 1986

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Travel Agents Act 1986*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase fees in relation to the licensing of travel agents.

This Regulation is made under the *Travel Agents Act 1986*, including sections 8, 10, 15, 17, 19 and 57 (the general power to make regulations).

Clause 1 Travel Agents Amendment (Fees) Regulation 2002

Travel Agents Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Travel Agents Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 31 March 2002.

3 Amendment of Travel Agents Regulation 2001

The *Travel Agents Regulation 2001* is amended as set out in Schedule 1.

Travel Agents Amendment (Fees) Regulation 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 7 Application fee

Omit "\$64". Insert instead "\$66".

[2] Clause 8 Licence fees

Omit "\$310" from clause 8 (1). Insert instead "\$322".

[3] Clause 13 Fee for search of register of licensees

Omit "\$17". Insert instead "\$18".

[4] Clause 14 Late fee

Omit "\$43". Insert instead "\$45".

[5] Clause 15 Fee for duplicate licence

Omit "\$23". Insert instead "\$24".

Valuers Registration Amendment (Fees) Regulation 2002

under the

Valuers Registration Act 1975

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Valuers Registration Act 1975*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase fees payable in relation to the registration of real estate valuers.

This Regulation is made under the *Valuers Registration Act 1975*, including sections 12, 13, 16 and 30 (the general power to make regulations).

Clause 1 Valuers Registration Amendment (Fees) Regulation 2002

Valuers Registration Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Valuers Registration Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 31 March 2002.

3 Amendment of Valuers Registration Regulation 2001

The *Valuers Registration Regulation 2001* is amended as set out in Schedule 1.

Valuers Registration Amendment (Fees) Regulation 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

- [1] Clause 5 Fees for copy of entries in the Register**
Omit “\$24” from clause 5 (a). Insert instead “\$25”.
- [2] Clause 5 (b)**
Omit “\$11”. Insert instead “\$12”.
- [3] Clause 6 Applications for registration**
Omit “\$136” from clause 6 (a). Insert instead “\$141”.
- [4] Clause 6 (b)**
Omit “\$78”. Insert instead “\$81”.
- [5] Clause 7 Applications for renewal of registration**
Omit “\$84”. Insert instead “\$87”.
- [6] Clause 9 Lost or destroyed certificate of registration**
Omit “\$30”. Insert instead “\$31”.

Rules

Dust Diseases Tribunal Amendment (Notification) Rule 2002

under the

Dust Diseases Tribunal Act 1989

The Dust Diseases Tribunal Rule Committee made the following rule under the *Dust Diseases Tribunal Act 1989* on 12 February 2002.

Margaret Lennan

Secretary of the Rule Committee

Explanatory note

The object of this Rule is to amend the *Dust Diseases Tribunal Rules* to make provision for the Dust Diseases Board to be notified of certain matters.

Clause 1

Dust Diseases Tribunal Amendment (Notification) Rule 2002

Dust Diseases Tribunal Amendment (Notification) Rule 2002

1 Name of Rule

This Rule is the *Dust Diseases Tribunal Amendment (Notification) Rule 2002*.

2 Amendment of Dust Diseases Tribunal Rules

The *Dust Diseases Tribunal Rules* are amended by inserting after rule 13 the following rule:

14 Provision of information as to amount recoverable by Dust Diseases Board

- (1) The defendant in proceedings referred to in section 8E (3) of the *Workers' Compensation (Dust Diseases) Act 1942* (whether the proceedings were commenced before or after the commencement of this rule) must notify the Board under that Act in writing of an award, judgment, settlement or agreement resulting in the final determination of the proceedings.
- (2) The notification must be given within 28 days after that final determination.
- (3) The notification must be accompanied by the documents that are required to accompany a notification under clause 14 of the *Workers Compensation (Dust Diseases) Regulation 1998*.
- (4) In this rule:
final determination, in relation to proceedings, includes a final determination by judgment, verdict, award, settlement, agreement, dismissal, discontinuance or otherwise.

Orders

First State Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002

under the

First State Superannuation Act 1992

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 7 of the *First State Superannuation Act 1992*, make the following Order.

Dated, this 20th day of February 2002.

By Her Excellency's Command,

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

Explanatory note

The object of this Order is to amend Schedule 1 to the *First State Superannuation Act 1992*. The amendment adds National Rail Consortium (SSL) Pty Limited (NRC) to the employers listed in Part 1 of Schedule 1, but only in relation to those employees who were, immediately before 21 February 2002, employees of the Freight Rail Corporation. This is to enable those employees to retain membership of the superannuation scheme following the sale of the Corporation to NRC.

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

Clause 1 First State Superannuation (National Rail Consortium (SSL) Pty Limited)
Order 2002

First State Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002

1 Name of Order

This Order is the *First State Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002*.

2 Commencement

This Order is taken to have commenced on 21 February 2002.

3 Amendment of First State Superannuation Act 1992 No 100

The *First State Superannuation Act 1992* is amended by inserting at the end of Part 1 of Schedule 1 (Employers):

National Rail Consortium (SSL) Pty Limited (limited to those persons who were, immediately before 21 February 2002, employees of the Freight Rail Corporation)

State Authorities Non-contributory Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002

under the

State Authorities Non-contributory Superannuation Act 1987

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 27 of the *State Authorities Non-contributory Superannuation Act 1987*, make the following Order.

Dated, this 20th day of February 2002.

By Her Excellency's Command,

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

Explanatory note

The object of this Order is to amend Schedule 1 to the *State Authorities Non-contributory Superannuation Act 1987*. The amendment adds National Rail Consortium (SSL) Pty Limited (NRC) to the employers listed in Part 1 of Schedule 1, but only in relation to those employees who were, immediately before 21 February 2002, employees of the Freight Rail Corporation. This is to enable those employees to retain membership of the superannuation scheme following the sale of the Corporation to NRC.

State Authorities Non-contributory Superannuation (National Rail Consortium (SSL) Pty Limited)
Order 2002

Explanatory note

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

State Authorities Non-contributory Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002

Clause 1

State Authorities Non-contributory Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002

1 Name of Order

This Order is the *State Authorities Non-contributory Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002*.

2 Commencement

This Order is taken to have commenced on 21 February 2002.

3 Amendment of State Authorities Non-contributory Superannuation Act 1987 No 212

The *State Authorities Non-contributory Superannuation Act 1987* is amended by inserting at the end of Part 1 of Schedule 1 (Employers):
National Rail Consortium (SSL) Pty Limited (limited to those persons who were, immediately before 21 February 2002, employees of the Freight Rail Corporation)

State Authorities Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002

under the

State Authorities Superannuation Act 1987

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 46 of the *State Authorities Superannuation Act 1987*, make the following Order.

Dated, this 20th day of February 2002.

By Her Excellency's Command,

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

Explanatory note

The object of this Order is to amend Schedule 1 to the *State Authorities Superannuation Act 1987*. The amendment adds National Rail Consortium (SSL) Pty Limited (NRC) to the employers listed in Part 1 of Schedule 1, but only in relation to those employees who were, immediately before 21 February 2002, employees of the Freight Rail Corporation. This is to enable those employees to retain membership of the superannuation scheme following the sale of the Corporation to NRC.

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

Clause 1 State Authorities Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002

State Authorities Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002

1 Name of Order

This Order is the *State Authorities Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002*.

2 Commencement

This Order is taken to have commenced on 21 February 2002.

3 Amendment of State Authorities Superannuation Act 1987 No 211

The *State Authorities Superannuation Act 1987* is amended by inserting at the end of Part 1 of Schedule 1 (Employers):

National Rail Consortium (SSL) Pty Limited (limited to those persons who were, immediately before 21 February 2002, employees of the Freight Rail Corporation)

Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002

under the

Superannuation Act 1916

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 92 of the *Superannuation Act 1916*, make the following Order.

Dated, this 20th day of February 2002.

By Her Excellency's Command,

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

Explanatory note

The object of this Order is to amend Schedule 3 to the *Superannuation Act 1916*. The amendment adds National Rail Consortium (SSL) Pty Limited (NRC) to the employers listed in Part 1 of Schedule 3, but only in relation to those employees who were, immediately before 21 February 2002, employees of the Freight Rail Corporation. This is to enable those employees to retain membership of the superannuation scheme following the sale of the Corporation to NRC.

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

Clause 1 Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002

Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002

1 Name of Order

This Order is the *Superannuation (National Rail Consortium (SSL) Pty Limited) Order 2002*.

2 Commencement

This Order is taken to have commenced on 21 February 2002.

3 Amendment of Superannuation Act 1916 No 28

The *Superannuation Act 1916* is amended by inserting at the end of Part 1 of Schedule 3 (List of employers):

National Rail Consortium (SSL) Pty Limited (limited to those persons who were, immediately before 21 February 2002, employees of the Freight Rail Corporation)

OFFICIAL NOTICES

Appointments

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from the State of the Minister for Community Services, Minister for Ageing, Minister for Disability Services and Minister for Women

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable C. M. TEBBUTT, M.L.C., Minister for Juvenile Justice, Minister Assisting the Premier on Youth, and Minister Assisting the Minister for the Environment, to act for and on behalf of the Minister for Community Services, Minister for Ageing, Minister for Disability Services and Minister for Women, as on and from 20 February 2002, with a view to her performing the duties of the Honourable F. LO PO', M.P., during her absence from the State.

BOB CARR, M.P.,
Premier

The Cabinet Office, Sydney
18 February 2002

FILM AND TELEVISION OFFICE ACT 1988

Appointment of a Member

Board of the New South Wales Film and Television Office

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to section 6A of the Film and Television Office Act 1988, of the following person being appointed as a member of the Board of the New South Wales Film and Television Office from 15 February 2002 to 31 December 2003:

(i) Libby RHYS-JONES (new appointment)

BOB CARR, M.P.,
Premier and Minister for the Arts

PLANT DISEASES ACT 1924

Appointment of Inspectors

I, KEVIN PATRICK SHERIDAN, Director General of the Department of Agriculture, pursuant to section 11 (1) of the Plant Diseases Act 1924 ("the Act") appoint the persons named in the Schedule as inspectors under the Act.

Dated this 11th day of February 2002.

K. P. SHERIDAN, A.O.,
Director-General

SCHEDULE

Bruce HUNT, Laurie HAYES, Norman GRAY, Racquelle MOLL, Carl SLEE, Karene MEGGS, Daniel BYRNES, Alyson WARNOCK, Anthony CALABRO, Stephen BARNES, Mark MOLYNEAUX.

STOCK DISEASES ACT 1923

Appointment of Member of the Board of Tick Control

HER Excellency the Governor, with the advice of the Executive Council, pursuant to section 5(5)(b) of the Stock Diseases Act 1923, has been pleased to appoint Wayne Bruce HAIGH as a member of the Board of Tick Control to represent the Public Service Association of New South Wales, for a term commencing from the date hereof for three years.

Dated this 14th day of February 2002.

RICHARD AMERY, M.P.,
MINISTER FOR AGRICULTURE

NSW Fisheries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 1995

Section 177(c) – Notice of Aquaculture Lease Cancellation

THE Minister has cancelled the following aquaculture lease:

OL69/177 having an area of 0.18 hectares situated in the Macleay River and formerly leased to D. P. BALL, C. C. BALL and K. E. BALL.

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

THE Minister has granted the following Class 1 Aquaculture Leases (for oyster research – oyster-breeding program) to the Fisheries Administration Ministerial Corporation for a term of 15 years expiring on 23 January 2017.

AL01/014 within the estuary of Lime Kiln Bay, Georges River, having an area of 0.8981 hectares, Parish of St George County of Cumberland,

AL01/015 within the estuary of Woollooware Bay, Georges River, having an area of 3.7334 hectares, Parish of Sutherland, County of Cumberland,

AL01/016 within the estuary of Quibray Bay, Georges River, having an area of 0.5767 hectares, Parish of Sutherland, County of Cumberland.

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

THE following application for a Class 1 Aquaculture Lease has been made by:

Mr R. L. HOBLEY of Kiah, NSW for an area previously known as OL70/266 of 1.184 hectares situated in Wonboyn Lake, Parish of Wonboyn, County of Auckland, Shire of Bega.

Specific details of the proposed lease can be obtained by contacting NSW Fisheries at Port Stephens.

Submissions supporting or objecting to the proposal may be lodged with NSW Fisheries, Private Bag 1, Nelson Bay, NSW 2315, within 30 days from the date of publication of this notice.

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

F95/140

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

All Commercial Ocean Hauling Nets, Beach Closures

I, EDWARD OBEID, prohibit the taking of fish by licensed commercial fishers from the waters of the ocean hauling fishery, by the nets prescribed for the ocean hauling fishery, used from or immediately adjacent to the beaches described in Column 1 of the Schedules 1-7 below, for the period described in Column 2 of those Schedules. This notification is effective from 21 February 2002 until 20 February 2006, inclusive.

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

SCHEDULE 1

Region 1 – the waters between the border of New South Wales and Queensland, and the parallel 29°15' south latitude

COLUMN 1 – <i>Closed Beaches</i>	COLUMN 2 – <i>Period of Closure</i>
All ocean beaches bounded by Point Danger at Tweed Heads south to Goanna Headland (Evans Headland).	From 8am Good Friday to 12 Midnight on Easter Sunday in each of the years 2002 to 2005.

SCHEDULE 2

Region 2 - the waters between the parallel 29°15' south latitude and the parallel 29°45' south latitude

COLUMN 1 – <i>Closed Beaches</i>	COLUMN 2 – <i>Period of Closure</i>
Bluff Beach (Iluka)	From 1 December in each of the years 2002 to 2005, to 31 January in each succeeding year.
All beaches bounded by the southern breakwall of the Clarence River at Yamba, south to the vehicle access point at Pipi Beach, Yamba, with the exclusion of Convent Beach.	All year.
All beaches bounded by Angourie Point south to Rock Point (Entrance to Lake Arragan).	All year.

SCHEDULE 3

Region 3 - the waters between the parallel 29°45' south latitude and the parallel 31°44' south latitude

COLUMN 1 – <i>Closed Beaches</i>	COLUMN 2 – <i>Period of Closure</i>
Station Creek Beach (North of Red Rock) Main Beach (Nambucca Heads) Grassy Beach bounded by Grassy Head and Middle Head Smoky Cape Laggars Point south to a point due west of Black Rocks (approx. 3000 metres south from Smoky Cape). Town Beach (Port Macquarie) Flynn's Beach Shelly Beach Miners Beach Lighthouse Beach – That part from the southern extremity of Tacking Point south to Watonga Rock.	From 1 October in each of the years 2002 to 2005, to the last day in February in each succeeding year.
Grants Beach (North Haven Beach) – That part from the northern breakwall to Camden Haven Inlet for a distance of 1000 metres.	From 1 December in each of the years 2002 to 2005, to 31 January in each succeeding year.
Hat Head Beach – That portion of Hat Head Beach for a distance of 1000 metres from Korogoro Creek mouth, north to pedestrian access No. 6.	Between official sunrise and official sunset in the period from 15 December in each of the years 2002 to 2005, to 31 January in each succeeding year.

SCHEDULE 4

Region 4 - the waters between the parallel 31°44' south latitude and the parallel 33°25' south latitude

COLUMN 1 – <i>Closed Beaches</i>	COLUMN 2 – <i>Period of Closure</i>
Main Beach (Forster) Pebbly Beach Boomerang Beach (Pacific Palms) Blueys Beach Koolgardie Beach All beaches bounded by Nobby's Head and the southern extremity of Dudley Beach. Gravelly Beach Moonee Beach	All year.

SCHEDULE 5

Region 5 - the waters between the parallel 33°25' south latitude and the parallel 34°20' south latitude

COLUMN 1 – <i>Closed Beaches</i>	COLUMN 2 – <i>Period of Closure</i>
Whale Beach Avalon Beach Bilgola Beach Bungan Beach Basin Beach Mona Vale Beach Warriewood Beach Turimetta Beach Narrabeen Beach Collaroy Beach Dee Why Beach Manly Beach All Ocean beaches bounded by South Head and Cape Banks	From 1 November in each of the years 2002 to 2005, to the last day in February in each succeeding year.

SCHEDULE 6*Region 6 - the waters between the parallel 34°20' south latitude and the parallel 35°25' south latitude*

COLUMN 1 – <i>Closed Beaches</i>	COLUMN 2 – <i>Period of Closure</i>
Coalcliff Beach Scarborough Beach Wombarra Beach Austinmer Beach Boyds Beach (Kiama) Blenheim Beach (Vincentia) Grenfield Beach Culburra Beach All beaches bounded by the northern extremity of Cudmirrah Beach to the northern extremity of Monument Beach.	All year.

SCHEDULE 7*Region 7 - the waters between the parallel 35°25' south latitude and the New South Wales and Victoria border*

COLUMN 1 – <i>Closed Beaches</i>	COLUMN 2 – <i>Period of Closure</i>
All beaches bounded by the southern extremity of Wimbie Beach and the northern extremity of Rosedale Beach. All beaches bounded by Tarandore Point south to Tuross Head. All beaches bounded by Mummaga Head (Dalmeny) south to Duesburys Point. All beaches bounded by the southern extremity of Kianga Beach at the entrance of Kianga Lake, to Glasshouse Rocks (Narooma). Armonds Bay Beach Bunga Beach bounded by Goallen Head and Bunga Head. All beaches bounded by Bengunnu Point and the northern extremity of Picnic Beach. Main Beach (Merimbula) - from the northern extremity of that beach extending 200 metres along the beach in a south westerly direction.	All year.

Department of Land and Water Conservation

Land Conservation

GOULBURN OFFICE

Department of Land and Water Conservation
159 Auburn Street (PO Box 748), Goulburn, NSW 2580
Phone: (02) 4828 6725 Fax: (02) 4828 6730

ROADS ACT 1993

ORDER

Transfer of Crown Road to a Council

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

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

SCHEDULE 1

*Parish — Carwoola;
County — Murray;
Land District — Queanbeyan;
Shire — Yarrowlumla.*

Description: Crown road through Lot 125, DP 754875 and south western corner of Lot 3, DP 818581.

SCHEDULE 2

Roads Authority: The Council of the Shire of Yarrowlumla.

Council's Reference: 7323_A_DLWC.

File No.: GB02 H 23.JK.

GRIFFITH OFFICE

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

REMOVAL FROM OFFICE OF CORPORATION MANAGER OF RESERVE TRUST

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

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

SCHEDULE 1

Kalinda Support Service Incorporated.

SCHEDULE 2

Kalinda School Reserve Trust.

SCHEDULE 3

Reserve No. 83392 from sale for the public purpose of School for Sub-Normal Children notified in the *Government Gazette* of 11 August 1961.

File No.: GH93 R 45.

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

ERRATA

IN the notice appearing in the *NSW Government Gazette* No. 34, Folio 626, dated 1 February 2002, under the heading "Addition to Reserved Crown Land", in Column 1 of the Schedule, replace "Lot 6, Section *, DP No. 758047", with "Lot 6, Section 78, DP No. 758047".

John Aquilina, M.P.,
Minister for Land and Water Conservation

IN the notice appearing in the *NSW Government Gazette* No. 34, Folio 626, dated 1 February 2002, under the heading "Addition to Reserved Crown Land", in Column 2 of the Schedule, following "379 *" delete "729684" and replace with "755684".

John Aquilina, M.P.,
Minister for Land and Water Conservation

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

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

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

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
Peter Edward BAUMANN.	Coramba Public Recreation and Preservation of Native Flora Reserve Trust.	Reserve No.: 87204. Public Purpose: Public recreation and preservation of native flora. Notified: 6 June 1969. File No.: GF81 R 320.

Term of Office

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

SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
Nigel John GREENUP.	Cudgen Lake Round Mountain Reserve Trust.	Reserve No.: 83495. Public Purpose: Public recreation. Notified: 6 October 1961. File No.: GF93 R 42.

Term of Office

For a term commencing this day and expiring 7 May 2002.

HAY OFFICE
Department of Land and Water Conservation
126 Lachlan Street (PO Box 182), Hay, NSW 2711
Phone: (02) 6993 1306 Fax: (02) 6993 1135

HAY IRRIGATION ACT 1902

IT is hereby notified, in accordance with the provision of the Hay Irrigation Act 1902 and Regulations and By-Laws thereunder, that the application for the lease of the irrigated holding and non-irrigated holding as set out in the Schedule hereto, has been accepted at the annual rental and under the conditions, provisions, covenants, restrictions and reservations contained in the notification setting apart for disposal published in the *Government Gazette* of 14 December 2001.

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

SCHEDULE

Hay Irrigation Area

Parish — Hay;
County — Waradgery;
Council — Hay.

Irrigated Lot: 78 in Deposited Plan 448476 containing an area of 7.284 hectares.

Name of Applicant: Martha Robin BAIRD.
Date of Commencement of Lease: 24 January 2002.
Date of Expiration of Lease: 30 June 2058.
Lease No.: 338588.
File No.: HY02 H 5.

Irrigated Lot: 86 in Deposited Plan 448476 containing an area of 20.8 hectares.

Name of Applicant: Martha Robin BAIRD.
Date of Commencement of Lease: 24 January 2002.
Date of Expiration of Lease: 30 August 2001.
Lease No.: 338587.
File No.: HY02 H 4.

Non-Irrigated Lot: 106 in Deposited Plan 448476 containing an area of 37.63 hectares.

Name of Applicant: Martha Robin BAIRD.
Date of Commencement of Lease: 24 January 2002.
Date of Expiration of Lease: 30 August 2001.
Lease No.: 338586.
File No.: HY02 H 3.

Non-Irrigated Lot: 105 in Deposited Plan 448476 containing an area of 40.89 hectares.

Name of Applicant: Martha Robin BAIRD.
Date of Commencement of Lease: 24 January 2002.
Date of Expiration of Lease: 30 August 2001.
Lease No.: 338583.
File No.: HY02 H 2.

MOREE OFFICE
Department of Land and Water Conservation
Frome Street (PO Box 388), Moree, NSW 2400
Phone: (02) 6752 5055 Fax: (02) 6752 1707

NOTIFICATION OF CLOSING OF A ROAD

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

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

Description

*Land District — Narrabri;
Council — Narrabri.*

Lot 1 in DP 1037717, Parish Drildool, County Jamison (not being land under the Real Property Act).

File No.: ME99 H 262.

Note: Upon closure the land remains vested in the Crown 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 opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

COLUMN 1

Land District: Warialda.
Local Government Area:
Moree Plains Shire.
Parish: Boobera.
County: Staphylton.
Reserve: 93943.
Purpose: For future public
requirements.
Notified: 7 November 1980.
File: ME93 H 240.

COLUMN 2

That part of Reserve 93943,
comprising Lot 33, DP 755981,
having an area of 25 hectares.

ORANGE OFFICE

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

NOTIFICATION OF CLOSING OF A ROAD

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

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

Description:

Land District and Shire Forbes

Road Closed: Lot 1, DP 1036356, Parish Dowling, County Ashburnham, being land not under the Real Property Act.

File No.: OE01 H 184.

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

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

ROADS ACT 1993

ORDER

Transfer of Crown Roads to Council

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

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

SCHEDULE 1

Land District — Picton;
Local Government Area — Wollondilly;
Parish — Weromba;
County — Camden.

The Crown public road along the northern boundary of Lot 112, DP 751295, extending from Silverdale Road, Werombi, westerly to Spring Creek and known as Popes Lane. Also the Crown public road adjoining the northern boundaries of Lots 11 and 12, DP 773193 and known as Sylvan Road, Werombi.

SCHEDULE 2

Roads Authority: Wollondilly Shire Council.

File Nos.: MN01 H 259 and MN01 H 260.

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

ASSIGNMENT OF NAME TO A RESERVE TRUST

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

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

SCHEDULE**COLUMN 1**

Port Macquarie Town
Green (R.82306) Reserve
Trust.

COLUMN 2

Reserve No.: 82306.
Public Purpose: Public recreation.
Notified: 29 January 1960.
Parish: Macquarie.
County: Macquarie.
Lot 677, DP 722594; Lot 476,
DP 754434; Lot 510, DP 754434;
Lot 545, DP 754434; Lot 548,
DP 754434; Lot 564, DP 754434;
Lot 7047, DP 754434#; Lot 7048,
DP 754434#; Lot 701, section 11,
DP 758852.
File No.: 80 R 309.

Please note that the above Lot Numbers marked # are for Departmental use only.

ADDITION TO RESERVED CROWN LAND

PURSUANT to section 88 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedule hereunder is added to the reserved land specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE**COLUMN 1**

Land District: Taree.
Local Government Area:
Great Lakes.
Parish: Forster.
County: Gloucester.
Locality: Forster.
Lot 7124, DP 1037798#.

COLUMN 2

Reserve No.: 79681.
Public Purpose: Public recreation.
Notified: 28 June 1957.
Lot 7092, DP 753168#; Lot 7090,
DP 753168#; Lot 7088,
DP 753168#; Lot 7091,
DP 753168#; Lot 44, DP 753168;
Lot 398, DP 753168; Lot 440,
DP 40071; Lot 459, DP 633412;
Lot 701, section 29, DP 758422;
Lot 702, section 29, DP 758422.
New Area: 20.87 hectares.
File No.: TE82 H 497.

Please note that the above Lot numbers marked # are for Departmental Use only.

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Parish — Forster;
County — Gloucester;
Land District — Taree;
Local Government Area — Great Lakes.

Road Closed: Lot 7124, DP 1037798# at Forster (not being land under the Real Property Act).

File No.: TE82 H 497.

Note: On closing the land within Lot 7124, DP 1037798, will remain land vested in the Crown as Crown Land.

The above Lot number marked # is for Departmental use only.

Water Conservation

WATER ACT 1912

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

Applications for licences under section 10 of Part 2 of the Water Act 1912, has been received as follows:

Barwon/Darling River Valley

Victor Peter SAMMUT for 1 pump on the Darling River, Lot 732/754392 and Lot 733/754392, Parish of Wambah, County of Livingston, for irrigation of 0.5 hectare of lucerne and vegetables (fresh licence — due to permanent transfer of water allocation — no increase in commitment to Lower Darling River storages) (Reference: 60SL085349) (GA2:499502).

Edwin SMITH for 1 pump on the Darling River, Lot 42/755396, Parish of Pooncaria, County of Perry, for irrigation of 2 hectares (fresh licence — due to permanent transfer of water allocation — no increase in commitment to Murray River storages) (Reference: 60SL085357) (GA2:499503).

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

P. WINTON,
Natural Resource Project Officer,
Murray Region.

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

WATER ACT 1912

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

Applications for licences under section 10 of Part 2 of the Water Act 1912, has been received as follows:

Murray River Valley

Albert Douglas POLLARD and Joyce Winifred POLLARD for a pump on the Merran Creek on Lot 12, DP 756580, Parish of Speewa, County of Wakool, for water supply for irrigation of 0.5 hectare (new licence due to redistribution of water) (Reference: 50SL75484) (GA2:504534).

Albert Douglas POLLARD and Joyce Winifred POLLARD for a pump on the Wakool River on Lot 36, DP 756576, Parish of Poon Boon, County of Wakool, for water supply for irrigation of 196 hectares (replacement licence due to redistribution of water) (Reference: 50SL75486) (GA2:504534).

Patrick Francis DILLON and Marie Regina DILLON for a pump on the Merran Creek on Lot 9, DP 756585, Parish of Toolmah, County of Wakool, for water supply for stock and domestic purposes and irrigation of 1.0 hectare (new licence due to subdivision) (Reference: 50SL75482) (GA2:504533).

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

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

K. J. FALAHEY,
Senior Natural Resource Officer,
Murray Region.

Department of Land and Water Conservation,
PO Box 205, Deniliquin, NSW 2710.

WATER ACT 1912

APPLICATIONS under Part 2, within proclaimed (declared) local areas under section 5 (4) of the Water Act 1912.

Applications for licences under section 10 for works within a proclaimed (declared) local area as generally described hereunder have been received from:

Macquarie River Valley

WOOLARINGA PASTORAL CO. PTY LIMITED for a pump on the Macquarie River, Part Lot 11, DP 771210 and road south of Lot 11, DP 771210, Parish of Kelso, County of Roxburgh, for water supply for domestic purposes and irrigation of 50 hectares (grapes) (replacement licence by way of permanent transfer — no increase in area or allocation) (Reference: 80SL96005).

Peter John THOMAS and Marion Isabel THOMAS for a pump on the Macquarie River, Lot 2, DP 787897, Parish of Mumblebone, County of Gregory, for irrigation of 127.5 hectares (summer and winter grain and cereal, cotton) (combining and replacing existing entitlement by way of permanent transfer — no increase in area or allocation) (Reference: 80SL96006).

Any inquiries regarding the above should be directed to the undersigned (Telephone: 6884 2560).

Written objections to the applications specifying grounds thereof, may be made by any statutory authority or local occupier within the proclaimed local (declared) area and must be lodged with the Departments Regional Office at Dubbo, within twenty-eight (28) days as prescribed by the Act.

GA2:306559.

FRED HUNDY,
Water Access Manager,
Macquarie.

Department of Land and Water Conservation,
PO Box 717, Dubbo, NSW 2830.

WATER ACT 1912

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

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

Murrumbidgee Valley

Alexander Norman GRAF VON Mengersen for a pump and diversion pipe on an unnamed watercourse, Lot 1, DP 856311, Parish Woomahringong, County Wynyard, for a water supply for stock and domestic purposes and supply of water for stock and domestic purposes to the occupiers of Lot 2, DP 856311, Parish Woomahringong, County of Wynyard (new licence) (Reference: 40SL70763) (GA2:448384).

NAP NAP STATION PTY LIMITED for two pumps on the Murrumbidgee River, Lots 1 and 12, DP 751212, Parish of Nimming, County of Caira, for a water supply for stock and domestic purposes and irrigation of 482.83 hectares (pasture/cereals) (replacement licence — split of existing licence) (Reference: 40SL70748).

NAP NAP STATION PTY LIMITED for three pumps on the Murrumbidgee River, road reserve fronting Lot 20, DP 756751, Parish Gelam and road reserve fronting Lot 43, DP 756795, Parish of Toopuntal, all County of Waradgery, for a water supply for irrigation of 416.66 hectares (pasture/cereals) (replacement licence — split of existing licence plus increase in allocation via permanent transfer) (Reference: 40SL70747).

James Stewart OAG for a dam on an unnamed watercourse, Lot 25, DP 612943, Parish of Hindmarsh, County of Wynyard, for conservation of water for irrigation of 7.2 hectares (orchard) (new licence — allocation via permanent transfer) (Reference: 40SL70765).

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

Applications for a licence under section 20 for works within a proclaimed (declared) local area as generally described hereunder have been received from:

Murrumbidgee Valley

James Stewart OAG and MALGAS PTY LIMITED for an existing dam on an unnamed watercourse, Lot 24, DP 612943, Parish of Hindmarsh, County of Wynyard, for conservation of water for stock and domestic purposes and irrigation of 25.2 hectares (apples) (new authority due to a permanent transfer to the existing dam authorised via the streamlined licensing process) (Reference: 40SA5590).

Any enquires regarding the above should be directed to the undersigned (telephone: [02] 6953 0700).

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

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

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

WATER ACT 1912

APPLICATIONS for licences under Part 5 of the Water Act 1912, as amended, has been received as follows:

Murrumbidgee Valley

Gladys Eileen GUITON, Kevin Thomas GUITON, Kevin Thomas GUITON and Vicki Margaret GUITON for a bore on Lot 1, DP 226392, Parish of Yarragundry, County of Mitchell, for a water supply for stock purposes and irrigation of 40 hectares (lucerne) (new licence) (Reference: 40BL188612).

Max Robert BURKINSHAW for a bore on Lot 11, DP 18791, Parish of Bulgary, County of Mitchell, for a water supply for stock and domestic purposes and irrigation of 36 hectares (lucerne) (new licence) (Reference: 40BL188613).

John Barry MEYERS and Cheryl Ann MEYERS for a bore on Lot 7, DP 754561, Parish of Mundowry, County of Mitchell, for a water supply for stock purposes and irrigation of 50 hectares (lucerne, oats) (new licence) (Reference: 40BL188451).

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 23 March 2002, as prescribed by the Act.

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

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

WATER ACT 1912

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

John LOW and Carolyn LOW for a pump on the Hawkesbury River being 1/724856, Parish of Ham Common, County of Cumberland, for the irrigation of 13.0 hectares (citrus and improved pasture) (replacement licence — increase in area — existing works — lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56051) (GA2:460642).

Ross MATTHEWS and Toni MATTHEWS for a pump on Currency Creek and an unnamed lagoon being 2/807449, Parish of Wilberforce, County of Cook, for the irrigation of 12.0 hectares (vegetables/turf/improved pasture) (new licence — existing works — lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56158) (GA2:460642).

MELIORA ESTATES PTY LTD for two bywash dams and a concrete overshot dam and three pumps on unnamed watercourses being 1/185077, Parish of Narara, County of Northumberland, for the conservation of water and water supply for the irrigation of 27.0 hectares (Citrus/Avocados) (replacement licence — increase in area — existing works — Lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56063) (GA2:460643).

Filippo BARBARA and Caterina BARBARA for a pump on an unnamed lagoon being 1/538110, Parish of Pitt Town, County of Cumberland, for the irrigation of 1.0 hectares (roses) (new licence — existing works — lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56371) (GA2:460642).

Donald Keith MILLER for a pump on Hawkesbury River being Part 5/258596, Parish of Wilberforce, County of Cook, for the irrigation of 14.0 hectares (Turf) (new licence — existing works — lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56372) (GA2:460642).

Mr Santo SCIONTI for a dam and a pump on unnamed watercourse being 432/751270, Parish of Couridjah, County of Camden, for conservation of water and water supply for stock and domestic purposes (new licence — farm dam licence application — not subject to Hawkesbury Nepean Embargo) (Reference: 10SL56366) (GA2:462875).

Felice PAFUMI and Marissa PAFUMI for a pump on Stonequarry Creek, and two dams and one pump on unnamed watercourse being 102//814652, Parish of Couridjah, County of Camden, for conservation of water and water supply for the irrigation of 4.0 hectares (fruit and vegetables) (existing works — not subject to the Hawkesbury Nepean Embargo — lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56359) (GA2:462874).

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

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

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

WATER ACT 1912

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

An application for authority for a Joint Water Supply Scheme within a proclaimed local area as generally described hereunder has been received as follows:

Namoi River Valley

A. D. WATSON PTY LIMITED and Others for a pump on the Namoi River on Lot 302/814632, Parish of Boggabri, County of Nandewar, for water supply for stock and domestic purposes and irrigation of 93.5 hectares (to replace an existing licence at same location) (L.O. Papers: 90SA11656) (GA2:493699).

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

GEOFF CAMERON,
Manager,
Resource Access.

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

Department of Mineral Resources

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T02-0020)

No. 1865, OMYA AUSTRALIA PTY LIMITED (ACN 001 682 533), area of 12 units, for Group 2, dated 11 February, 2002. (Orange Mining Division).

(T02-0021)

No. 1866, ISOKIND PTY LIMITED (ACN 081 732 498), area of 11 units, for Group 1, dated 12 February, 2002. (Cobar Mining Division).

(T02-0023)

No. 1867, LIMESTONE MINING LIMITED (ACN 089 190 198), area of 9 units, for Group 2, dated 13 February, 2002. (Orange Mining Division).

MINING LEASE APPLICATION

(T02-0022)

No. 200, LYNDEN JAMES BUTTS, area of about 2 hectares, for the purpose of building, dated 8 February, 2002. (Lightning Ridge Mining Division).

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

NOTICE is given that the following application has been refused:

EXPLORATION LICENCE APPLICATION

(T01-0108)

No. 1750, DAVID CHARLES LYONS and MARILYN LESLIE FOLLETT, County of Cunningham, Map Sheet (8431, 8432). Refusal took effect on 8 February, 2002.

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

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

(C98-0162)

Exploration Licence No. 5564, HUNTER VALLEY COAL PROCESSING PTY LTD (ACN 069 244 953), area of 6200 hectares. Application for renewal received 15 February, 2002.

(T99-0133)

Exploration Licence No. 5707, LIMESTONE MINING LIMITED (ACN 089 190 198), area of 6 units. Application for renewal received 13 February, 2002.

(T01-0025)

Mining Purposes Lease No. 134 (Act 1973), PATRICK MCERLAIN, area of 4.992 hectares. Application for renewal received 6 February, 2002.

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

RENEWAL OF A CERTAIN AUTHORITY

NOTICE is given that the following authority has been renewed:

(T99-0031)

Exploration Licence No. 5570, YOUNG MINING COMPANY PTY LTD (ACN 004 301 508), Counties of Bland and Monteagle, Map Sheet (8429, 8529), area of 24 units, for a further term until 18 April, 2003. Renewal effective on and from 13 February, 2002.

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

WITHDRAWAL OF APPLICATIONS FOR RENEWAL

NOTICE is given that the applications for renewal in respect of the following authorities have been withdrawn:

(T87-1317)

Exploration Licence No. 4037, CENTFIELD MINING PTY LTD (ACN 010 592 284), County of Hawes, Map Sheet (9234), area of 4 units. The licence ceased to have effect on 23 February 1996.

(T94-0587)

Mining Lease No. 85 (Act 1973), DAVID JOHN PASCOE, Parish of Albert, County of Yancowinna, Map Sheet (7133-4-N), area of 4046 square metres. The authority ceased to have effect on 8 February, 2002.

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

PART CANCELLATION

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

(M77-1575)

Authorisation No. 102, DEPARTMENT OF MINERAL RESOURCES, County of Brisbane, County of Durham and County of Hunter, Map Sheet (9033).

Description of area cancelled:

An area of 120.08 square kilometres. For further information contact Titles Branch.

Part cancellation took effect on 7 February, 2002.

The authority now embraces an area of 6092 hectares.

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

TRANSFERS

(C00-1079)

Consolidated Coal Lease No. 723 (Act 1973), formerly held by PACIFIC POWER has been transferred to CNA RESOURCES LIMITED (ACN 004 447 938). The transfer was registered on 30 January, 2002.

(C01-0588)

Coal Lease No. 382 (Act 1973), formerly held by MAITLAND MAIN COLLIERIES PTY LTD (ACN 000 012 652) has been transferred to MAITLAND MAIN COLLIERIES PTY LTD (ACN 000 012 652) and CONSOL ENERGY AUSTRALIA PTY LTD (ACN 097 238 349). The transfer was registered on 8 January, 2002.

(C00-1079)

Mining Lease No. 1357 (Act 1992), formerly held by PACIFIC POWER has been transferred to CNA RESOURCES LIMITED (ACN 004 447 938). The transfer was registered on 30 January, 2002.

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

Department of Planning

Auburn Local Environmental Plan 2000 (Amendment No 5)

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. (P01/00289/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Auburn Local Environmental Plan 2000 (Amendment No 5)

Auburn Local Environmental Plan 2000 (Amendment No 5)

1 Name of plan

This plan is *Auburn Local Environmental Plan 2000 (Amendment No 5)*.

2 Aims of plan

This plan aims to clarify that when development is permissible with consent in certain business zones for the purpose of residential flat buildings or serviced apartments located entirely above another permissible use, any development ancillary to that residential development, such as car parking, will be permissible even if it is not located above the other permissible use.

3 Land to which plan applies

This plan applies to land zoned 3 (a) Business (Retail and Office Development) or 3 (b) Business (Office Development) under *Auburn Local Environmental Plan 2000*.

4 Amendment of Auburn Local Environmental Plan 2000

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

Auburn Local Environmental Plan 2000 (Amendment No 5)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clauses 15 and 16

Omit “residential flat buildings located entirely above any other permissible uses in this zone” wherever occurring in clauses 15 (3) and 16 (3).

Insert instead “residential flat buildings where the buildings, but not necessarily any ancillary development, are located entirely above any other permissible uses in this zone”.

[2] Clauses 15 (3) and 16 (3)

Omit “serviced apartments located entirely above any other permissible uses in this zone” wherever occurring.

Insert instead “serviced apartments where the apartments, but not necessarily any ancillary development, are located entirely above any other permissible uses in this zone”.

Byron Local Environmental Plan 1988 (Amendment No 94)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (G01/00007/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1

Byron Local Environmental Plan 1988 (Amendment No 94)

Byron Local Environmental Plan 1988 (Amendment No 94)

1 Name of plan

This plan is *Byron Local Environmental Plan 1988 (Amendment No 94)*.

2 Aims of plan

This plan aims to amend Schedule 8 to the *Byron Local Environmental Plan 1988* to allow, with Byron Shire Council's consent, the use of the land to which this plan applies at Suffolk Park for the purpose of a professional medical centre containing up to 3 practitioners, subject to certain conditions.

3 Land to which plan applies

This plan applies to land in the local government area of Byron being Lots 1 and 11, Sec 2, DP 11632 and Lot 1, DP 41649, Clifford Street, Suffolk Park, as shown edged heavy black on the map marked "Byron Local Environmental Plan 1988 (Amendment No 94)" deposited in the office of Byron Shire Council.

4 Amendment of Byron Local Environmental Plan 1988

Byron Local Environmental Plan 1988 is amended by inserting in Schedule 8 after item 41:

- 42 Lots 1 and 11, Sec 2, DP 11632 and Lot 1, DP 41649, Clifford Street, Suffolk Park, as shown edged heavy black on the map marked "Byron Local Environmental Plan 1988 (Amendment No 94)", for the purposes of a professional medical centre containing up to 3 medical practitioners, dentists or health care professionals (as defined in the *Environmental Planning and Assessment Model Provisions 1980*) with at least 10 additional car parking spaces provided on site. The medical centre may be operated only from the existing building on Lot 1, Sec 2, DP 11632, or within a replacement building that does not exceed the site coverage, setbacks or height of the existing building.

Byron Local Environmental Plan 1988 (Amendment No 99)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (G01/00130/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Byron Local Environmental Plan 1988 (Amendment No 99)

Byron Local Environmental Plan 1988 (Amendment No 99)

1 Name of plan

This plan is *Byron Local Environmental Plan 1988 (Amendment No 99)*.

2 Aims of plan

This plan aims:

- (a) to allow, with the consent of Byron Shire Council, the erection of a dwelling-house on part of the land to which this plan applies, and
- (b) to allow, with the consent of the Council, the carrying out of development on the remainder of the land for the purpose of no more than two holiday cabins which are to be positioned in a cluster formation.

3 Land to which plan applies

- (1) To the extent that this plan allows the erection of a dwelling-house, it applies to Lot 4, DP 583623, Left Bank Road, Mullumbimby, as shown edged heavy black on the map marked "Byron Local Environmental Plan 1988 (Amendment No 99)" deposited in the office of Byron Shire Council.
- (2) To the extent that this plan allows the carrying out of development for the purpose of holiday cabins, it applies to Lots 6 and 7, DP 874010, Boogarem Road, Koonyum Range, Mullumbimby, as shown edged heavy black on that map.

4 Amendment of Byron Local Environmental Plan 1988

Byron Local Environmental Plan 1988 is amended:

- (a) by inserting in appropriate order in Schedule 7 the following item:

30 Lot 4, DP 583623.

Byron Local Environmental Plan 1988 (Amendment No 99)

Clause 4

(b) by inserting in appropriate order in Schedule 8 the following item:

- 45 Lots 6 and 7, DP 874010, Boogarem Road, Koonyum Range, Mullumbimby, no more than two holiday cabins which are to be positioned in a cluster formation, where development is carried out in accordance with sections 7.2 (Holiday cabins) and 8 (Rural settlement performance standards) of *Byron Rural Settlement Strategy 1998*, as in force at the commencement of Byron Local Environmental Plan 1988 (Amendment No 99).

Campbelltown (Urban Area) Local Environmental Plan 2002

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (P00/00428/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Campbelltown (Urban Area) Local Environmental Plan 2002

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Campbelltown (Urban Area) Local Environmental Plan 2002

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Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 1

Preliminary

Part 1

Campbelltown (Urban Area) Local Environmental Plan 2002

Part 1 Preliminary

1 Name of plan

This plan is *Campbelltown (Urban Area) Local Environmental Plan 2002*.

2 Aims and objectives

(1) The aims of this plan are:

- (a) to provide controls on development for the urban area of the City of Campbelltown in a local environmental plan which consolidates and simplifies existing controls applying in that area, and
- (b) to establish a broad framework of controls and allow the opportunity for more detailed provisions relating to specific types of development or specific areas to be provided by development control plans, and
- (c) to promote the objectives of the Act and, in particular, to maintain and enhance the amenity of the urban area of the City of Campbelltown.

(2) The objectives of this plan are:

- (a) to modify existing controls on development where necessary to gain uniformity in controls across the urban area of the City of Campbelltown, and
- (b) to protect areas from inappropriate development, and
- (c) to maintain and improve the opportunities for appropriate commercial and industrial development in those parts of the urban area of the City of Campbelltown identified as suitable for those purposes, and
- (d) to maintain and improve opportunities for the community living in the City of Campbelltown to enjoy an appropriate range of social, cultural and recreational facilities, and

Clause 2 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 1 Preliminary

- (e) to ensure that environmentally sensitive areas are identified and protected, and
- (f) to encourage a variety of forms of higher density housing in locations which are accessible to public transport, employment, retail, commercial and service facilities, and
- (g) to ensure that heritage items are identified and protected, and
- (h) to encourage the provision of a safe and efficient system for movement between the various parts of the urban area of the City of Campbelltown and to other places, particularly through the use of public transport, and encouraging cycling and walking, and
- (i) to ensure that all development satisfies the principles of ecologically sustainable development, energy conservation and efficiency, and that the cumulative impact of development in sub-catchments is considered, and
- (j) to conserve the environmental heritage of the urban area of the City of Campbelltown, and
- (k) to retain the cultural significance of the urban area of the City of Campbelltown, and
- (l) to conserve existing significant fabric, settings, relics and views associated with the heritage significance of heritage items and heritage conservation areas, and
- (m) to ensure that any development does not adversely affect the heritage significance of heritage items and heritage conservation areas and their settings, and
- (n) to ensure that archaeological sites and places of Aboriginal significance are conserved, and
- (o) to allow for the protection of buildings, works, relics, trees, places and archaeological sites which have heritage significance but which are not identified as heritage items by an environmental planning instrument, and
- (p) to ensure that the heritage conservation areas throughout the urban area of the City of Campbelltown retain their heritage significance.

Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 3

Preliminary

Part 1

3 Land to which plan applies

This plan applies to land within the City of Campbelltown as shown distinctly coloured, except for land marked “deferred matter”, on the map.

4 Relationship to other environmental planning instruments

- (1) This plan repeals the following deemed environmental planning instruments and local environmental plans:

County of Cumberland Planning Scheme Ordinance (but only to the extent that it applied to land to which this plan applied immediately before the commencement of this plan)

Interim Development Order No 7—City of Campbelltown

Interim Development Order No 9—City of Campbelltown

Interim Development Order No 19—City of Campbelltown

Interim Development Order No 21—City of Campbelltown

Interim Development Order No 23—City of Campbelltown

Interim Development Order No 24—City of Campbelltown

Interim Development Order No 25—City of Campbelltown

Interim Development Order No 26—City of Campbelltown

Interim Development Order No 27—City of Campbelltown

Interim Development Order No 29—City of Campbelltown

Campbelltown Local Environmental Plan No 2

Campbelltown Local Environmental Plan No 47

Campbelltown Local Environmental Plan No 62

- (2) If this plan applies to land, no other deemed environmental planning instrument or other local environmental plan in force at the commencement of this plan applies to the land, except:

Campbelltown Local Environmental Plan No 209—Exempt Development in Urban Areas

Campbelltown Local Environmental Plan No 209—Exempt Development

Clause 4 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 1 Preliminary

Campbelltown Local Environmental Plan No 214—Complying Development

Campbelltown Local Environmental Plan 2001—Exempt and Complying Development

- (3) Despite subclause (2), environmental planning instruments (including, where appropriate, State environmental planning policies, regional environmental plans and deemed environmental planning instruments) as in force immediately before the appointed day continue to apply to a development application if:
- (a) the application was made but had not been finally determined before that day, and
 - (b) the development that is the subject of the application is prohibited by other provisions of this plan but could, with development consent, have been carried out in accordance with those instruments as so in force.
- (4) *Interim Development Order No 22—City of Campbelltown* is amended by inserting at the end of clause 1A the following subclause:
- (2) This Order does not apply to land to which *Campbelltown (Urban Area) Local Environmental Plan 2002* applies.

5 Interpretation

- (1) Some terms used in this plan have a particular meaning, which is set out in the Dictionary in Schedule 3.
- (2) In this plan:
- (a) a reference to a building or place used for a purpose includes a reference to a building or place intended to be used for the purpose, and
 - (b) a reference to a map is a reference to a map deposited in the office of the Council.
- (3) In Part 2:
- (a) a reference to ***dwelling***s is a reference to all types of dwellings other than any types of dwellings specifically excluded in the immediately following phrase in parenthesis beginning with the words “other than”, and

Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 5

Preliminary

Part 1

-
- (b) a reference to **industries** is a reference to all types of industries other than:
 - (i) extractive industries, and
 - (ii) any types of industries specifically excluded in the immediately following phrase in parenthesis beginning with the words “other than”, and
 - (c) a reference to a **storage establishment** is a reference to all types of storage establishments, including hazardous or offensive storage establishments.
 - (4) The list of contents and notes in this plan are not part of this plan.

6 Consent authority

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

Clause 7 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 2 Land use

Division 1 General zoning controls

Part 2 Land use

Division 1 General zoning controls

7 Zone 1 (a)—Rural A Zone

(1) **What land is within Zone 1 (a)?**

Land is within Zone 1 (a) if it is shown coloured buff on the map.

(2) **What is the zone objective and what effect does it have?**

The objective of this zone is to identify land that constraints make unsuitable for urban use so that it can be put to long-term agricultural use.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with the objective of this zone.

(3) **What development may be carried out without consent?**

Development must not be carried out on land within this zone without consent.

(4) **What development may be carried out only with consent?**

Development may be carried out on land within this zone only with consent for the purpose of:

agriculture; bushfire hazard reduction; drainage; dual occupancies (attached); dwelling houses; forestry; mines; utility installations.

(5) **What development is prohibited?**

Development which is not included in subclause (4) is prohibited on land within this zone.

8 Zone 1 (d)—Rural Future Urban Zone

(1) **What land is within Zone 1 (d)?**

Land is within Zone 1 (d) if it is shown coloured buff and lettered "1 (d)" on the map.

Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 8

Land use

Part 2

General zoning controls

Division 1

- (2) **What is the zone objective and what effect does it have?**
The objective of this zone is to identify and protect land held in reserve for future urban use.
- Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with the objective of this zone.
- (3) **What development may be carried out without consent?**
Development must not be carried out on land within this zone without consent.
- (4) **What development may be carried out only with consent?**
Development may be carried out on land within this zone only with consent for the purpose of:
- agriculture; bushfire hazard reduction; drainage; forestry; mines; utility installations.
- (5) **What development is prohibited?**
Development which is not included in subclause (4) is prohibited on land within this zone.

9 Zone 2 (b)—Residential B Zone

- (1) **What land is within Zone 2 (b)?**
Land is within Zone 2 (b) if it is shown coloured pink on the map.
- (2) **What are the zone objectives and what effect do they have?**
The objectives of this zone are:
- (a) to make general provision for land to be used for housing and associated purposes, and
 - (b) to permit the development of a range of housing types, and
 - (c) to encourage a variety of forms of housing that are higher in density than traditional dwelling houses, including accommodation for older people and people with disabilities, in locations which are accessible to public transport, employment, retail, commercial and service facilities, and
 - (d) to allow the carrying out of a reasonable range of activities from dwellings, where such activities are not likely to adversely affect the amenity of the locality, and

Clause 9 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 2 Land use

Division 1 General zoning controls

- (e) to allow development which:
 - (i) is compatible with residential use, and
 - (ii) is capable of visual integration with the surrounding buildings, and
 - (iii) serves the needs of the surrounding population without conflicting with the residential intent of the zone, and
 - (iv) does not place demands on services beyond the level reasonably required for residential use.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

- (3) **What development may be carried out without consent?**
Development may be carried out on land within this zone without consent for the purpose of:
drainage; forestry; utility installations.
- (4) **What development may be carried out only with consent?**
Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.
- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is for the purpose of:
amusement centres; animal boarding or training establishments; auction premises; brothels; bulky goods retailing; bus depots; caravan parks; clubs; commercial premises; computer processing centres; extractive industries; helipads; heliports; hotels; industrial machinery showrooms; industries; institutions; intensive horticulture; intensive livestock keeping; junk yards; landscape supply establishments; liquor stores; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; plant hire; public buildings; recreation establishments; recreation facilities; refreshment rooms; research establishments; residential flat buildings; retail plant nurseries; retail plant propagation nurseries; roadside stalls; service stations; shops; storage establishments; towing services; transport terminals; veterinary establishments; warehouses; wholesale plant nurseries.

Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 10

Land use

Part 2

General zoning controls

Division 1

10 Zone 3 (a)—General Business Zone**(1) What land is within Zone 3 (a)?**

Land is within Zone 3 (a) if it is shown coloured mid blue on the map.

(2) What are the zone objectives and what effect do they have?

The objectives of this zone are:

- (a) to provide space for a wide range of retail and commercial needs to serve the district of Ingleburn, and
- (b) to encourage employment and business activities in order to promote the economic well-being of the community, and
- (c) to accommodate a range of cultural, entertainment and like facilities for the benefit of the community, and
- (d) to encourage a variety of forms of higher density housing, including accommodation for older people and people with disabilities, in locations which are accessible to public transport, employment, retail, commercial and service facilities, and
- (e) to permit limited industrial uses compatible with the proper operation of a commercial centre serving a district.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) What development may be carried out only with consent?

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

(5) What development is prohibited?

Development is prohibited on land within this zone if it is for the purpose of:

brothels; bus depots; caravan parks; helipads; heliports; industrial machinery showrooms; junk yards; motor vehicle body repair workshops; storage establishments; towing services; warehouses.

Clause 11 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 2 Land use

Division 1 General zoning controls

11 Zone 3 (c)—Neighbourhood Business Zone

(1) What land is within Zone 3 (c)?

Land is within Zone 3 (c) if it is shown coloured dark blue on the map.

(2) What are the zone objectives and what effect do they have?

The objectives are:

- (a) to provide conveniently located land for a range of shops, commercial premises and professional services that are of a domestic scale, compatible with residential development, and which serve the needs of the local community, and
- (b) to accommodate a restricted range of facilities required in the local community but which are not appropriate on land within Zone 2 (b).

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) What development may be carried out only with consent?

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

(5) What development is prohibited?

Development is prohibited on land within this zone if it is for the purpose of:

animal boarding or training establishments; auction premises; brothels; bus depots; caravan parks; clubs; computer processing centres; exhibition homes; extractive industries; hazardous storage establishments; helipads; heliports; hospitals; hotels; industrial machinery showrooms; industries; institutions; intensive horticulture; intensive livestock keeping; junk yards; landscape supply establishments; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; plant hire; recreation establishments; sawmills; storage establishments; towing services; transport terminals; warehouses; wholesale plant nurseries.

Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 12

Land use

Part 2

General zoning controls

Division 1

12 Zone 4 (a)—General Industry Zone**(1) What land is within Zone 4 (a)?**

Land is within Zone 4 (a) if it is shown coloured mauve on the map.

(2) What are the zone objectives and what effect do they have?

The objectives of this zone are:

- (a) to encourage activities that will contribute to the economic and employment growth of the City of Campbelltown, and
- (b) to allow a range of industrial, storage and allied activities, together with ancillary uses, the opportunity to locate within the City of Campbelltown, and
- (c) to encourage a high standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development, and
- (d) to protect the viability of the commercial centres in the City of Campbelltown by limiting commercial activities to those associated with permitted industrial, storage and allied development, and
- (e) to ensure development will not be carried out unless the consent authority is satisfied that the processes to be carried on, the transportation to be involved, or the plant, machinery or materials to be used, do not interfere unreasonably with the amenity of the area.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; forestry; utility installations.

(4) What development may be carried out only with consent?

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

Clause 12 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 2 Land use

Division 1 General zoning controls

(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

boarding-houses; bulky goods retailing; caravan parks; commercial premises (other than those associated with, or ancillary to, any other permissible development and located on the same site as that development); dwellings (other than conjoint dwellings); exhibition homes; extractive industries; hazardous industries; hazardous storage establishments; hospitals; institutions; liquor stores; offensive industries; offensive storage establishments; places of assembly; religious establishments (other than those in existing industrial buildings); retail plant nurseries; roadside stalls; shops (other than those primarily intended to serve people employed or occupied in land uses permitted in the industrial zones).

13 Zone 4 (b)—Industry B Zone

(1) **What land is within Zone 4 (b)?**

Land is within Zone 4 (b) if it is shown coloured mauve with red edging and lettered “4 (b)” on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to encourage activity that will contribute to economic and employment growth in the City of Campbelltown, and
- (b) to encourage a high standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development, and
- (c) to protect the viability of the commercial centres in the City of Campbelltown by limiting commercial activities to those associated with permitted industrial, storage and allied development or primarily intended to provide a professional facility to serve people employed or occupied in land uses permitted in the industrial zones, and
- (d) to permit the display and sale by retail of bulky goods only if such activities cannot appropriately be located in, or would not adversely affect the viability of development in, the business or comprehensive centre zones, and

Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 13

Land use

Part 2

General zoning controls

Division 1

- (e) to ensure development will not be carried out if the processes to be carried on, the transportation to be involved or the plant, machinery or materials to be used interfere unreasonably with the amenity of the area.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; forestry; utility installations.

(4) **What development may be carried out only with consent?**

Development may be carried out on land within this zone only with consent for the purpose of:

commercial premises used by accountants or tax agents; any other development which is not included in subclause (3) or (5).

(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

boarding-houses; caravan parks; commercial premises (other than those used by accountants or tax agents and those associated with and ancillary to any other development not included in this subclause and located on the same site as that development); dwellings (other than conjoint dwellings); exhibition homes; extractive industries; hazardous industries; hazardous storage establishments; hospitals; institutions; junk yards; offensive industries; offensive storage establishments; religious establishments (other than those in existing industrial buildings); roadside stalls; shops (other than those primarily intended to serve people employed or occupied in land uses permitted in the industrial zones).

14 Zone 4 (c)—Industry C Zone

(1) **What land is within Zone 4 (c)?**

Land is within Zone 4 (c) if it is shown coloured mauve with red edging and lettered “4 (c)” on the map.

Clause 14 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 2 Land use

Division 1 General zoning controls

(2) What are the zone objectives and what effect do they have?

The objectives of this zone are:

- (a) to encourage activity that will contribute to economic and employment growth in the City of Campbelltown, and
- (b) to encourage a high standard of development which is aesthetically pleasing, functional, and relates sympathetically to nearby and adjoining development, and
- (c) to protect the viability of the commercial centres in the City of Campbelltown by limiting commercial activities to those associated with permitted industrial, storage and allied development, and
- (d) to permit the display and sale by retail of bulky goods only if such activities cannot appropriately be located in, or would not adversely affect the viability of development in, the comprehensive centre zones, and
- (e) to ensure development shall not be carried out if the processes to be carried on, the transportation to be involved or the plant, machinery or materials to be used interfere unreasonably with the amenity of the area, and
- (f) to ensure that development does not unreasonably affect the amenity of existing dwellings on land in the zone.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; forestry; utility installations.

(4) What development may be carried out only with consent?

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 14

Land use

Part 2

General zoning controls

Division 1

(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

boarding-houses; caravan parks; commercial premises (other than those associated with and ancillary to any other development not included in this subclause and located on the same site as that development); dwellings (other than conjoint dwellings); exhibition homes; extractive industries; hazardous industries; hazardous storage establishments; hospitals; institutions; junk yards; liquor stores; motor vehicle body repair workshops; offensive industries; offensive storage establishments; places of assembly; religious establishments (other than those in existing industrial buildings); roadside stalls; shops (other than those primarily intended to serve people employed or occupied in land uses permitted in the industrial zones); towing services.

15 Zone 5 (a)—Special Uses A Zone

(1) **What land is within Zone 5 (a)?**

Land is within Zone 5 (a) if it is shown coloured yellow with red edging and red lettering on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to provide land for special uses which would otherwise be prohibited by the zoning of the surrounding area, and
- (b) to identify land used or required for railway purposes.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would achieve the objective of this zone stated in paragraph (a).

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

Clause 15 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 2 Land use

Division 1 General zoning controls

- (4) **What development may be carried out only with consent?**
Development may be carried out on land within this zone only with consent for the purpose of:

the land use indicated by lettering on the map and any land use normally associated with and ancillary to that use; bushfire hazard reduction; forestry; roads; underground mining.
- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

16 Zone 5 (b)—Special Uses Arterial Roads Zone

- (1) **What land is within Zone 5 (b)?**
Land is within Zone 5 (b) if it is shown coloured light grey on the map.
- (2) **What are the zone objectives and what effect do they have?**
The objectives of this zone are:
- (a) to identify land required for existing or proposed arterial roads (including the widening of existing roads), and
 - (b) to control vehicular access to and from roads in the zone so as not to inhibit the free flow of traffic on arterial roads, and
 - (c) to allow for the development of such land prior to its acquisition for road purposes.
- Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.
- (3) **What development may be carried out without consent?**
Development may be carried out on land within this zone without consent for the purpose of:

drainage; roads; utility installations.
- (4) **What development may be carried out only with consent?**
Development may be carried out on land within this zone only with consent for the purpose of:

bushfire hazard reduction (otherwise than in accordance with a bush fire management plan prepared under the *Rural Fires Act 1997*); underground mining.

Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 16

Land use

Part 2

General zoning controls

Division 1

- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

17 Zone 5 (c)—Special Uses Sub-Arterial Roads Zone

- (1) **What land is within Zone 5 (c)?**
Land is within Zone 5 (c) if it is shown coloured mid grey on the map.
- (2) **What are the zone objectives and what effect do they have?**
The objectives of this zone are:
- (a) to identify land required for existing or proposed sub-arterial roads (including the widening of existing roads), and
 - (b) to control vehicular access to and from roads in the zone so as not to inhibit the free flow of traffic on sub-arterial roads, and
 - (c) to allow for the development of such land prior to its acquisition for road purposes.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

- (3) **What development may be carried out without consent?**
Development may be carried out on land within this zone without consent for the purpose of:
drainage; roads; utility installations.
- (4) **What development may be carried out only with consent?**
Development may be carried out on land within this zone only with consent for the purpose of:
bushfire hazard reduction (otherwise than in accordance with a bush fire management plan prepared under the *Rural Fires Act 1997*);
underground mining.
- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

Clause 18 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 2 Land use

Division 1 General zoning controls

18 Zone 5 (d)—Special Uses Local Roads Zone

(1) What land is within Zone 5 (d)?

Land is within Zone 5 (d) if it is shown coloured dark grey on the map.

(2) What are the zone objectives and what effect do they have?

The objectives of this zone are:

- (a) to identify land required for proposed local roads (including the widening of existing roads), and
- (b) to allow for the development of such land prior to its acquisition or dedication for use for roads.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; roads; utility installations.

(4) What development may be carried out only with consent?

Development may be carried out on land within this zone only with consent for the purpose of:

bushfire hazard reduction (otherwise than in accordance with a bush fire management plan prepared under the *Rural Fires Act 1997*); underground mining.

(5) What development is prohibited?

Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

19 Zone 5 (e)—Special Uses Public Purposes Corridor Zone

(1) What land is within Zone 5 (e)?

Land is within Zone 5 (e) if it is shown coloured yellow and red and lettered “5 (e)” on the map.

(2) What are the zone objectives and what effect do they have?

The objectives of this zone are:

- (a) to reserve land through which major linear elements of regional infrastructure may be constructed across the urban area of the City of Campbelltown, and

Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 19

Land use

Part 2

General zoning controls

Division 1

- (b) to assist in structuring the urban area of the City of Campbelltown, specifically, by physically separating the suburbs of Ingleburn and Minto, and
- (c) to bring a rural landscape into part of the urban area of the City of Campbelltown, and
- (d) to provide recreational and environmental education opportunities for the local community until the land is required for some element of regional infrastructure, and
- (e) subject to paragraph (d), to provide opportunities for land uses which can be removed, at no cost to the public sector, from any land required for any element of regional infrastructure which is to pass through the corridor and which is compatible with other development in or adjoining the corridor.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) **What development may be carried out only with consent?**

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

amusement centres; animal boarding or training establishments; auction premises; boarding-houses; brothels; bulky goods retailing; bus depots; caravan parks; child care centres; clubs; commercial premises; computer processing centres; dwellings; helipads; heliports; hotels; industrial machinery showrooms; industries; institutions; intensive horticulture; intensive livestock keeping; junk yards; liquor stores; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; places of assembly; plant hire; religious establishments;

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Part 2 Land use

Division 1 General zoning controls

research establishments; roadside stalls; service stations; shops; towing services; transport terminals; veterinary clinics; veterinary establishments; warehouses.

20 Zone 6 (a)—Local Open Space Zone

(1) What land is within Zone 6 (a)?

Land is within Zone 6 (a) if it is shown coloured light green on the map.

(2) What are the zone objectives and what effect do they have?

The objectives of this zone are:

- (a) to ensure there is provision of adequate open space to meet the existing and future needs of residents and to provide opportunities to enhance the environmental quality of the City of Campbelltown, and
- (b) to identify land which is owned, or proposed to be owned, by the Council and to provide for the acquisition or dedication of this land for open space or public recreational purposes, and
- (c) to identify land which is owned by the Crown and is under the care, control and management of the Council as public open space, and
- (d) to protect and preserve areas of urban bushland which are considered valuable because of their natural heritage significance or recreational, educational, aesthetic or scientific values, and
- (e) to provide opportunities for recreation and the provision of community facilities on publicly owned land.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

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- (4) **What development may be carried out only with consent?**
Development may be carried out on land within this zone only with consent for the purpose of:
bushfire fighting establishments; bushfire hazard reduction (otherwise than in accordance with a bush fire management plan prepared under the *Rural Fires Act 1997*); car parking; community facilities; recreation areas; recreation facilities; roads; underground mining.
- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

21 Zone 6 (b)—Regional Open Space Zone

- (1) **What land is within Zone 6 (b)?**
Land is within Zone 6 (b) if it is shown coloured mid green on the map.
- (2) **What are the zone objectives and what effect do they have?**
The objectives of this zone are:
- (a) to identify land which has been acquired for, or is to be acquired for, regional open space, and
 - (b) to preserve and manage regional open space for conservation and recreational purposes for the benefit of the Sydney region.
- Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.
- (3) **What development may be carried out without consent?**
Development may be carried out on land within this zone without consent for the purpose of:
drainage; utility installations.
- (4) **What development may be carried out only with consent?**
Development may be carried out on land within this zone only with consent for the purpose of:
bushfire fighting establishments; bushfire hazard reduction (otherwise than in accordance with a bush fire management plan prepared under the *Rural Fires Act 1997*); car parking; community facilities; recreation areas; recreation facilities; roads; underground mining.

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(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

22 Zone 6 (c)—Private Open Space Zone

(1) **What land is within Zone 6 (c)?**

Land is within Zone 6 (c) if it is shown coloured dark green on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to identify areas where private recreation facilities are or may be developed, and
- (b) to allow a limited range of other activities which will not detract significantly from the character of the locality or the amenity of any existing or proposed development in the locality.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would promote one or more of the objectives of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) **What development may be carried out only with consent?**

Development may be carried out on land within this zone only with consent for the purpose of:

clubs (including any land use ordinarily incidental or ancillary to clubs); recreation areas; recreation establishments; recreation facilities; refreshment rooms; roads; underground mining.

(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

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23 Zone 7 (d1)—Environmental Protection 100 hectares Minimum Zone**(1) What land is within Zone 7 (d1)?**

Land is within Zone 7 (d1) if it is shown coloured orange on the map.

(2) What are the zone objectives and what effect do they have?

The objectives of this zone are:

- (a) to set aside certain land as a protected rural environment, and
- (b) to ensure that the land will retain a rural environment providing visual contrast to the urban area of the City of Campbelltown, and
- (c) to ensure that the inhabitants of the City of Campbelltown will continue to have views of, and access to, a rural environment, and
- (d) to maintain a stock of land that is capable of being developed for the purpose of providing recreation establishments and other land uses of the kind that require large areas of open space, and
- (e) to preserve existing farming and agricultural research activities.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; forestry; utility installations.

(4) What development may be carried out only with consent?

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

(5) What development is prohibited?

Development is prohibited on land within this zone if it is for the purpose of:

amusement centres; animal boarding or training establishments; auction premises; boarding-houses; brothels; bulky goods retailing; bus depots; caravan parks; child care centres; clubs; commercial premises; computer processing centres; dwellings (other than dwelling houses and dual occupancies (attached)); exhibition homes; extractive industries; heliports; hospitals; hotels; industrial machinery

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showrooms; industries (other than rural industries); institutions; intensive horticulture; intensive livestock keeping; junk yards; landscape supply establishments; liquor stores; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; places of assembly; plant hire; professional consulting rooms; public buildings; refreshment rooms (other than those within existing dwellings); recreation facilities (other than those carried out in the open); retail plant nurseries; roadside stalls; service stations; shops; storage establishments; transport terminals; veterinary establishments; warehouses.

24 Zone 7 (d4)—Environmental Protection 2 hectares Minimum Zone

(1) What land is within Zone 7 (d4)?

Land is within Zone 7 (d4) if it is shown coloured orange with red edging and lettered “7 (d4)” on the map.

(2) What are the zone objectives and what effect do they have?

The objectives of this zone are:

- (a) to identify and protect land and watercourses forming part of the Georges River catchment area, and
- (b) to conserve the rural character of the area by maintaining a minimum area of 2 hectares for lots used for rural living, and
- (c) to protect environmentally important land and watercourses possessing scenic, aesthetic, ecological or conservation value, and
- (d) to allow some diversity of development, but only where it is unlikely to have a detrimental effect on the quality and character of the locality or the amenity of any existing or proposed development in the locality.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

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- (4) **What development may be carried out only with consent?**
Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.
- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is for the purpose of:
- amusement centres; animal boarding or training establishments; auction premises; boarding-houses; brothels; bulky goods retailing; bus depots; caravan parks; clubs; commercial premises; computer processing centres; dwellings (other than dwelling houses and dual occupancies (attached)); educational establishments; exhibition homes; extractive industries; heliports; hospitals; hotels; industrial machinery showrooms; industries (other than those carried on in craft studios); institutions; intensive horticulture; intensive livestock keeping; junk yards; landscape supply establishments; liquor stores; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; places of assembly; plant hire; professional consulting rooms; public buildings; recreation establishments; recreation facilities; refreshment rooms; religious establishments; research establishments; retail plant nurseries; roadside stalls; service stations; shops; storage establishments; transport terminals; veterinary establishments; warehouses.

25 Zone 7 (d5)—Environmental Protection 1 hectare Minimum Zone

- (1) **What land is within Zone 7 (d5)?**
Land is within Zone 7 (d5) if it is shown coloured orange with red edging and lettered “7 (d5)” on the map.
- (2) **What are the zone objectives and what effect do they have?**
The objectives of this zone are:
- (a) to conserve the rural-residential character of the land by maintaining a minimum area of 1 hectare for lots used for rural-residential living, and
 - (b) to protect environmentally important land and watercourses possessing scenic, aesthetic, ecological or conservation value, and

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- (c) to allow some diversity of development, but only where it is unlikely to have a detrimental effect on the quality and character of the locality or the amenity of any existing or proposed development in the locality.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) What development may be carried out only with consent?

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

(5) What development is prohibited?

Development is prohibited on land within this zone if it is for the purpose of:

amusement centres; animal boarding or training establishments; auction premises; boarding-houses; brothels; bulky goods retailing; bus depots; caravan parks; clubs; commercial premises; computer processing centres; dwellings (other than dwelling houses and dual occupancies (attached)); educational establishments; exhibition homes; extractive industries; heliports; hospitals; hotels; industrial machinery showrooms; industries (other than those carried on in craft studios); institutions; intensive horticulture; intensive livestock keeping; junk yards; landscape supply establishments; liquor stores; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; places of assembly; plant hire; professional consulting rooms; public buildings; recreation establishments; recreation facilities; refreshment rooms; religious establishments; research establishments; retail plant nurseries; roadside stalls; service stations; shops; storage establishments; transport terminals; veterinary establishments; warehouses.

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26 Zone 7 (d6)—Environmental Protection 0.4 hectare Minimum Zone**(1) What land is within Zone 7 (d6)?**

Land is within Zone 7 (d6) if it is shown coloured orange with red edging and lettered “7 (d6)” on the map.

(2) What are the zone objectives and what effect do they have?

The objectives of this zone are:

- (a) to permit intensive rural-residential living on land which can be provided with sewage reticulation (but, because of scenic quality or for other reasons, has not been zoned residential) by allowing a minimum lot size of 0.4 hectare, and
- (b) to allow some diversity of development, but only where it is unlikely to have a detrimental effect on the quality or character of the locality or the amenity of any existing or proposed development in the locality.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) What development may be carried out only with consent?

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

(5) What development is prohibited?

Development is prohibited on land within this zone if it is for the purpose of:

amusement centres; animal boarding or training establishments; auction premises; boarding-houses; brothels; bulky goods retailing; bus depots; caravan parks; clubs; commercial premises; computer processing centres; dwellings (other than dwelling houses and dual occupancies (attached)); educational establishments; exhibition homes; extractive industries; heliports; hospitals; hotels; industrial machinery showrooms; industries (other than those carried on in craft studios); institutions; intensive horticulture; intensive livestock keeping; junk yards; landscape supply establishments; liquor stores; motels; motor

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showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; places of assembly; plant hire; professional consulting rooms; public buildings; recreation establishments; recreation facilities; refreshment rooms; religious establishments; research establishments; retail plant nurseries; roadside stalls; service stations; shops; storage establishments; transport terminals; veterinary establishments; warehouses.

27 Zone 9—Community Uses Zone

(1) What land is within Zone 9?

Land is within Zone 9 if it is shown coloured brown on the map.

(2) What is the zone objective and what effect does it have?

The objective of this zone is to provide conveniently located land for a range of facilities that are of a domestic scale, compatible with residential development and serve the community.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with the objective of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) What development may be carried out only with consent?

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

(5) What development is prohibited?

Development is prohibited on land within this zone if it is for the purpose of:

amusement centres; auction premises; boarding-houses; brothels; bulky goods retailing; bus depots; caravan parks; commercial premises; computer processing centres; dwellings (other than conjoint dwellings); extractive industries; helipads; heliports; hospitals; hotels; industrial machinery showrooms; industries; junk yards; landscape supply establishments; liquor stores; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; plant hire; refreshment

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rooms; research establishments; retail plant nurseries; roadside stalls; service stations; shops; storage establishments; towing services; transport terminals; veterinary establishments; warehouses; wholesale plant nurseries.

28 Zone 10 (a)—Regional Comprehensive Centre Zone

(1) What land is within Zone 10 (a)?

Land is within Zone 10 (a) if it is shown coloured light blue and lettered “10 (a)” on the map.

(2) What are the zone objectives and what effect do they have?

The objectives of this zone are:

- (a) to provide land for the City of Campbelltown and the Macarthur region’s largest centre of commerce, and
- (b) to encourage employment and economic growth, and
- (c) to accommodate tertiary education and hospital facilities for the City of Campbelltown and the Macarthur region, and
- (d) to accommodate a wide range of cultural, entertainment and like facilities, and
- (e) to permit limited industrial uses that are compatible with the proper operation of a major regional centre, and
- (f) to encourage a variety of forms of higher density housing, including accommodation for older people and people with disabilities in locations which are accessible to public transport, employment, retail, commercial and service facilities.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) What development may be carried out only with consent?

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

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(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

brothels; caravan parks; heliports; junk yards; motor vehicle body repair workshops; plant hire; storage establishments; towing services; warehouses.

29 Zone 10 (b)—District Comprehensive Centre Zone

(1) **What land is within Zone 10 (b)?**

Land is within Zone 10 (b) if it is shown coloured light blue and lettered “10 (b)” on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to provide space for a wide range of retail, commercial and like needs to serve the districts within the City of Campbelltown, and
- (b) to encourage employment and business activities in order to promote the economic well-being of the community, and
- (c) to accommodate a range of cultural, entertainment and like facilities for the benefit of the community, and
- (d) to permit limited industrial uses that are compatible with the proper operation of a commercial centre serving a district, and
- (e) to encourage a variety of forms of higher density housing, including accommodation for older people and people with disabilities, in locations which are accessible to public transport, employment, retail, commercial and service facilities.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) **What development may be carried out only with consent?**

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

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(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

brothels; bus depots; caravan parks; helipads; heliports; hotels; industrial machinery showrooms; junk yards; motor vehicle body repair workshops; storage establishments; towing services; warehouses.

30 Zone 10 (c)—Local Comprehensive Centre Zone

(1) **What land is within Zone 10 (c)?**

Land is within Zone 10 (c) if it is shown coloured light blue and lettered “10 (c)” on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to provide conveniently located land for a range of shops, commercial premises and professional services that are of a domestic scale and compatible with residential development in order to serve the needs of local neighbourhoods, and
- (b) to provide opportunities for local employment, and
- (c) to accommodate a range of activities required in the locality, but which are not appropriate on land in Zone 2 (b), and
- (d) to encourage a variety of forms of higher density housing, including accommodation for older people and people with disabilities, in locations which are accessible to public transport, employment, retail, commercial and service facilities.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) **What development may be carried out only with consent?**

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

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(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

auction premises; brothels; bus depots; caravan parks; clubs; computer processing centres; helipads; heliports; hotels; industrial machinery showrooms; industries; junk yards; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; plant hire; recreation establishments; research establishments; storage establishments; towing services; transport terminals; warehouses.

Division 2 Outdoor advertising controls

31 Controls for outdoor advertising

(1) **What are the objectives of this clause and what effect do they have?**

The objectives of this clause are to ensure that outdoor advertising:

- (a) conveys advertisers' messages and images while complementing and conforming to both the development on which it is displayed and the character of the surrounding locality, and
- (b) does not adversely affect the locality in which it is located in terms of appearance, size, illumination, over-shadowing or in any other way, and
- (c) does not lead to visual clutter through the proliferation of signs.

Consent must not be granted to the erection of an advertisement unless the consent authority is of the opinion that erection of the advertisement would be consistent with the objectives of this clause.

(2) **What outdoor advertisements do not require consent?**

The following advertisements may be erected without consent:

- (a) advertisements within a site which are not visible from outside that site (other than advertisements on a heritage item or on the site of a heritage item),
- (b) business identification signs (other than advertisements on a heritage item or the site of a heritage item),
- (c) real estate signs,
- (d) temporary signs,

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Outdoor advertising controls

Division 2

- (e) directional signs,
 - (f) public notices displayed by a public authority giving information or directions about the services provided,
 - (g) signs behind the glass line of a shop window,
 - (h) advertisements on motor vehicles used for the conveyance of goods or passengers,
 - (i) advertisements on the playing surface or on the inside of a fence around the playing surface of a sporting facility displaying information about sponsors or products of sponsors of teams or organisations using the sporting facility.
- (3) **What outdoor advertisements may be erected only with consent?**
The following advertisements may be erected only with consent:
- (a) subject to subclause (4), advertisements directing the travelling public to tourist facilities and places of scientific, historic or scenic interest,
 - (b) advertisements that are not included in subclause (2) or (5).
- (4) **What controls apply to advertisements relating to tourist facilities and places of scientific, historic or scenic interest?**
Consent must not be granted to the erection of an advertisement on any land for the specific purpose of directing the travelling public to tourist facilities and places of scientific, historic or scenic interest unless the consent authority is satisfied that:
- (a) the advertisement relates to a specific building or place, and
 - (b) the principal purpose of the advertisement is to direct the travelling public to that building or place, and
 - (c) the dimensions and overall size of the advertisement are not larger than would reasonably be required to so direct the travelling public.
- (5) **What outdoor advertisements are prohibited?**
Outdoor advertisements are prohibited on land within Zone 1 (a), 1 (d), 6 (a), 6 (b), 7 (d1), 7 (d4), 7 (d5) or 7 (d6) other than:
- (a) those allowed without consent by subclause (2) or only with consent by subclause (3) (a), and
 - (b) advertisements about sponsors or products of sponsors of teams or organisations using a sporting facility, if the advertisement is located within Zone 6 (a) or 6 (b).

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Part 3 Special provisions

Division 1 General

Part 3 Special provisions

Division 1 General

32 Subdivision generally

- (1) Land to which this plan applies may be subdivided only with development consent.
- (2) Consent must not be granted to the subdivision of land traversed by a zone boundary unless the boundaries of lots so created correspond generally with the boundaries between the zones as shown on the map.
- (3) Where the subdivision of land would result in the opening of a new road, the road must accord with any pattern of proposed roads indicated on the map unless the consent authority is satisfied that the road will provide adequate access to adjoining land and fulfils the objectives of the road pattern indicated on the map.

33 Subdivision in rural and environmental protection zones

- (1) Consent must not be granted to the subdivision of land in a zone specified in the following Table unless the area of any lot created is equal to or greater than that shown opposite that zone in that Table.

Table

Zone	Lot
1 (a)	40 hectares
1 (d)	40 hectares
7 (d1)	100 hectares
7 (d4)	2 hectares
7 (d5)	1 hectare
7 (d6)	0.4 hectare

- (2) Despite subclause (1), consent may be granted to the subdivision of land in any of the zones specified in the Table so as to create lots with areas less than those set out in that Table if:

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- (a) the consent authority is satisfied that the purpose of the subdivision is to create a lot or lots to be used for the purpose of a public utility undertaking or public reserve, or
 - (b) the lot or existing holding of which that land forms part is partly within a zone specified in that Table and partly within another zone and none of the land within the zone specified in the Table will be in a lot that includes land in any other zone after the subdivision is carried out.
- (3) For the purposes of subclause (2), an ***existing holding*** is the aggregation of all adjacent or adjoining lots or portions held in the same ownership at the relevant date shown in italics on the map for that zone or the part of that zone within which the existing holding is located.

34 Dual occupancies in certain zones

- (1) If two dwellings are situated on the same lot within Zone 2 (b):
- (a) the separate occupation of the lots illustrated by a proposed strata plan relating to the dwellings is prohibited, and
 - (b) subdivision of the land under the *Conveyancing Act 1919* or the *Community Land Development Act 1989* is prohibited,
- unless the area of each lot that will be the subject of a separate title for a dwelling when the plan is registered is not less than 350 square metres.
- (2) If two dwellings are situated on the same lot or an existing holding within Zone 1 (a), 7 (d1), 7 (d4), 7 (d5) or 7 (d6):
- (a) the separate occupation of the lots illustrated by a proposed strata plan relating to the dwellings is prohibited, and
 - (b) subdivision of the land under the *Conveyancing Act 1919* or the *Community Land Development Act 1989* is prohibited,
- unless the area of each lot that will be the subject of a separate title for a dwelling when the plan is registered is not less than the area for a lot in the zone shown in the Table in clause 33.

35 Erection of dwelling houses or dual occupancies in certain zones

- (1) Consent must not be granted to the erection of a dwelling house or a dual occupancy (attached) on land within Zone 1 (a), 7 (d1), 7 (d4), 7 (d5) or 7 (d6) unless:

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Division 1 General

- (a) the area of the lot on which it is to be erected is equal to or greater than the area shown opposite that zone in the Table in clause 33, and
 - (b) only one dwelling house or one dual occupancy (attached) is to be erected on the lot.
- (2) Despite subclause (1), consent may be granted to the erection of one dwelling house or one dual occupancy (attached) on land within Zone 7 (d4) if:
 - (a) that land constituted the whole of an existing holding, or
 - (b) the land is a lot created pursuant to clause 33 (2), but not a lot to be used for the purpose of a public utility undertaking or public reserve.
- (3) For the purposes of this clause, an ***existing holding*** is the aggregation of all adjacent or adjoining lots or portions held in the same ownership at the relevant date shown in italics on the map for the part of that zone within which the existing holding is located.

36 Agriculture, animal boarding or training establishments, intensive horticulture and intensive livestock keeping

The consent authority, when determining an application for consent to develop land for agriculture, intensive horticulture, intensive livestock keeping or animal boarding or training establishments must take into consideration the following matters:

- (a) the need to protect the quality of downstream watercourses,
- (b) the need to conserve native vegetation,
- (c) the need to protect environmentally sensitive land, such as riparian land, land containing an endangered species, population or ecological community or a vulnerable species within the meaning of the *Threatened Species Conservation Act 1995*,
- (d) the need to protect the amenity of the area from noise, spray drift, odour or any other potentially offensive consequences,
- (e) the need to limit the impact of development on flood liable land,

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- (f) the cumulative impact of the use applied for and the use of the land for the keeping of livestock or the growing of produce intended solely for personal consumption or enjoyment by the owner or occupier of a dwelling on the land.

37 Setbacks within industrial areas

Consent must not be granted to development, other than the use of land for landscaping, for access roads and for off street parking, on any land within Zone 4 (a) or 4 (b) which is within:

- (a) 30 metres of the main southern railway line, the South Western Freeway, Ben Lomond Road between Pembroke Road and the Main Southern Railway Line, Campbelltown Road, Henderson Road, Pembroke Road, Rose Payten Drive or Williamson Road, or
- (b) 15 metres of Airds Road (but in respect of Lot 2 DP 605327, the 15 metres is to be measured from the alignment of Airds Road as existing prior to the dedication of the road widening shown on DP 605327), Badgally Road, Ben Lomond Road between Campbelltown Road and the Main Southern Railway Line, Blaxland Road between Campbelltown Road and Rose Street, the south eastern side of Blaxland Road between Rose Street and Lot 5 DP 538258, Blaxland Road between Lot 5 DP 538258 and Narellan Road, Devon Road, Grange Road, Plough Inn Road between Campbelltown Road and Hollylea Road, Sussex Street or Swaffham Road, or
- (c) 8 metres of the north western side of Blaxland Road between Rose Street and Lot 5 DP 538258, or
- (d) 10 metres from any other road.

38 Development near certain zone boundaries

- (1) This clause applies to land that is within 50 metres of a boundary between any two of Zones 2 (b), 5 (a), 6 (a), 7 (d1) and 10 (c).
- (2) Subject to subclause (3), a subdivision of land to which this clause applies to facilitate the conversion of the land from a greenfield or rural state to urban and its subsequent development in accordance with the pattern of the subdivision may, with development consent, be carried out for any purpose for which development may be carried out in the adjoining zone on the other side of the boundary.

Clause 38 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 3 Special provisions

Division 1 General

- (3) Consent must not be granted to the carrying out of development referred to in subclause (2) unless the consent authority is of the opinion that carrying out the proposed development is desirable due to planning, design, ownership, servicing or similar requirements relating to the optimum development of the land being converted to an urban use.

39 Earthworks and preservation of trees

- (1) Land within the City of Campbelltown must not be cleared, filled or excavated otherwise than in accordance with a consent or an approval granted by the consent authority for any purpose, including:
- (a) the construction of a dam, and
 - (b) the removal of trees or other vegetation, and
 - (c) the removal of sand, soil or bush rock.
- (2) Consent must not be granted to the filling of land unless the consent authority is satisfied that:
- (a) the landfill is required for the reasonable economic use of the land or for the provision of any utility service, and
 - (b) appropriate measures are proposed to ensure that there will be no adverse impact on any waterway or private or public property, and
 - (c) the landfill will not adversely affect flow characteristics, flood behaviour or water quality or promote erosion, and
 - (d) the landfill contains only virgin excavated natural material (such as clay, gravel, sand, soil or rock) that:
 - (i) is not mixed with any other type of waste, and
 - (ii) has been excavated from areas of land that are not contaminated with human-made chemicals as a result of industrial, commercial, mining or agricultural activities, and
 - (iii) does not contain sulphidic ores or soils, and
 - (e) in the case of proposals to fill any swamp or wetland, the ecological and nutrient trapping values of the site have been assessed.
- (3) A tree must not be cut down, lopped, ringbarked, injured or destroyed without development consent.

Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 39

Special provisions

Part 3

General

Division 1

- (4) Subclause (3) does not apply to or in respect of:
- (a) the pruning of any tree for the purpose of its regeneration or ornamental shaping, or
 - (b) the pruning or removal of any tree in accordance with an approval granted by the Council.
- (5) Nothing in this plan prevents the granting of consent for the removal of any tree that:
- (a) needs to be removed for the purpose of creating a fire protection zone to protect a dwelling house erected in accordance with a consent granted before the appointed day, or
 - (b) is, in the opinion of the consent authority, a danger to any such dwelling house.

40 Suspension of covenants, agreements and similar instruments

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

41 Demolition

A structure which may only be erected with development consent must not be demolished without development consent.

42 Restrictions on access to or from roads within Zones 5 (b) and 5 (c)

- (1) A road or other means of access to an existing public road must not be opened without development consent.
- (2) Subject to subclause (3), development must not be carried out on land adjoining a road within Zone 5 (b) unless all vehicular access to the land from that road is by way of another road which is not in Zone 5 (b).

Clause 42 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 3 Special provisions

Division 1 General

- (3) Where, except for this clause, development may be carried out on land adjoining a road within Zone 5 (b), the consent authority may allow permanent vehicular access to and from the development by that road if:
- (a) in the opinion of the consent authority, alternative access to the development is neither practicable nor provided by another existing road or a proposed road identified in a development control plan, and
 - (b) the concurrence of the Roads and Traffic Authority has been sought and provided, and
 - (c) the matters raised in subclause (4) (a) and (b) have been considered by the Roads and Traffic Authority in deciding whether to grant that concurrence.
- (4) Before granting a development application which makes provision for vehicular access to or from a road within Zone 5 (b) or 5 (c) the consent authority must take into consideration:
- (a) the treatment of the access and its location, and
 - (b) the effect of opening the access on traffic flow and traffic safety on the road within Zone 5 (b) or 5 (c), and
 - (c) any representations made by the Roads and Traffic Authority.

Division 2 Conservation of heritage items

43 Objectives

The objectives of this plan in relation to heritage are:

- (a) to conserve the environmental heritage of the City of Campbelltown, and
- (b) to conserve the heritage significance of existing significant fabric, relics, settings and views associated with the heritage significance of heritage items and heritage conservation areas, and
- (c) to ensure that archaeological sites and places of Aboriginal heritage significance are conserved, and
- (d) to allow for the protection of places which have the potential to have heritage significance but are not identified as heritage items, and

Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 43

Special provisions

Part 3

Conservation of heritage items

Division 2

- (e) to ensure that the heritage conservation areas throughout the City of Campbelltown retain their heritage significance.

44 Protection of heritage items and heritage conservation areas

(1) When is consent required?

The following development may be carried out only with development consent:

- (a) demolishing or moving a heritage item or a building, work, relic, tree or place within a heritage conservation area,
- (b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area by making structural or non-structural changes to its exterior, such as to its detail, fabric, finish or appearance,
- (c) altering a heritage item by making structural changes to its interior,
- (d) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (e) moving the whole or a part of a heritage item,
- (f) erecting a building on, or subdividing, land on which a heritage item is located or which is within a heritage conservation area.

(2) What exceptions are there?

Development consent is not required by this clause if:

- (a) in the opinion of the consent authority:
 - (i) the proposed development is of a minor nature or consists of maintenance of the heritage item or of a building, work, archaeological site, tree or place within a heritage conservation area, and
 - (ii) the proposed development would not adversely affect the significance of the heritage item or heritage conservation area, and

Clause 44 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 3 Special provisions

Division 2 Conservation of heritage items

- (b) the proponent has notified the consent authority in writing of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development will comply with this subclause and that development consent is not otherwise required by this plan.
- (3) Development consent is not required by this clause for the following development in a cemetery or burial ground if there will be no disturbance to human remains, to relics in the form of grave goods or to a place of Aboriginal heritage significance:
 - (a) the creation of a new grave or monument,
 - (b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers.
- (4) **What must be included in assessing a development application?**

Before granting a consent required by this clause, the consent authority must assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.
- (5) **What extra documentation is needed?**

The assessment must include consideration of a *heritage impact statement* that addresses at least the following issues (but is not to be limited to assessment of those issues, if the heritage significance concerned involves other issues). The consent authority may also decline to grant such a consent until it has considered a *conservation management plan*, if it considers the development proposed should be assessed with regard to such a plan.
- (6) The minimum number of issues that must be addressed by the heritage impact statement are:
 - (a) for development that would affect a *heritage item*:
 - (i) the heritage significance of the item as part of the environmental heritage of the City of Campbelltown, and
 - (ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and
 - (iii) the measures proposed to conserve the heritage significance of the item and its setting, and

Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 44

Special provisions

Part 3

Conservation of heritage items

Division 2

- (iv) whether any archaeological site or potential archaeological site would be adversely affected by the proposed development, and
- (v) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision, and
- (b) for development that would be carried out in a ***heritage conservation area***:
 - (i) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, tree or place affected by the proposed development makes to this heritage significance, and
 - (ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area, and
 - (iii) the compatibility of any proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and
 - (iv) the measures proposed to conserve the significance of the heritage conservation area and its setting, and
 - (v) whether any landscape or horticultural features would be affected by the proposed development, and
 - (vi) whether any archaeological site or potential archaeological site would be affected by the proposed development, and
 - (vii) the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern, and
 - (viii) the issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.

45 Advertised development

The following development is identified as advertised development:

- (a) the demolition of a heritage item or a building, work, tree or place in a heritage conservation area,
- (b) the carrying out of any development allowed by clause 50.

Clause 46 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 3 Special provisions

Division 2 Conservation of heritage items

46 Notice of demolition to the Heritage Council

Before granting consent for the demolition of a heritage item identified in Schedule 1 as being of State significance, the consent authority must notify the Heritage Council about the application and take into consideration any comments received in response within 28 days after the notice is sent.

47 Development affecting places or sites of known or potential Aboriginal heritage significance

Before granting consent for development that is likely to have an impact on a place of Aboriginal heritage significance or a potential place of Aboriginal heritage significance, or that will be carried out on an archaeological site of a relic that has Aboriginal heritage significance, the consent authority must:

- (a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the place or site and any relic known or reasonably likely to be located at the place or site, and
- (b) except where the proposed development is integrated development, notify the local Aboriginal communities (in such way as it thinks appropriate) and the Director-General of National Parks and Wildlife of its intention to do so and take into consideration any comments received in response within 28 days after the relevant notice is sent.

48 Development affecting known or potential archaeological sites of relics of non-Aboriginal heritage significance

- (1) Before granting consent for development that will be carried out on an archaeological site or a potential archaeological site of a relic that has non-Aboriginal heritage significance (whether or not it is, or has the potential to be, also the site of a relic of Aboriginal heritage significance), the consent authority must:
 - (a) consider a heritage impact statement explaining how the proposed development will affect the conservation of the site and any relic known or reasonably likely to be located at the site, and
 - (b) notify the Heritage Council of its intention to do so and take into consideration any comments received in response within 28 days after the notice is sent.

Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 48

Special provisions

Part 3

Conservation of heritage items

Division 2

- (2) This clause does not apply if the proposed development:
- (a) does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above-ground relics would not be adversely affected by the proposed development, or
 - (b) is integrated development.

49 Development in the vicinity of a heritage item

- (1) Before granting consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance of the heritage item and of any heritage conservation area within which it is situated.
- (2) This clause extends to development:
- (a) that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or
 - (b) that may undermine or otherwise cause physical damage to a heritage item, or
 - (c) that will otherwise have any adverse impact on the heritage significance of a heritage item or of any heritage conservation area within which it is situated.
- (3) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.
- (4) The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.

50 Conservation incentives

The consent authority may grant consent to the use for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though the use would otherwise not be allowed by this plan, if:

- (a) it is satisfied that the retention of the heritage item depends on the granting of consent, and

Clause 50 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 3 Special provisions

Division 2 Conservation of heritage items

- (b) the proposed use is in accordance with a conservation management plan which has been endorsed by the consent authority, and
- (c) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and
- (d) the proposed use would not adversely affect the heritage significance of the heritage item or its setting, and
- (e) the proposed use would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.

51 Development in heritage conservation areas

- (1) Before granting consent for the erection of a building within a heritage conservation area, the consent authority must be satisfied that the features of the proposed building will be compatible with the heritage significance of the heritage conservation area, having regard to the form of, and materials used in, buildings that contribute to the heritage significance of the heritage conservation area.
- (2) In satisfying itself about those features, the consent authority must have regard to at least the following (but is not to be limited to having regard to those features):
 - (a) the pitch and form of the roof (if any),
 - (b) the style, size, proportion and position of the openings for windows or doors (if any),
 - (c) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building.
- (3) Consent must not be granted to development on a site within the Queen Street Historic Precinct—Heritage Conservation Area unless the proposed development is consistent with the provisions of *Development Control Plan No 27—Queen Street Historic Precinct*.

Division 3 Miscellaneous provisions

52 Acquisition of certain land

- (1) The owner of any land within Zone 5 (a), 5 (b), 5 (c), 5 (d), 5 (e), 6 (a) or 6 (b) may, by notice in writing, require:

Campbelltown (Urban Area) Local Environmental Plan 2002

Clause 52

Special provisions

Part 3

Miscellaneous provisions

Division 3

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- (a) in the case of land within Zone 5 (a), the public authority which has responsibility for the land use for the purpose of which the land is zoned, and
 - (b) in the case of land within Zone 5 (b):
 - (i) where that land is included in the five-year works program of the Roads and Traffic Authority current at the time of receipt of the notice, the Roads and Traffic Authority, or
 - (ii) in any other case, the corporation, and
 - (c) in the case of land within Zone 5 (c), 5 (d) or 6 (a), the Council,
 - (d) in the case of land within Zone 5 (e) or 6 (b), the corporation, as the public authority having responsibility for acquisition of the land, to acquire the land.
- (2) On receipt of a notice referred to in subclause (1), the public authority concerned must acquire the land.
 - (3) Until the land referred to in subclause (1) is acquired by the public authority concerned, development may be carried out for any purpose on that land with development consent.
 - (4) Consent must not be granted to the carrying out of development on land to be acquired by a public authority other than the consent authority without the concurrence of the other public authority.
 - (5) In determining whether to grant concurrence required by subclause (4), the public authority concerned must take into consideration:
 - (a) the effect of the proposed development on acquisition costs, and
 - (b) the imminence of acquisition, and
 - (c) the cost of reinstating the land for the purpose for which the land is zoned, and
 - (d) in the case of land within Zone 5 (b), the need to carry out development on the land for the purpose of classified roads or proposed classified roads, within the meaning of the *Roads Act 1993*.
 - (6) In granting a consent referred in subclause (4), the consent authority may impose conditions requiring:
 - (a) the removal of the building or work for which it has granted consent, and

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Part 3 Special provisions

Division 3 Miscellaneous provisions

- (b) the reinstatement of the land or removal of any waste materials or refuse, and
 - (c) compliance with any condition requested by the other public authority in granting its concurrence.
- (7) Nothing in this clause requires the public authority concerned to acquire land during the currency of a consent obtained under subclause (3).
- (8) Nothing in this clause requires the Council to acquire land within Zone 5 (a), 5 (c), 5 (d) or 6 (a) where such land may be required to be provided, without cost to the Council, as a condition of consent for development of land in the same ownership.

53 Development within Zone 5 (e)

- (1) When determining any application for consent for development of land within Zone 5 (e), the consent authority must consider whether or not the proposed development would conflict with:
 - (a) the purposes for which the zone was created and for which the land within it is to be acquired, and
 - (b) any existing development outside the zone or land in the vicinity, and
 - (c) the maintenance and improvement of the quality of the landscape in the zone, and
 - (d) any plan of management adopted by the Director-General of the Department of Urban Affairs and Planning and the Council.
- (2) Consent must not be granted to any development of land within Zone 5 (e) unless the consent authority is satisfied that, if any development being carried out needs to be altered or terminated (or any structure erected as a consequence of the consent needs to be altered or removed) in order to make way for the construction of a major infrastructure project, the development will be altered or terminated (or the structure will be altered or removed) on the giving of appropriate notice by the corporation.
- (3) For the purposes of this clause, **major infrastructure project** means a high voltage power line, a road or any other public utility installation which traverses the length or part of the length of the corridor of land within Zone 5 (e).

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Clause 54

Special provisions

Part 3

Miscellaneous provisions

Division 3

54 Development within Zone 6 (a)

Consent must not be granted to the carrying out of development on land within Zone 6 (a), being land owned or controlled or proposed to be owned or controlled by the Council, unless the consent authority has considered:

- (a) the need for the proposed development of the land, and
- (b) the impact of the proposed development on the existing or likely future use of the land, and
- (c) the need to retain the land for its existing or likely future use.

55 Community use of school facilities or sites

- (1) Where land to which this plan applies is used for the purposes of a school, the site and facilities of the school may, with development consent, be used for the purpose of religious establishments, meeting rooms, public halls, public libraries, entertainment, sport or recreation or for any other community purpose, whether or not any such use is a commercial use of the land.
- (2) Nothing in this clause requires development consent to be granted for the carrying out of development on any land if that development could, but for this clause, be carried out on that land without development consent.

56 Development on closed roads and pathways

- (1) This clause applies to public roads other than those within Zone 5 (b), 5 (c) or 5 (d).
- (2) Development must not be carried out without development consent on a public road or pathway, or any part of a road or pathway, that is lawfully closed.
- (3) Such a consent must not be granted if it would allow development that may not be carried out (either with or without consent) on land adjoining that road or pathway.

57 Development of railway sidings

Nothing in this plan prohibits the construction and use of any railway siding designed to serve land within Zone 4 (a).

Clause 58 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 3 Special provisions

Division 3 Miscellaneous provisions

58 Development by the Crown and public authorities

Nothing in this plan restricts or prohibits or enables the consent authority to restrict or prohibit:

- (a) the carrying out of any development by the Council or the Roads and Traffic Authority required in connection with the construction, reconstruction, improvement, maintenance or repair of any road, except the widening, realignment or relocation of any road, or
- (b) the carrying out or causing to be carried out by the Council engaged in flood mitigation works or by the Department of Land and Water Conservation of any work for the purposes of soil conservation, irrigation, afforestation, reafforestation, flood mitigation, water conservation or river improvement in pursuance of the provisions of the *Water Management Act 2000* or the *Farm Water Supplies Act 1946*, except:
 - (i) the erection of buildings, the installation or erection of plant or other structures or erections or the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
 - (ii) the formation or alteration of any means of access to a road, or
- (c) the use of existing buildings of the Crown by the Crown.

59 Development for certain additional purposes

- (1) Nothing in this plan prevents development from being carried out, with development consent, on land referred to in Schedule 2 if it is specified in relation to the land in that Schedule, subject to such conditions, if any, as are so specified.
- (2) Development on land referred to in Schedule 2 remains subject to such other provisions of this plan as are not inconsistent with subclause (1) or with a consent granted for that development.

Campbelltown (Urban Area) Local Environmental Plan 2002

Heritage items and heritage conservation areas

Schedule 1

Schedule 1 Heritage items and heritage conservation areas

(Schedule 3)

Part 1 Heritage items

Abington Crescent

Glen Alpine—Site of original house
Lot 756 DP 787316, Heritage Park, Glen Alpine
Significance: Local

Allman Street

Water Supply Reservoir, Cattle Tank and Silt Traps
R28561 and R28562, Hurley Park, Campbelltown
Significance: State

Appin Road

Denfield
Lot 11 DP 812910 and Lot 122 DP 813654, St Helens Park
Permanent Conservation Order No 540
Significance: State
Silos
Public road
Appin Road reservation
Bradbury
Significance: Regional

Campbelltown (Urban Area) Local Environmental Plan 2002

Schedule 1 Heritage items and heritage conservation areas

Badgally Road

Blairmount
Lot 102 DP 708401, Blairmount
Significance: Local

Glenroy
Lot 2 DP 703539, Claymore
Significance: Local

Hillcrest
Lot 2 DP 1017017, Claymore
Significance: Local

Belltrees Close

Glen Alpine—second house of that name
12 Belltrees Close, Lot 443 DP 746821, Glen Alpine
Significance: Local

Blaxland Road

Blair Athol group comprising:
Blair Athol
23 Blair Athol Drive, Lot 359 DP 870579, Blair Athol
The Kia
21 Blair Athol Drive, Lot 357 DP 870579, Blair Athol
The Kraal
29 Blair Athol Drive, Lot 401 DP 870579, Blair Athol
Significance: Local

Broughton Street

Presbyterian Cemetery
Part Lot 1 DP 596379, Campbelltown
Significance: Local
St Elmo
94 Broughton Street, Lot 3 DP 221454, Campbelltown
Significance: Local

Campbelltown (Urban Area) Local Environmental Plan 2002

Heritage items and heritage conservation areas

Schedule 1

Campbelltown Road

Denham Court group

Lot 392 DP 564854, Denham Court

Permanent Conservation Order No 212

Significance: State

Milestones

Various locations along Campbelltown Road, on road reserve

Significance: State

Robin Hood Farm

Lot 201 DP 255306, Campbelltown Road, Ingleburn

Significance: State

Condamine Street

House

2 Condamine Street, Lot 1 DP 917059, Campbelltown

Significance: Local

Cordeaux Street

St John the Evangelist Church (new)

Lot 1 DP 227905, Campbelltown

Significance: Local

St Peters Anglican Church group

Lots 50 and 52 DP 811930, Campbelltown

Significance: State

Dove Place

Boronia

6 Dove Place, Lot 18 DP 247802, Ingleburn

Significance: Local

Campbelltown (Urban Area) Local Environmental Plan 2002

Schedule 1 Heritage items and heritage conservation areas

Eagleview Road

Eagleview House
107 Eagleview Road, Lot 105 DP 260047, Minto
Significance: Local

Eschol Park Drive

Eschol Park
14 Eschol Park Drive, Lot 22 DP 545718, Eschol Park
Significance: Local

Fern Avenue

Raith
Lot 2 DP 871149, Bradbury
Significance: Local

Fitzroy Crescent

Warby's Dams 1 and 2 on Leumeah Creek
Lot 35 DP 31214 and Lot 7 DP 232798, Leumeah
Significance: Regional

George Street

St Johns Church group
Lots 1 and 2 DP 246268, Campbelltown
Permanent Conservation Order No 193
Significance: State

Guernsey Avenue

Campbellfield or Redfern's Cottage
Part of Lot 2 DP 1025136
Significance: Local

Campbelltown (Urban Area) Local Environmental Plan 2002

Heritage items and heritage conservation areas

Schedule 1

Hansens Road

Kiera-villa

20 Hansens Road, Lot E DP 162716, Minto Heights

Significance: Local

Hollylea Road

Hollylea and former Plough Inn

185 Airds Road, Lot 232 DP 713035, Leumeah

Permanent Conservation Order No 343

Significance: State

Hurley Street

Campbelltown Railway Station

SRA Land, Campbelltown

Significance: Local

Lindesay Street

Warby's Dams 3 and 4 on Leumeah Creek

Lot 48 DP 213178, Leumeah

Significance: Regional

Lithgow Street

Glenalvon and Water Trough

4 Lithgow Street, Lot 1 DP 34658, Campbelltown

Permanent Conservation Order No 4

Significance: State

House

64 Lithgow Street, Lot B DP 415425, Campbelltown

Significance: Local

Richmond Villa

12 Lithgow Street, Lot 3 DP 827691, Campbelltown

Significance: Local

Campbelltown (Urban Area) Local Environmental Plan 2002

Schedule 1 Heritage items and heritage conservation areas

St Davids Presbyterian Church and former Manse
32 and 40 Lithgow Street, Lots 11 and 12 DP 806710, Campbelltown
Significance: Local

Macquarie Road

The Pines
13 Macquarie Road, Lot 1 DP 449394, Ingleburn
Significance: Local

Mercedes Road

Stone Cottage
26 Mercedes Road, Lots 55–68 Section 2 DP 2189, Ingleburn
Significance: Local

Mississippi Crescent

Epping Forest
Lot 34 DP 262269, Kearns
State Heritage Order No 1298
Significance: State

Moonstone Place

Mount St Joseph
13A Moonstone Place, Lot 4372 DP 261630, Eagle Vale
Significance: Local

Narellan Road

Stations of the Cross
Lot 1 DP 247902, Campbelltown
Significance: Regional

Campbelltown (Urban Area) Local Environmental Plan 2002

Heritage items and heritage conservation areas

Schedule 1

Old Menangle Road

Emily Cottage

Lot 61 DP 997095, Campbelltown

Significance: Local

Quondong

Lots A and B DP 156043, Campbelltown

Significance: State

Oxford Road

Ingleburn Community Hall

Lot 8 Section 8 DP 2913, Ingleburn

Significance: Local

Ingleburn Horse Trough

situated in Oxford Road, Ingleburn, adjacent to Lot 4 DP 10494

14 Oxford Road, Ingleburn

Significance: Local

Ingleburn Primary School

Lot 1 DP 122332, Ingleburn

Significance: Local

Woodcrest

111 Oxford Road, Lot 426 DP 259167, Ingleburn

Significance: Local

Oxley Street

Caversham

26 Oxley Street, Lot 1 DP 743185, Campbelltown

Significance: Local

House—MYOB

24 Oxley Street, Lot 1 DP 555265 and Lot 26 DP 220014, Campbelltown

Significance: Local

Wesleyan Chapel (now part of Uniting Church), Lot 1 DP 770123, Campbelltown

Significance: Local

Campbelltown (Urban Area) Local Environmental Plan 2002

Schedule 1 Heritage items and heritage conservation areas

Parkholme Circuit*Englorie Park House*

2 Parkholme Circuit, Lot 48 and Part Lot 50 DP 845826, Englorie Park

Significance: Local

Queen Street*Airds Cottage (formerly Farrier's Arms) and Water Trough*

318 Queen Street, Part Portion 67 and Part Portion 74 Parish of St Peter, Campbelltown

Significance: Local

Campbelltown Community Centre (formerly Fieldhouse's Produce Store and Campbelltown News Building)

317 Queen Street, Part Portion 74 Parish of St Peter, DP 77929, Campbelltown

Significance: Local

Campbelltown Court House

95 Queen Street, Part of Lot 1 DP 772068, Campbelltown

Significance: State

Commercial Bank of Sydney (former)

263 Queen Street, Lot 1 DP 123556, Campbelltown

Permanent Conservation Order No 499

Significance: State

Dredges Cottage

303 Queen Street, Lot 111 DP 705804, Campbelltown

Permanent Conservation Order No 640

Significance: State

Fisher's Ghost Restaurant

316 Queen Street, Lot 33 DP 131201, Campbelltown

Significance: Local

Gold Wheel Restaurant

38 Queen Street, Lot 1 DP 742064, Campbelltown

Significance: Local

Campbelltown (Urban Area) Local Environmental Plan 2002

Heritage items and heritage conservation areas

Schedule 1

Post Office—Campbelltown (former)
261 Queen Street, Lot 2 DP 628679, Campbelltown
Permanent Conservation Order No 265
Significance: State

Queen Street Group comprising:

McGuanne House, 286 Queen Street, Campbelltown, Lot 4
DP 827641

Old Railway Hotel, 288 Queen Street, Campbelltown, Lot 3
DP 827641

William Bursill's Shop, 292–294 Queen Street, Campbelltown, Lot 2
DP 827641

The Coaching House, 298 Queen Street, Campbelltown, Lot 1
DP 827641

Permanent Conservation Order No 7
Significance: State

Town Hall and former Fire Station
297 Queen Street, Lot 103 DP 621563, Campbelltown
Significance: Local

Warby's Stables and Barn
12–14 Queen Street, Part Lot 1 DP 216516 and Part Lot B DP 449236,
Campbelltown
Permanent Conservation Order No 497
Significance: State

Water Trough
Within Civic Centre, corner Broughton Street, Lot 301 DP 715353,
Campbelltown
Significance: Local

Roy Watts Road

Hurlstone Agricultural High School—Original School Building, 1926
Lot 1 DP 175962, Glenfield
Significance: Local

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Schedule 1 Heritage items and heritage conservation areas

St Helens Park Drive

St Helens Park House and Dam
Lot 60 DP 739072, Part of Lot 2 DP 791082 and Part of Lot 4
DP 865319, St Helens Park
Permanent Conservation Order No 406
Significance: State

St Johns Road

Methodist/Congregational Cemetery
Lot 13 DP 631041, Pioneer Park, Campbelltown
Significance: Local

Shiel Place

St Andrews
11 Shiel Place, Lot 1200 DP 749489, St Andrews
Significance: Local

Sturt Street

House
8 Sturt Street, Lot 3 DP 218620, Campbelltown
Significance: Local

House
10 Sturt Street, Lot 1 DP 743626, Campbelltown
Significance: Local

House
14 Sturt Street, Lot 3 DP 103059, Campbelltown
Significance: Local

Waminda Avenue

Cransley
104 Waminda Avenue, Lot 21 DP 573760, Campbelltown
Significance: Local

Campbelltown (Urban Area) Local Environmental Plan 2002

Heritage items and heritage conservation areas

Schedule 1

Warby Street

House
60 Warby Street, Lot 32 DP 7496, Campbelltown
Significance: Local

Waterhouse Place

Briar Cottage
Lot 43 DP 261258, Airds
Significance: Local

Part 2 Heritage conservation areas

Queen Street Heritage Conservation Area, including:

McGuanne House, 286 Queen Street, Campbelltown, Lot 4
DP 827641

Old Railway Hotel, 288 Queen Street, Campbelltown, Lot 3
DP 827641

William Bursill's Shop, 292–294 Queen Street, Campbelltown, Lot 2
DP 827641

The Coaching House, 298 Queen Street, Campbelltown, Lot 1
DP 827641

296 Queen Street, Campbelltown, Lot 5 DP 827641

300 Queen Street, Campbelltown, Lot 2 DP 270118

3 Allman Street, Campbelltown, Lot 1 DP 51446

5 Allman Street, Campbelltown, Lot 1 DP 727966

Bradbury Avenue, Campbelltown, Lot 1 DP 270118

2 Bradbury Avenue, Campbelltown, Lot 3 DP 270118

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Schedule 2 Additional development

Schedule 2 Additional development

(Clause 59)

- 1 Development for the purpose of a religious establishment:
Lot 101 DP 613169, 43 Acacia Avenue, Ruse,
Part Lot 49 DP 192304, 78 Amundsen Street, Leumeah,
Lot 1 DP 788381, 201 Eagleview Road, Minto,
Lot 7, DP 601056, Johnson Road, Campbelltown.
- 2 Development for the purpose of a service station/convenience store:
Lot 112 DP 1025751, Appin Road, corner of Appin Road with
northern end of Kellerman Drive, St Helens Park,
Lot 1 DP 826740, 6 Rudd Road, Leumeah,
Lot 1021 DP 734331, 37 Woodhouse Drive, Ambarvale.
- 3 Development for the purpose of a service station:
Lot 4 DP 21481, 2 Atchison Road, Macquarie Fields,
Lot 4001 DP 593698, 95 Ballantrae Drive, St Andrews,
Lot 617 DP 535812, 74 Campbellfield Avenue, Bradbury,
Lots A and B DP 390839, 68 Cumberland Road, Ingleburn,
Lot 1 DP 552083, 72 Cumberland Road, Ingleburn,
Lots 73 and 74, DP 22711, 104 Lindesay Street, Campbelltown,
Lot 1 DP 810648, 73 Pembroke Road, Minto,
Lot 100 DP 575001, 310 St Johns Road, Bradbury,
Lot 63 DP 262162, 72 Stranraer Drive, St Andrews.
- 4 Development for the purpose of local markets (being a building or
place used by a community or sporting group for the purpose of a
market):
Lot 31 and part of Lot 32, DP 557150, Fields Road, Macquarie Fields
(as shown edged heavy black on the map marked "Campbelltown
Local Environmental Plan No 113",

Campbelltown (Urban Area) Local Environmental Plan 2002

Additional development

Schedule 2

Lot 201 DP 785774, Hurley Street, Campbelltown,
Lot 1 DP 827700, Lot 2 DP 827688 and Lot 3 DP 827691,
Moore-Oxley Bypass, Campbelltown,
Part of Lot 2, DP 537620, Riverside Drive, Airs (as shown edged
heavy black on the map marked "Campbelltown Local Environmental
Plan No 109").

- 5 Development for the purpose of a hotel:
Lot 98 DP 260349, 2 Hurricane Drive, Raby,
Lots 21 and 22 DP 612073, Junction Road, Ruse,
Lot 1 DP 582823, 6 Minto Road, Minto,
Lot 20 DP 868290, 543 Pembroke Road, Leumeah,
Lot 745 DP 255810, 48 Riverside Drive, Airs,
Lot 612 DP 542535, 96 The Parkway, Bradbury,
Lot 1023 DP 777831, Woodhouse Drive, Ambarvale.
- 6 Development for the purpose of a periodic detention centre:
Lot 46 DP 32311, Kialba Road, Campbelltown.
- 7 Development for the purpose of a commercial building:
Lot 1 DP 218620, Sturt Street, Campbelltown.
- 8 Development for the purpose of a motor vehicle repair station:
Lot 75 DP 32086, Hoddle Avenue (corner Bradbury Avenue),
Campbelltown,
Lots 1 and 2 DP 523727, Waminda Avenue (corner of Valley Road),
Campbelltown.
- 9 Development for the purpose of a service station, motor vehicle repair
station and the ancillary sale of motor vehicles:
Lot D DP 399714, 21 Cumberland Road, Ingleburn.

Campbelltown (Urban Area) Local Environmental Plan 2002

Schedule 3

Dictionary

Schedule 3 Dictionary

(Clause 5)

Aboriginal place means:

- (a) any site which has the physical remains of pre-European occupation by, or is of contemporary significance to, Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and carved trees and sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. These sites include natural features such as creeks or mountains of cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

advertisement means the display of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display includes the erection of a structure or the carrying out of a work.

advertising structure means a structure used or to be used principally for the display of an advertisement.

agriculture means the use of land for horticulture and livestock keeping and breeding but does not include intensive horticulture, intensive livestock keeping or the use of land for an animal boarding or training establishment.

alter, in relation to a heritage item, means:

- (a) the making of structural changes to the outside of the heritage item, or
- (b) the making of non-structural changes to the detail, fabric, finish or appearance of the outside of the heritage item, not including changes resulting from the maintenance of the existing detail, fabric, finish or appearance of the outside of the heritage item.

amusement centre means a building used for playing electrical or mechanical amusement devices.

animal boarding or training establishment means a building or place used for commercial boarding, breeding, keeping, maintaining, receiving or training of dogs, cats, horses or birds.

Campbelltown (Urban Area) Local Environmental Plan 2002

Dictionary

Schedule 3

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

archaeological site means the site of one or more relics.

arterial road means:

- (a) a road shown coloured light grey on the map, or
- (b) a classified road as declared under the *Roads Act 1993*.

auction premises means a building or place used for the sale by auction of goods which are displayed on the premises.

bed and breakfast means short-term paid accommodation, which may include meals, provided in a dwelling house, or in ancillary buildings within the curtilage of the dwelling house, by the permanent residents of the dwelling house.

boarding-house includes a house let in lodgings or a hostel, but does not include a motel.

brothel means premises habitually used for the purposes of prostitution, whether or not by only one prostitute.

bulky goods retailing means use of a building or place for the sale by retail of items which:

- (a) are of such a size, shape or range as to require:
 - (i) a large area for handling, storage and display, and
 - (ii) direct vehicular access for customers' vehicles to and from the site on which the goods are sold for the purpose of loading and unloading of the goods onto and from vehicles, or
- (b) are, in the opinion of the Council, of such a kind:
 - (i) as are required to be displayed in premises not easily accommodated in traditional commercial centres, and
 - (ii) as a person using them is unlikely to purchase frequently, including consumer durables (such as refrigerators, washing machines and stoves) and home improvement and hardware supplies.

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

bushfire fighting establishment means a building appurtenant to the operation of a rural fire brigade formed under section 15 of the *Rural Fires Act 1997*.

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Schedule 3

Dictionary

bushfire hazard reduction means a reduction or modification (by controlled burning, or by mechanical or manual means) of material that constitutes a bushfire hazard.

bushland means land on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and flora of the natural vegetation.

business identification sign means an advertisement which in respect of any place or premises to which it is fixed contains all or any of the following:

- (a) a reference to the identity or description of the place or premises,
- (b) a reference to the identity or description of any person residing or carrying on an occupation at the place or premises,
- (c) particulars of any occupation carried on at the place or premises,
- (d) such directions or cautions as are usual or necessary relating to the place or premises or any occupation carried on there,
- (e) particulars or notifications required or permitted to be displayed by or under any Commonwealth or State Act,
- (f) particulars relating to the goods, commodities or services dealt with or provided at the place or premises,
- (g) particulars of any activities held or to be held at the place or premises,
- (h) a reference to an affiliation with a trade, professional or other association relevant to the business conducted at the place or premises.

caravan park means land used as a site for moveable dwellings, including tents and caravans or other vehicles used for temporary or permanent accommodation.

child care centre means a building or place used to provide a centre based child care service within the meaning of the *Centre Based and Mobile Child Care Services Regulation (No 2) 1996*.

club means a building used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purposes, whether of the same or a different kind, and whether or not the whole or part of the building is the premises of a club registered under the *Registered Clubs Act 1976*.

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Dictionary

Schedule 3

commercial premises means a building or place used as an office or for other business or commercial purposes, but (in Part 2) does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

communication facility means a building, structure, work or place used primarily for transmitting or receiving signals for the purposes of communication and includes radio masts and towers, but does not include a satellite dish.

community facility means a building or place owned or controlled by the Council and used for the purpose of providing facilities comprising or relating to any one or more of the following:

- (a) a public library,
- (b) public health services,
- (c) rest rooms,
- (d) meeting rooms,
- (e) indoor recreation,
- (f) child care centre,
- (g) neighbourhood hall,
- (h) a refreshment room,

or used for any other like purpose.

computer processing centre includes a building or place used for the purpose of administration and receiving, storing, processing and transmitting electronic and telephonic data, for a network of off-site consumer services.

conjoint dwelling means a dwelling that is:

- (a) physically attached to a shop, commercial premises, industrial building or building used primarily for other non-residential purposes, or
- (b) situated on the same land as a shop, commercial premises, industrial building or other non-residential building,

and occupied by a person or persons who are employed in the shop, commercial premises, industrial building or building used primarily for other non-residential purposes or by the business occupying those premises.

Campbelltown (Urban Area) Local Environmental Plan 2002

Schedule 3

Dictionary

conservation management plan means a document prepared in accordance with the requirements of the NSW Heritage Office that establishes the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

convenience store means a building or place, with a floor space not exceeding 250 square metres, that is used for the sale of groceries and other small items and that is ancillary to and operated in conjunction with a service station.

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

Council means the Council of the City of Campbelltown.

demolish a heritage item, or a building, work, archaeological site, tree or place within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item or the building, work, archaeological site, tree or place.

directional sign means an advertisement affixed to a place or premises which contains only a notice regarding directions that apply within that place or premises.

drainage means works to control and convey stormwater flow.

dual occupancy means two dwellings on the same lot.

dual occupancy (attached) means a dual occupancy comprising two attached dwellings on the same lot.

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

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

earthworks means the addition or removal of any solid material on, to or from land or any other work which will substantially alter the existing ground level or character of the surface of land.

educational establishment means a building used as a school, college, technical college, academy, lecture hall, gallery or museum, but does not include a building used wholly or principally as an institution or child care centre.

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Dictionary

Schedule 3

exhibition home means an unoccupied dwelling house used for display purposes.

extractive industry means:

- (a) the winning of extractive material, or
- (b) an industry or undertaking, not being a mine, which depends for its operations on the winning of extractive material from the land on which it is carried on.

extractive material means sand, gravel, clay, turf, soil, rock, stone or any similar substance.

fire protection zone means an area around a dwelling house which includes the following:

- (a) a fuel-free zone adjacent to the dwelling house,
- (b) access for vehicles around the dwelling house,
- (c) a fuel-reduced zone outside the vehicle access area.

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

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

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

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

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

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Schedule 3

Dictionary

health care professional means a person who provides professional health services to members of the public, and includes:

- (a) a podiatrist registered under the *Podiatrists Act 1989*, and
- (b) a chiropractor or osteopath or a chiropractor and osteopath, registered under the *Chiropractors and Osteopaths Act 1991*, and
- (c) a physiotherapist registered under the *Physiotherapists Registration Act 1945*, and
- (d) an optometrist registered under the *Optometrists Act 1930*, and
- (e) any other person professionally registered, pursuant to an Act, to dispense health care.

helipad means an area or place not open to public use which is set apart for the taking off and landing of helicopters.

heliport means an area or place open to public use for use by helicopters, whether or not it also includes terminal buildings and facilities for the parking, servicing and repair of helicopters.

heritage conservation area means an area of land shown edged with a heavy black broken line on the map and includes buildings, works, relics, trees or places situated on or within that land. Heritage conservation areas are also listed in Part 2 of Schedule 1.

Heritage Council means the Heritage Council of New South Wales constituted under the *Heritage Act 1977*.

heritage impact statement means a document consisting of a statement demonstrating the heritage significance of a heritage item or heritage conservation area, or of a building, work, archaeological site, tree or place within a heritage conservation area, an assessment of the impact that proposed development will have on that significance and proposals for measures to minimise that impact.

heritage item means:

- (a) a building, work, archaeological site or place specified in an inventory of heritage items that is available at the office of the Council and the site of which is described in Part 1 of Schedule 1 and shown edged heavy black on the map, or
- (b) a place specified in an inventory of heritage items available at the office of the Council and described in the inventory as a place of Aboriginal heritage significance.

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Dictionary

Schedule 3

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

home activity means a use that is carried on by the permanent residents of a dwelling in the dwelling, or in a building with a floor area not greater than 30 square metres that is erected on the same lot as the dwelling, but which does not involve:

- (a) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise, or
- (b) employment of persons other than permanent residents of the dwelling, or
- (c) the display of goods or materials in a window or otherwise, or
- (d) the display of any advertisement or advertising structure other than an advertisement displayed on an advertising structure indicating the name and occupation of the residents, or
- (e) exposure to view from any adjacent premises or from any public place of any unsightly matter, or
- (f) the provision of any essential service main of a greater capacity than that available in the locality.

hospital means a building or place used for the purpose of providing professional health services (including preventative care, diagnosis, medical or surgical treatment and counselling) to people admitted as inpatients, whether or not outpatients are also cared for or treated there and may include:

- (a) a nursing home, and
- (b) ancillary facilities for accommodation of staff and visitors, and
- (c) associated educational or research facilities.

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

industrial machinery showroom means a building or place used for the display for sale, lease or hire of motor vehicles (other than cars or motor cycles) and associated machinery used in primary or secondary industry.

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Schedule 3

Dictionary

industry means the manufacturing, assembling, altering, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, processing or adapting of any goods or articles for commercial purposes.

institution means:

- (a) a building used wholly or principally as a home or other establishment for developmentally disabled persons, or
- (b) a hospital within the meaning of the *Mental Health Act 1990*, or
- (c) a penal or reformatory establishment.

integrated housing development means development which includes subdivision and which results in:

- (a) there being two or more dwellings, each on a separate lot, and
- (b) the average area of all of those separate lots with dwellings being 350 square metres or greater.

intensive horticulture means the use of land to grow a commercial crop of plants, trees or fungi, whether under cover or in the open using any of the following:

- (a) hydroponics,
- (b) sprinkler systems,
- (c) artificial housing,
- (d) crop protection structures,
- (e) market gardening,
- (f) orcharding,
- (g) the growing of field flowers,

but does not include the growing of produce solely for personal consumption or enjoyment by an owner or occupier of a dwelling on the land on which they are grown.

intensive livestock keeping means the use of land for keeping and nurturing cattle, sheep, goats, poultry or other livestock by predominantly supplementary feeding methods and, without limiting the generality of the foregoing, includes the use of land for:

- (a) feed lots,
- (b) piggeries,
- (c) poultry farms,

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Schedule 3

(d) the farming of fish (including crustaceans),

but does not include the use of land for an animal boarding or training establishment or the use of land for the keeping of livestock intended solely for personal consumption or enjoyment by an owner or occupier of a dwelling on the land.

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

landscape supply establishment means a building or place used for both the storage and sale of a range of materials used for landscaping purposes.

liquor store means a building or place specified in a licence to sell liquor granted under the *Liquor Act 1982*, but does not include a hotel.

local market means a place used for a market by or for a community group or merchants' association.

maintenance means the ongoing protective care of a heritage item or a building, work, archaeological site, tree or place within a heritage conservation area. It does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

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

motel means a building or buildings used for the short-term accommodation of travellers, whether or not the building or buildings are also used for the provision of meals to those travellers or the general public.

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

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

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Schedule 3

Dictionary

motor vehicle repair station means a building or place used for:

- (a) the selling or fitting of accessories to, or
- (b) the repair, other than body building, panel beating or spray painting, of,

motor vehicles or agricultural machinery.

motor vehicle spare parts and accessories outlet means a building or place used for the storage, display and sale of motor vehicle spare parts and accessories, which has more than 50 per cent of its floor space used as:

- (a) fitting bays, or
- (b) spare parts storage to which the public is not admitted, or
- (c) fitting bays and spare parts storage to which the public is not admitted.

multi dwelling housing means development involving the erection of three or more dwellings on a site, each with separate access from the ground floor.

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

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

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Dictionary

Schedule 3

place of Aboriginal heritage significance means:

- (a) a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

place of assembly means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purposes of gain or not, but does not include a religious establishment, an institution or a school.

plant hire means a building or place used for the purpose of hire of builders' and handypersons' tools, plant and equipment and the service and maintenance of such machinery.

potential archaeological site means a site which, in the opinion of the consent authority, has the potential to be an archaeological site.

potential place of Aboriginal heritage significance means a place:

- (a) that is specified in an inventory of heritage items available at the office of the Council and described in the inventory as a potential place of Aboriginal heritage significance, or
- (b) that, in the opinion of the consent authority, has the potential to have Aboriginal heritage significance, even if it is not so specified.

potentially hazardous industry means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:

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Schedule 3

Dictionary

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

and includes a hazardous industry and a hazardous storage establishment.

potentially offensive industry means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.

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

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

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

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

and a reference to a person carrying on a public utility undertaking includes a reference to a council, county council, government department, corporation, firm or authority carrying on the undertaking.

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Dictionary

Schedule 3

real estate sign means an advertisement in respect of a place or premises to which it is affixed which contains only a notice that the place or premises is for sale or letting, together with particulars of the sale or letting, and is not displayed for more than 14 days after letting or completion of the sale of the premises or place to which the sign relates.

recreation area means:

- (a) a children's playground, or
- (b) an area used for sporting activities or sporting facilities, or
- (c) an area used to provide facilities for recreational activities which promote the physical, cultural or intellectual welfare of persons within the community, being facilities provided by:
 - (i) the Council, or
 - (ii) a body of persons associated together for the purpose of promoting the physical, cultural or intellectual welfare of persons within the community,

but does not include a racecourse or a showground.

recreation establishment means a health farm, religious retreat house, rest home, youth camp and the like, but (in Part 2) does not include a building or place elsewhere specifically defined in this Schedule.

recreation facility means a building or place used for sporting, recreation or leisure activities whether or not operated for the purpose of gain, but (in Part 2) does not include a building or place elsewhere specifically defined in this Schedule.

refreshment room means a building or place used principally to provide food for people to consume in that building or place, and includes a reception centre or a function facility.

relic means:

- (a) any deposit, object or material evidence (which may consist of human remains) that is more than 50 years old relating to the use or settlement, not being Aboriginal habitation, of the City of Campbelltown and that is a fixture or is wholly or partly within the ground, or
- (b) any deposit, object or material evidence (which may consist of human remains) of any age relating to Aboriginal habitation of the City of Campbelltown.

Campbelltown (Urban Area) Local Environmental Plan 2002

Schedule 3

Dictionary

religious establishment means a building or place used primarily for the purpose of religious worship, instruction or training, whether or not it is also used for ancillary purposes such as counselling, recreation or social events, and includes any building or place formerly described or granted consent as a place of public worship.

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

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

research establishment means a laboratory or other place where scientific or technological development or research is carried out.

residential flat building means a building containing two or more dwellings which achieve access from shared foyers, halls or stairways.

retail plant nursery means a building or place used for both:

- (a) the growing and retail selling of plants, and
- (b) the retail selling of plant and garden accessories.

retail plant propagation nursery means a building or place used for the purpose of growing plants and the retail sale of plants, but not for the retail sale of plant or garden accessories.

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

roadside stall means a building or place, not exceeding 20 square metres in floor space or area, respectively, where only primary products produced on the property on which the building or place is situated are exposed or offered for sale or sold by retail.

rural industry means handling, treating, processing or packaging primary products, and includes the servicing in a workshop of plant and equipment used for rural purposes in the locality.

service station means a building or place used for the fuelling of motor vehicles, the sale by retail of petrol, oil and other petroleum products, the ancillary sale of a limited range of food items for the convenience of patrons, and also used for any one or more of the following:

- (a) the sale by retail of spare parts and accessories for motor vehicles,

Campbelltown (Urban Area) Local Environmental Plan 2002

Dictionary

Schedule 3

- (b) the washing and greasing of motor vehicles,
- (c) the installation of accessories for motor vehicles,
- (d) the repairing and servicing of motor vehicles involving the use of hand tools (other than repairing and servicing which involves top overhaul of motors, body building, panel beating, spray painting, or suspension, transmission or chassis restoration).

shop means a building or place used for the selling, whether by retail or auction, or hiring of or displaying for the purpose of the selling or hiring of items (whether goods or materials), but (in Part 2) does not include a building or place elsewhere specifically defined in this Schedule.

storage establishment means a building or place used principally for the storage of goods, materials or products and includes facilities for the loading and unloading of vehicles carrying those goods, materials or products, but (in Part 2) does not include a road transport terminal.

temporary sign means an advertisement of a temporary nature:

- (a) which announces any local event of a religious, educational, cultural, political, social or recreational character or relates to any temporary matter in connection with such an event, and
- (b) which does not include advertising of a commercial nature other than the name or names of the event's sponsor,

that is not displayed earlier than 28 days before the day on which the event is to take place and is removed within 14 days after the event.

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

the City of Campbelltown means all land within the Campbelltown City local government area.

the Council means the Council of the City of Campbelltown.

the map means the map marked "Campbelltown (Urban Area) Local Environmental Plan 2002", as amended by the maps (or sheets of maps) marked as follows:

towing service means a building or place from which a business involving the towing or carriage of motor vehicles is conducted, whether or not the towing or carrying, or the towed or carried vehicles, are parked, stored or serviced in that building or at that place.

transport terminal means any building or place used for the assembly and dispersal of passengers or goods.

Campbelltown (Urban Area) Local Environmental Plan 2002

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Dictionary

tree means a perennial plant with a self-supporting woody stem which has a spread of more than 3 metres or a height of more than 3 metres.

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

veterinary clinic means a room or a number of rooms forming part of, attached to or within the curtilage of a dwelling house and used by not more than one legally qualified veterinarian who resides in the dwelling house and practises in it the profession of veterinarian and employs not more than one employee in connection with that practice.

veterinary establishment means a building or place used for the medical or surgical treatment of animals.

warehouse means a building or place used for the storing, handling and subsequent distribution of goods, materials or merchandise, but (in Part 2) does not include a shop or other building or place elsewhere specifically defined in this Schedule.

waterway means any river, creek, watercourse or drainage line or part of any river, creek, watercourse or drainage line to which this plan applies.

wholesale plant nursery means a building or place used for both the growing and wholesaling of plants.

zone means a classification of land shown on the map by distinctive colouring, edging or lettering.

Canterbury Local Environmental Plan No 192

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(S99/01588/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Canterbury Local Environmental Plan No 192

Canterbury Local Environmental Plan No 192

1 Name of plan

This plan is *Canterbury Local Environmental Plan No 192*.

2 Aims of plan

This plan aims:

- (a) to reclassify part of an existing public reserve comprising land that is residual to the M5 Freeway, from community land to operational land as defined in the *Local Government Act 1993* and to remove the restrictions on the use of the land and its status as a public park, public reserve or public recreation area imposed by the Declaration of Trust made by the then Council of the Municipality of Canterbury on 12 November 1968, and
- (b) to zone the land from part County Open Space 7 (a) and part County Road Proposed 8 (a) to Light industrial under the *Canterbury Planning Scheme Ordinance*.

3 Land to which plan applies

This plan applies to land situated in the City of Canterbury, known as part of 195–203 Bonds Road, Riverwood, and being part of Lot 8, DP 749469, as shown coloured purple with dark red edging and lettered “4 (b)” on the map marked “Canterbury Local Environmental Plan No 192” deposited in the office of Canterbury City Council.

4 Amendment of Canterbury Planning Scheme Ordinance

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

Canterbury Local Environmental Plan No 192

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 4 Interpretation

Insert in appropriate order in the definition of ***Scheme map*** in clause 4 (1):
Canterbury Local Environmental Plan No 192

[2] Schedule 10 Classification and reclassification of public land as operational land

Insert in alphabetical order of locality in Part 3 of the Schedule:

Riverwood

Part of 195–203 Bonds Road	Part of Lot 8, DP 749469, as shown coloured purple with dark red edging and lettered “4 (b)” on the map marked “Canterbury Local Environmental Plan No 192”— <i>Canterbury Local Environmental Plan No 192</i>	Nil
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Maclean Local Environmental Plan 2001 (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (G95/00110/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1

Maclean Local Environmental Plan 2001 (Amendment No 2)

Maclean Local Environmental Plan 2001 (Amendment No 2)

1 Name of plan

This plan is *Maclean Local Environmental Plan 2001 (Amendment No 2)*.

2 Aims of plan

This plan aims to replace the river bank map referred to in clause 15 of *Maclean Local Environmental Plan 2001* (the 2001 plan) with a new map that includes additional land (being Lots 1 and 2, DP 551579 and Lot 4 and part of Lot 5, DP 776128) that is also subject to significant river bank erosion so as to extend restrictions on development to the additional land.

Because the river bank map also zones the land, this plan makes a consequential amendment to the zoning map.

3 Land to which plan applies

This plan applies to land situated in the local government area of Maclean, being land at Palmers Island, adjacent to the Clarence River, as shown edged with maroon broken and unbroken lines on the map marked “Maclean Local Environmental Plan 2001 (Amendment No 2)” deposited in the office of Maclean Shire Council.

4 Amendment of Maclean Local Environmental Plan 2001

Maclean Local Environmental Plan 2001 is amended:

- (a) by inserting in appropriate order in the definition of *the map* in clause 7 (1) the following words:
Maclean Local Environmental Plan 2001 (Amendment No 2)
- (b) by omitting from clause 15 (1) the following words:
Maclean Local Environmental Plan 1992 (Amendment No 7)
and by inserting instead the following words:
Maclean Local Environmental Plan 2001 (Amendment No 2)

Mosman Local Environmental Plan 1998 (Amendment No 8)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S01/00121/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1

Mosman Local Environmental Plan 1998 (Amendment No 8)

Mosman Local Environmental Plan 1998 (Amendment No 8)

1 Name of plan

This plan is *Mosman Local Environmental Plan 1998 (Amendment No 8)*.

2 Aims of plan

This plan aims:

- (a) to allow, with consent, vehicular access from land in Stanton Road, Mosman, to 22B Burran Avenue, Mosman, and
- (b) to allow, without development consent, certain drainage works, being:
 - (i) works carried out by or on behalf of Mosman Municipal Council involving the maintenance of existing drainage lines on land within the 7 (a) Environment Protection (Bushland) Zone under *Mosman Local Environmental Plan 1998* (the 1998 plan), and
 - (ii) works carried out by or on behalf of the Council involving the installation of pollution control devices on so much of the land within the 7 (a) Environment Protection (Bushland) Zone under the 1998 plan as is shown coloured brown and diagonally hatched on the map marked “Mosman Local Environmental Plan 1998 (Amendment No 8)” deposited in the office of Mosman Municipal Council, and
- (c) to allow, with development consent, drainage works (other than works referred to in paragraph (b)) on land within the 7 (a) Environment Protection (Bushland) Zone under the 1998 plan, and
- (d) to unzone the unformed portion of Stanton Road adjoining 6 Stanton Road, Mosman (part of Lot 1, DP 544566) from the 7 (a) Environment Protection (Bushland) Zone under the 1998 plan.

Mosman Local Environmental Plan 1998 (Amendment No 8)

Clause 3

3 Land to which plan applies

- (1) To the extent that this plan allows vehicular access, it applies to the section of Stanton Road fronting 22B Burran Avenue, Mosman (Lot 5, DP 539344).
- (2) To the extent that this plan allows certain drainage works without, and other drainage works with, development consent, it applies to all land within the 7 (a) Environment Protection (Bushland) Zone under the 1998 plan.
- (3) To the extent that this plan unzoned land, it applies to land in Stanton Road, Mosman, as shown edged heavy black within the Insert on the map referred to in clause 2 (b) (ii).

4 Amendment of Mosman Local Environmental Plan 1998

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

Mosman Local Environmental Plan 1998 (Amendment No 8)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 25 What environment protection zone applies in this plan?

Insert as the second entry in Column 2 of item 2 in the development control table to the clause:

Drainage works that are:

- (a) carried out by or on behalf of the Council and involve the maintenance of existing drainage lines, or
- (b) carried out by or on behalf of the Council and involve the installation of pollution control devices on so much of the land within the zone as is coloured brown and diagonally hatched on the map marked “Mosman Local Environmental Plan 1998 (Amendment No 8)”

[2] Clause 25, development control table

Insert as the first entry in Column 2 of item 3 in the table:

Drainage works (other than drainage works referred to in item 2)

[3] Schedule 1 Definitions

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

Mosman Local Environmental Plan 1998 (Amendment No 8)

Mosman Local Environmental Plan 1998 (Amendment No 8)

Amendments

Schedule 1

[4] Schedule 6 Exceptions

Insert at the end of the Schedule:

The section of Stanton Road, Mosman,
fronting 22B Burran Avenue, Mosman
(Lot 5, DP 539344).

Development for the purpose of
vehicular access to 22B Burran
Avenue, Mosman.

North Sydney Local Environmental Plan 1989 (Amendment No 66)

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. (S99/00633/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 North Sydney Local Environmental Plan 1989 (Amendment No 66)

North Sydney Local Environmental Plan 1989 (Amendment No 66)

1 Name of plan

This plan is *North Sydney Local Environmental Plan 1989 (Amendment No 66)*.

2 Aims of plan

This plan aims:

- (a) to prohibit residential development on the land shown by hatching on the map referred to in clause 3, and
- (b) to apply the floor space ratios which currently apply to non-residential development to all development on the remainder of the land shown edged heavy black on that map.

3 Land to which plan applies

This plan applies to the part of the area of North Sydney shown edged heavy black on the map marked “North Sydney Local Environmental Plan 1989 (Amendment No 66)” deposited in the office of the Council of North Sydney.

4 Amendment of North Sydney Local Environmental Plan 1989

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

North Sydney Local Environmental Plan 1989 (Amendment No 66)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Clauses 74 and 75

Omit the clauses. Insert instead:

74 North Sydney CBD—residential prohibition

- (1) This clause applies to land within the North Sydney CBD, as shown hatched on the map marked “North Sydney Local Environmental Plan 1989 (Amendment No 66)”.
- (2) Despite any other provision of this plan, the Council must not consent to development of land to which this clause applies for the purpose of attached dwellings, boarding houses, dwellings, dwelling-houses or residential flat buildings.
- (3) This clause ceases to have effect at the end of the period of 2 years commencing on the day on which *North Sydney Local Environmental Plan 1989 (Amendment No 66)* was gazetted.

75 North Sydney CBD—floor space ratios

- (1) This clause applies to land within the North Sydney CBD, as shown edged heavy black on the map marked “North Sydney Local Environmental Plan 1989 (Amendment No 66)”, except as provided by subclause (2).
- (2) This clause does not apply to land shown hatched on that map or to the following land:
 - (a) 52 Berry Street, Lot 2, D.P. 708306,
 - (b) 196 Miller Street, Lots 1 and 2, D.P. 734946,
 - (c) 199 Miller Street, Lot, 1, D.P. 708306,
 - (d) 201 Miller Street, Lot 1, D.P. 706146,
 - (e) 1-7 Napier Street, Lots 21, 22 and 23, D.P. 564122 and Lot 12, D.P. 605372,
 - (f) 154 Pacific Highway, S.P. 22186,
 - (g) 168 Pacific Highway, Lot 1, D.P. 797747,
 - (h) 172 Pacific Highway, S.P. 19533.

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North Sydney Local Environmental Plan 1989 (Amendment No 66)

Schedule 1

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- (3) A building must not be erected on land to which this clause applies in an area specified in Column 1 of the Table to clause 18 if the floor space ratio of the building would exceed the ratio shown opposite that area in Column 2 of the Table, regardless of the purpose or purposes for which the building will be used.
- (4) Clause 18 (3) does not apply to land to which this clause applies.
- (5) This clause ceases to have effect at the end of the period of 2 years commencing on the day on which *North Sydney Local Environmental Plan 1989 (Amendment No 66)* was gazetted.

Willoughby Local Environmental Plan 1995 (Amendment No 38)

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. (S99/01637/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Willoughby Local Environmental Plan 1995 (Amendment No 38)

Willoughby Local Environmental Plan 1995 (Amendment No 38)

1 Name of plan

This plan is *Willoughby Local Environmental Plan 1995 (Amendment No 38)*.

2 Aims of plan

This plan aims:

- (a) to conserve the heritage of the built and natural environment of the properties on the land to which this plan applies, and
- (b) to integrate heritage conservation into the planning and development control process, and
- (c) to provide for public involvement in matters relating to the conservation of the City of Willoughby's heritage, and
- (d) to ensure that new development does not adversely affect the heritage significance of heritage items and conservation areas and their settings, including streetscapes and landscapes and the distinctive character that these impart to the City of Willoughby's heritage.

3 Land to which plan applies

This plan applies to the land shown coloured yellow or hatched on the map marked "Willoughby Local Environmental Plan 1995 (Amendment No 38)" deposited in the office of Willoughby City Council.

4 Amendment of Willoughby Local Environmental Plan 1995

Willoughby Local Environmental Plan 1995 is amended:

- (a) by inserting at the end of the definition of ***Heritage and Conservation Map*** in clause 5 (1) the following words:
Willoughby Local Environmental Plan 1995 (Amendment No 38)

Willoughby Local Environmental Plan 1995 (Amendment No 38)

Clause 4

-
- (b) by inserting at the end of the definition of ***land excluded from dual occupancy provisions map*** in clause 5 (1) the following words:

Willoughby Local Environmental Plan 1995 (Amendment No 38).

Willoughby Local Environmental Plan 1995 (Amendment No 42)

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. (S00/01799/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1

Willoughby Local Environmental Plan 1995 (Amendment No 42)

Willoughby Local Environmental Plan 1995 (Amendment No 42)

1 Name of plan

This plan is *Willoughby Local Environmental Plan 1995 (Amendment No 42)*.

2 Aims of plan

This plan aims:

- (a) to wholly repeal *Willoughby Local Environmental Plan No 40*, which applies to certain land in St Leonards, and to provide controls for that land in *Willoughby Local Environmental Plan 1995*, and
- (b) to remove the zoning of certain land zoned Special Uses “B” (Railways) so it will be unzoned, and
- (c) to rezone certain land zoned Special Uses “B” (Railways) to General Business so as to allow the additional permitted use of a car repair station on the site and to provide for public access through the site, and
- (d) to rezone certain land zoned Open Space “A” (Existing Recreation) to Open Space “D” (Private Recreation) under *Willoughby Local Environmental Plan 1995* to allow for the sale of the land, and
- (e) to rezone certain land zoned Open Space “C” (Regional Open Space Reservation) to Open Space “A” (Existing Recreation), and
- (f) to remove the zoning of certain land zoned Open Space “A” and reserved for proposed road closure so it will be unzoned, and
- (g) to rezone certain land zoned Residential “D” and Open Space “B” (Proposed Recreation Reservation) to Open Space “A” (Existing Recreation), and
- (h) to rezone certain land zoned General Business, Residential “A” and Special Uses “A” (zoned for carparking), to Special Uses “C” (Proposed County Road Reservation), and

Willoughby Local Environmental Plan 1995 (Amendment No 42)

Clause 2

-
- (i) to remove from Schedule 7 (Heritage items classified to be of local significance) two items due to their demolition, and
 - (j) to correct the property description of one church identified in Schedule 7 (Heritage items classified to be of local significance), and the location of the property on Maps 11 and 14 supporting *Willoughby Local Environmental Plan 1995*, and
 - (k) to correct a property description in Schedule 7 (Heritage items classified to be of local significance), and the location of the property on Maps 11 and 14 supporting *Willoughby Local Environmental Plan 1995*, so that the property concerned is accurately identified as No 2 Quarry Street situated on Lot 1, DP 1012046, and
 - (l) to provide for the orderly development of certain land to which this plan applies for the use of warehouses, and
 - (m) to clarify that residential flat buildings are permitted in business zones only if attached to other permitted buildings or used in conjunction with other permitted uses in the business zones, and to allow such residential flat buildings with consent in Zone 3 (d) (the Neighbourhood Business Zone), and
 - (n) to amend a reference in clause 38 (Other business uses—Zone 3 (e)) that relates to the location of the list of land uses permitted with development consent in Zone 3 (e) (the Restricted Office Zone).

3 Land to which this plan applies

- (1) To the extent that this plan repeals *Willoughby Local Environmental Plan No 40*, it applies to land in the vicinity of St Leonards railway station, as shown edged heavy black on Sheet 1 of the map marked “Willoughby Local Environmental Plan 1995 (Amendment No 42)” deposited in the office of Willoughby City Council.
- (2) To the extent that this plan rezones certain land and specifies height controls, it applies to land shown edged heavy black on Sheets 2–8 of the map marked “Willoughby Local Environmental Plan 1995 (Amendment No 42)” deposited in the office of Willoughby City Council.
- (3) To the extent that this plan includes a definition of **warehouse**, it applies to land within Zones 4 (a) and 4 (b) under *Willoughby Local Environmental Plan 1995*.

Clause 3

Willoughby Local Environmental Plan 1995 (Amendment No 42)

-
- (4) To the extent that this plan permits dwellings or residential flat buildings only if attached to other permitted buildings or used in conjunction with other permitted uses, it applies to land within the business zones under *Willoughby Local Environmental Plan 1995*.
 - (5) To the extent that this plan allows, with Willoughby City Council's consent, development for the purpose of a car repair station and requires a public accessway through the site, it applies to the premises known as 2A Chandos Street, St Leonards, being Lot 11 in DP 1003022.
 - (6) To the extent that this plan removes items from Schedule 7 (Heritage items classified to be of local significance), it applies to 39 Central St, Naremburn, being Lot 2, DP 470, and 4 Darling St Chatswood being Lot 1, DP 774900, as shown edged heavy black on Sheets 9 and 10 of the map marked "Willoughby Local Environmental Plan 1995 (Amendment No 42)" deposited in the office of Willoughby City Council.
 - (7) To the extent that this plan corrects the property description of the Holy Trinity Anglican Church in Schedule 7 (Heritage items classified to be of local significance) and removes an incorrect lot reference, being Lot 1, DP 17879, known as 44 Beaconsfield Road, and replaces it with the correct lot description, it applies to Lot 76, DP 14213, known as 46 Beaconsfield Road, shown on Map 11 "Land excluded from dual occupancy provisions" and Map 14 "Heritage and Conservation", as shown edged heavy black and coloured green on Sheet 11 of the map marked "Willoughby Local Environmental Plan 1995 (Amendment No 42)" deposited in the office of Willoughby City Council.
 - (8) To the extent that this plan corrects another property description in Schedule 7 (Heritage items classified to be of local significance) and removes an incorrect lot reference on Map 11 "Land excluded from dual occupancy provisions" and Map 14 "Heritage and Conservation", it applies to Nos 2 and 2A Quarry Street, Naremburn, being Lots 1 and 2 in DP 1012046, as shown edged heavy black on Sheet 12 of the map marked "Willoughby Local Environmental Plan 1995 (Amendment No 42)" deposited in the office of Willoughby City Council.

Willoughby Local Environmental Plan 1995 (Amendment No 42)

Clause 4

4 Relationship to other environmental planning instruments

- (1) This plan amends *Willoughby Local Environmental Plan 1995* in the manner set out in Schedule 1.
- (2) This plan repeals *Willoughby Local Environmental Plan No 40*.

Willoughby Local Environmental Plan 1995 (Amendment No 42)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4 (1))

[1] Clause 5 Definitions

Insert at the end of the definition of *Heritage and Conservation Map* in clause 5 (1):

Willoughby Local Environmental Plan 1995 (Amendment No 42)—Sheets 9–12

[2] Clause 5 (1)

Insert at the end of the definition of *land excluded from dual occupancy provisions map*:

Willoughby Local Environmental Plan 1995 (Amendment No 42)—Sheet 11–12

[3] Clause 5 (1)

Insert at the end of the definition of *the map*:

Willoughby Local Environmental Plan 1995 (Amendment No 42)—Sheets 2–8

[4] Clause 5 (1)

Insert in alphabetical order:

warehouse means a building or place used principally for the storing of goods, or for the storing or handling of goods or material after being produced or manufactured for sale, but not for the retail sale of items to the public from the building or place. It does not include any form of storage establishment elsewhere defined in this clause.

[5] Clause 35A Zone 3 (a)—General Business Zone

Insert “, or residential flat buildings,” in clause 35A (2) (b) after “dwellings”.

Willoughby Local Environmental Plan 1995 (Amendment No 42)

Amendments

Schedule 1

[6] Clause 35B Zone 3 (b)—Special Business Zone

Insert “, or residential flat buildings,” in clause 35B (2) (b) after “dwellings”.

[7] Clause 35C Zone 3 (c3)—Chatswood Secondary Business Zone

Insert “dwellings, or residential flat buildings, attached to other permitted buildings or used in conjunction with other permitted uses” in clause 35C (2) (b) after “drainage”.

[8] Clause 35C (2) (b)

Omit “residential flat buildings” where occurring after “recreation facilities”.

[9] Clause 35D Zone 3 (d)—Neighbourhood Business Zone

Insert “, or residential flat buildings,” in clause 35D (2) (b) after “dwellings”.

[10] Clause 35E Zone 3 (e)—Restricted Office Zone

Insert “dwellings, or residential flat buildings, attached to other permitted buildings or used in conjunction with other permitted uses” in clause 35E (2) (b) after “drainage”.

[11] Clause 35E (2) (b)

Omit “residential flat buildings” where occurring after “recreation facilities”.

[12] Clause 35F Zone 3 (e2)—Business Zone

Insert “dwellings, or residential flat buildings, attached to other permitted buildings or used in conjunction with other permitted uses” in clause 35F (2) (b) after “drainage”.

[13] Clause 35F (2) (b)

Omit “residential flat buildings” where occurring after “recreation facilities”.

[14] Clause 36 Floor space ratios

Omit clause 36 (3). Insert instead:

- (3) Subject to clause 37, the Council may consent to development for the purpose of dwellings, or residential flat buildings,

Willoughby Local Environmental Plan 1995 (Amendment No 42)

Schedule 1 Amendments

attached to other permitted buildings or used in conjunction with other permitted uses within Zone 3 (a), 3 (b), 3 (c3), 3 (d), 3 (e) or 3 (e2) regardless of the gross floor area of the development.

[15] Clause 36 (6)

Insert after clause 36 (5):

- (6) The Council shall not consent to the erection or use of a building on land comprised of Lots 2, 3 and 5 DP 879307 known as 201–205 Pacific Highway St Leonards, being land bounded by Herbert Street, Pacific Highway, Sergeants Lane and Chandos Street unless:
 - (a) the floor space ratio will be less than 4:1, except where some of the land is used to provide a public precinct, a community or recreation area, public road widening and a public pedestrian overpass or underpass, in which case the floor space ratio will be less than 5.5:1, and
 - (b) so much of the floor space ratio as is due to floor space used for shops will be less than 0.4:1, and
 - (c) the usable floor area of each shop, being the remainder of the gross floor area of the shop after excluding so much of that gross floor area as is occupied by corridors, foyers, amenities, kitchens and tea rooms (in each case, that are permanent features of the building) and by the walls of the building, will not exceed 150 square metres, except where the shop:
 - (i) is a supermarket, general mixed goods store, fruit and vegetable market or the like, and
 - (ii) services the shopping needs of the resident working and commuter population of the area in which it is erected, and
 - (iii) has a usable floor area not exceeding 800 square metres.

[16] Clause 37 Height—Zones 3 (a), 3 (b), 3 (c3), 3 (d), 3 (e), 3 (e2)

Insert after clause 37 (2) the following subclause:

- (3) The Council shall not consent to the erection of any building on land within Zone 3 (a) and being Lots 2, 3 and 5, DP 879307

Willoughby Local Environmental Plan 1995 (Amendment No 42)

Amendments

Schedule 1

known as 201–205 Pacific Highway St Leonards, being land bounded by Herbert Street, Pacific Highway, Sergeants Lane and Chandos Street unless the Council is satisfied that the height is in accordance with Sheet 3 of the map marked “Willoughby Local Environmental Plan 1995 (Amendment No 42)”.

[17] Clause 38 Other business uses—Zone 3 (e)

Omit “Schedule 4” from clause 38 (a). Insert instead “clause 35E (2) (b)”.

[18] Clause 39 Development for certain additional purposes

Insert after clause 39 (b):

- (c) a car repair station at the premises known as 2A Chandos Street St Leonards, being Lot 11 in DP 1003022.

[19] Clause 39 (2)

Insert at the end of clause 39:

- (2) The Council shall not consent to the redevelopment of the premises known as 2A Chandos Street St Leonards, being Lot 11 in DP 1003022, unless a public accessway a minimum of 3 metres wide is provided through the site linking Chandos St to the Talus St Reserve.

[20] Schedule 7 Heritage items classified to be of local significance

Omit “44 Beaconsfield Road, Chatswood Lot 1, DP 17879” from the item relating to Holy Trinity Anglican Church.

Insert instead “46 Beaconsfield Road, Chatswood Lot 76, DP 14213”.

[21] Schedule 7

Omit “House 39 Central St, Naremburn Lot 2, DP 470” and “House 4 Darling St, Chatswood Lot 1, DP 774900”.

[22] Schedule 7

Omit “Lot A, DP 412257” from the item relating to 2 Quarry Street, Naremburn.

Willoughby Local Environmental Plan 1995 (Amendment No 42)

Schedule 1 Amendments

Insert instead “Lot 1, DP 1012046”.

Wyong Local Environmental Plan 1991 (Amendment No 137)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (N00/00070/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Wyong Local Environmental Plan 1991 (Amendment No 137)

Wyong Local Environmental Plan 1991 (Amendment No 137)

1 Name of plan

This plan is *Wyong Local Environmental Plan 1991 (Amendment No 137)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from partly the Conservation Zone and partly the Wetlands Management Zone to the Scenic Protection: Small Holdings Zone under *Wyong Local Environmental Plan 1991*.

3 Land to which plan applies

This plan applies to land situated in the local government area of Wyong, being part Lot 1, DP 359972 and part Lot 60, DP 664710, Hansens Road, Tumby Umbi, as shown edged heavy black on the map marked "Wyong Local Environmental Plan 1991 (Amendment No 137)" deposited in the office of Wyong Shire Council.

4 Amendment of Wyong Local Environmental Plan 1991

Wyong Local Environmental Plan 1991 is amended by inserting in appropriate order in the definition of ***the map*** in clause 7 (1) the following words:

Wyong Local Environmental Plan 1991 (Amendment No 137)

Roads and Traffic Authority

ROADS ACT 1993

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

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

R Laing
General Manager
Griffith City Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

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

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 31 December 2007.

4. Application

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

5. Routes

B-Double routes within the Griffith City Council

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	000	Dickie Rd, Griffith	Dickie Rd, 1km West of Boorga Rd, Griffith	Boorga Rd, Griffith	Nil

ROADS ACT 1993**Notice under Clause 17 of the Road Transport (Mass, Loading and Access)
Regulation 1996**

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

R Laing
General Manager
Griffith City Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

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

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 31 December 2006.

4. Application

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

5. Routes**B-Double routes within the Griffith City Council**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	000	Boorga Road, Griffith	McCarthy Road, Griffith	Carrathool Shire Boundary	
25	000	Jones Road, Griffith	Boorga Road, Griffith	Lakes Road, Griffith	
25	000	Lakes Road, Griffith	Jones Road, Griffith	Kidman Way – MR80	
25	000	River Road, Griffith	Kidman Way – MR 321	Carrathool Shire Boundary	
25	000	Dickie Road, Griffith	Boorga Road, Griffith	1km West of Booga Road	

ROADS ACT 1993

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

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

R Laing
General Manager
Griffith City Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

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

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 31 December 2003.

4. Application

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

5. Routes

B-Double routes within the Griffith City Council

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	000	Myall Park Road, Griffith	MR321 – Rankin Springs Road	Beelbangera Road, Griffith	
25	000	Cemetery Road, Griffith	Myall Park Road, Griffith	Whitton Stock Route, Griffith	
25	000	Whitton Stock Route, Griffith	Cemetery Road, Griffith	MR84 – Burley Griffin Way, Griffith	

ROADS ACT 1993**Notice under Clause 17 of the Road Transport (Mass, Loading and Access)
Regulation 1996**

Griffith City Council, in pursuance of Division 2 of Part 3 of the *Road Transport (Mass, Loading and Access) Regulation 1996*, by this Notice, specify the roads and road related areas on or in which Road Trains may be used subject to any requirements or conditions set out in the Schedule.

R Laing
General Manager
Griffith City Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as the Griffith City Council Road Train Notice No. 1/ 2002.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 31 December 2006.

4. Application

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

5. Routes**Road Train routes within the Griffith City Council**

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
RT	000	Shaw Road, Griffith	Entire length		
RT	000	Bringagee Road, Griffith	Entire length		
RT	000	Brogden Road, Griffith	Bringagee Road, Griffith	Woodside Road, Griffith	
RT	000	Woodside Road, Griffith	Brogden Road, Griffith	Southern boundary of Lot 2 DP877393, Griffith	
RT	000	Twaddell Road, Griffith	Entire length		
RT	000	Barber Road, Griffith	Brogden Road, Griffith	Twaddell Road, Griffith	
RT	000	Casserley Road, Griffith	Brogden Road, Griffith	Northern Boundary of DP 581627, Griffith	

W:\Engineering Services\Director\RTA\Gazettals\Road Train Gazettal No. 4.doc

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

Notice of Compulsory Acquisition of Land at Tweed Heads
in the Tweed Shire Council area

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of His Excellency the Lieutenant Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act 1993.

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

SCHEDULE

All that piece or parcel of land situated in the Tweed Shire Council area, Parish of Terranora and County of Rous, shown as Lot 1 Deposited Plan 412404, being the whole of the land in Certificate of Title 1/412404.

The land is said to be in the possession of Steven Robert Randall (registered proprietor) and Tweed Shire Council (chargee).

(RTA Papers FPP 1M4198; RO 10/438.11081)

Sydney Water

SEWER MAINS

SYDNEY WATER

Water Mains

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

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

CITY OF LIVERPOOL, AT GREEN VALLEY. Contract Number 972057SA, Project Number 3002663. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving identified properties in THISTLE CIRCUIT.

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

PETER ALLEN,
Developer Activity Officer
Liverpool Commercial Centre

Dated 20 February 2002.

SYDNEY WATER

Sewer Mains

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

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

CITY/MUNICIPALITY OF WILLOUGHBY, AT CHATSWOOD. Contract Number 969985S8, Project Number 3001775. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving EDDY ROAD.

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

MARTHA AMADOR,
Developer Activity Officer
Chatswood

Dated 22 February 2002.

SYDNEY WATER

Sewer mains

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

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

SHIRE OF BAULKHAM HILLS, AT BELLA VISTA: Contract No 968940W3, Project No 3002353. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving ROSEBERRY ROAD.

SHIRE OF BAULKHAM HILLS, AT BELLA VISTA: Contract No 968940S9, Project No 3001690. Lines 1 to 5 inclusive and their appurtenant junctions, sidelines and inlets serving PRESTIGE AVENUE and SHARLEEN COURT.

SHIRE OF BAULKHAM HILLS, AT CASTLE HILL: Contract No 963937S0, Project No 3000033. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving PIONEER PLACE.

SHIRE OF BAULKHAM HILLS, AT CASTLE HILL: Contract No 968351S4, Project No 3001597. Lines 1 to 13 inclusive and their appurtenant junctions, sidelines and inlets serving HARRINGTON AVENUE, ST PAULS AVENUE, MOUNSLOW AVENUE, NEALE COURT and HOGAN GROVE.

SHIRE OF BAULKHAM HILLS, AT KELLYVILLE: Contract No 974826SB, Project No 3002270. Lines 1 to 3 inclusive and their appurtenant junctions, sidelines and inlets serving PROPOSED ROAD OFF GREEN ROAD.

CITY OF HOLROYD, AT SOUTH WENTWORTHVILLE: Contract No 968499S3, Project No 3001827. Property connection sewer 1 inclusive and its appurtenant junctions, sidelines and inlets serving ALTO STREET.

CITY OF BLACKTOWN, AT QUAKERS HILL: Contract No 974920S0, Project No 3002496. Lines 1 to 3 inclusive and their appurtenant junctions, sidelines and inlets serving TURQUOISE PLACE, SAID TERRACE and AQUAMARINE STREET.

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

VICKI MAWBY,
Developer Activity Officer

Dated: 22 February, 2002.

WATER MAINS

SYDNEY WATER

Water mains

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

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

CITY OF FAIRFIELD, AT FAIRFIELD HEIGHTS. Contract Number 973801W6, Project Number 1001183. Water mains are now laid and capable of serving identified properties in LINDA STREET.

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

VALDIS VIKSNE,
Developer Activity Officer
Liverpool Commercial Centre

Dated: 22 February, 2002.

SYDNEY WATER

Water mains

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

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

SHIRE OF BAULKHAM HILLS, AT BELLA VISTA: Contract No 968940W3, Project No 1000735. Water mains are now laid and capable of serving identified properties at PRESTIGE AVENUE and SHARLEEN COURT.

SHIRE OF BAULKHAM HILLS, AT CASTLE HILL: Contract No 963937W4, Project No 1000024. Water mains are now laid and capable of serving identified properties at PIONEER PLACE.

SHIRE OF BAULKHAM HILLS, AT CASTLE HILL: Contract No 968351W8, Project No 1000692. Water mains are now laid and capable of serving identified properties at ST PAULS AVENUE, NEALE COURT, HOGAN GRAOVE, HARRINGTON AVENUE and MOUNSLOW AVENUE.

SHIRE OF BAULKHAM HILLS, AT CASTLE HILL: Contract No 968351W8, Project No 70000104. Recycled water mains are now laid and capable of serving identified properties at ST PAULS AVENUE and HARRINGTON AVENUE.

SHIRE OF BAULKHAM HILLS, AT BAULKHAM HILLS: Contract No 963762W7, Project No 1001153. Water mains are now laid and capable of serving identified properties at JENNER STREET.

SHIRE OF BAULKHAM HILLS, AT ROUSE HILL: Contract No 968598W7, Project No 1000847. Water mains are now laid and capable of serving identified properties at SETON PLACE and REGIS GROVE.

SHIRE OF BAULKHAM HILLS, AT ROUSE HILL: Contract No 968598W7, Project No 7000143. Recycled water mains are now laid and capable of serving identified properties at SETON PLACE and REGIS GROVE.

CITY OF BLACKTOWN, AT QUAKERS HILL: Contract No 974920W4, Project No 1001108. Water mains are now laid and capable of serving identified properties at SAID TERRACE.

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

VICKI MAWBY,
Developer Activity Officer

Dated: 22 February, 2002.

SYDNEY WATER

Water mains

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

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

CITY OF CAMPBELLTOWN, AT BLAIR ATHOL. Contract Number 970849WA, Project Number 1001051. Water mains are now laid and capable of serving identified properties in MARYFIELDS DRIVE and ST MARK CLOSE.

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

KEVIN ADAMS,
Developer Activity Officer
Liverpool Commercial Centre

Dated: 22 February, 2002.

Other Notices

APPRENTICESHIP AND TRAINEESHIP ACT 2001

ERRATUMS

IN the notice regarding the Vocational Training Order relating to the recognised trade vocation of Baking Trade (Baking) in *Government Gazette* No. 34 of 1 February 2002, Folio 705, the term of training given was a nominal period of 3 years. It should be 4 years.

IN the notice regarding the Vocational Training Order relating to the recognised trade vocation of Baking Trade (Breakmaking) in *Government Gazette* No. 34 of 1 February 2002, Folio 705, the term of training given was a nominal period of 3 years. It should be 4 years.

IN the notice regarding the Vocational Training Order relating to the recognised trade vocation of Baking Trade (Pastrycooking) in *Government Gazette* No. 34 of 1 February 2002, Folio 705, the term of training given was a nominal period of 3 years. It should be 4 years.

ASSOCIATIONS INCORPORATION ACT 1984

CANCELLATION 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 and the cancellation is effective on 22 February 2002.

1. Y0423843 Wollondilly Youth Services Committee Inc
2. Y0643923 Northern Rivers Ladies' Golf Association Incorporated
3. Y1126108 Merimbula-Pambula Meals on Wheels Inc
4. Y1162937 Older Womens Network Inc
5. Y1367520 Hawkesbury Life Education Inc
6. Y1508629 Richmond Valley Masonic Welfare Association Incorporated
7. Y1618326 Illawong Babysitting Club Incorporated
8. Y2021220 Total Opportunity Project Inc
9. Y2290920 No Republic Wollongong Branch Incorporated
10. Y2449805 Southern Tablelands Hunt Club Incorporated
11. Y2570619 Blue Mountains Hideaways Group Incorporated
12. Y2660422 Calare Hunting Club Incorporated
13. Y2687344 Stockinbingal Village Enhancement Association Incorporated
14. Y2749447 Jobnet Employment Services Incorporated
15. Y2883934 Tura Beach Landcare Incorporated
16. Y3010515 Riverina Bed and Breakfast Network Incorporated

D. B. O'CONNOR,
Director-General
Department of Fair Trading

CO-OPERATIVES ACT 1992

CHANGE OF NAME

IT is hereby notified that on 14 Febraury 2002, I registered a change of name for Kotara Bowling Club Co-op Ltd to Kotara Bowling & Recreation Club Co-op Ltd.

Dated this fifteenth day of February 2002

E. FLETCHER,
Delegate of the Registrar of Co-operatives

GEOGRAPHICAL NAMES ACT 1966

ERRATUM

IN the notice referring to the assignment of the name Barooga, Folio 278, 17 January 1992, the name was assigned in error for an existing name. The name Barooga is this day discontinued.

W. WATKINS,
Chairman

Geographical Names Board
PO Box 143 Bathurst 2795

LOCAL GOVERNMENT ACT 1993

Kempsey Water Supply Augmentation Stage 2B

Vesting of easements in Kempsey Shire Council

The Minister for Land and Water Conservation of the State of New South Wales, declares that the easements described in the Schedule hereto, which were acquired for the purpose of the Kempsey Water Supply Augmentation Stage 2B Scheme are vested in Kempsey Shire Council.

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

SCHEDULE

Interest in Land

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

Deposited Plan 1027599 (SB55151) as:

‘(A) PROPOSED EASEMENT FOR WATER PIPELINE 5 WIDE’

‘(B) PROPOSED EASEMENT FOR WATER PIPELINE 10 WIDE’

Deposited Plan 1027601 (SB55153) as:

‘(A) PROPOSED EASEMENT FOR WATER PIPELINE VARIABLE WIDTH’

DPWS Reference 125

NATIONAL PARKS AND WILDLIFE ACT 1974**PROCLAMATION**

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under section 33 (3) of the National Parks and Wildlife Act 1974, do by this my Proclamation, reserve such of the lands described hereunder as are prescribed lands within the meaning of section 33 (1) of the National Parks and Wildlife Act 1974, as part of **Washpool National Park**.

SIGNED and SEALED at Sydney this 6th day of February 2002.

MARIE BASHIR,
Governor

By Her Excellency's Command

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

GOD SAVE THE QUEEN!

Description

Land District – Tenterfield; LGA – Tenterfield

County Clive, Parish Goolamanger, 801 hectares, being Lots 1, 3, 4, 5 and 6, DP 751518. (NPWS F/2616)

NATIONAL PARKS AND WILDLIFE ACT 1974**ERRATUM**

IN the notices referring to the proposal and assignment of Geographical Names for Localities in the Holbrook Council area indicated on map GNB3774, in the *Government Gazettes* of 5 September 1997, folio 7789 and 19 December 1997, folio 10238, the name Pulletop was included due to a charting oversight. The charting is now correct and the name Pulletop should be removed from those lists. Pulletop is entirely within Wagga Wagga City.

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143 BATHURST 2795

NATIONAL PARKS AND WILDLIFE ACT 1974**PROCLAMATION**

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under Section 33(3) of the National Parks and Wildlife Act 1974, do by this my Proclamation, reserve such of the lands described hereunder as are prescribed lands within the meaning of Section 33(1) of the National Parks and Wildlife Act 1974, as part of **Guy Fawkes River National Park**.

SIGNED and SEALED at Sydney this 6th day of February 2002.

MARIE BASHIR,
Governor

By Her Excellency's Command

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

GOD SAVE THE QUEEN!

Description

Land District – Armidale; LGA – Guyra

County Clarke, Parishes Dale, Rampsbeck & White about 3516 hectares, being Lot 7 DP75148 (Dale), Lots 62 & 64 DP751471 (Rampsbeck), Lot 28 DP751485 (White) and the bed of Round Water Hole Creek separating Lot 28 aforesaid from Guy Fawkes River National Park, the bed of Kangaroo Creek separating Lots 62 & 64 aforesaid from Guy Fawkes River National Park and the bed of Aberfoyle River separating Lot 28 aforesaid from Guy Fawkes River National Park and Lot 62 aforesaid; inclusive of the bed of Aberfoyle River and Crown Public road within Lot 7 aforesaid. NPWS F/1573.

NSW NATIONAL PARKS AND WILDLIFE SERVICE**Notice of Exhibition of the Coxen's Fig-Parrot Recovery Plan**

THE National Parks and Wildlife Service (NPWS), hereby give notice of the exhibition of the Coxen's Fig-Parrot Recovery Plan. Exhibition details will be published on Thursday 28 February 2002 in the Sydney Morning Herald, the Northern Star, the Byron Shire News, the Tweed Daily News and the Kyogle Newspaper. The NPWS web site <www.npws.nsw.gov.au> will also have exhibition information including a full version of the recovery plan.

GARY DAVEY,
Manager

Conservation Programs and Planning Division
Northern Directorate

PESTICIDES ACT 1999**Notice under Section 48 (4)**

NOTICE is hereby given, pursuant to Section 48(4) of the Pesticides Act 1999, that I have granted a Pilot (Pesticide Rating) Licence, particulars of which are stated in the Schedule.

ALAN RITCHIE,
Manager Dangerous Goods
Environment Protection Authority
by delegation

SCHEDULE**Pilot (Pesticide Rating) Licence**

Name and address of Licensee	Date of Granting of Licence
Mr ANDREW HAROLD STOTT 720 TOOMUC VALLEY RD PAKENHAM VIC 3810	14 February 2002

POISONS AND THERAPEUTIC GOODS ACT 1966**PROCLAMATION**

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, on the recommendation of the Minister for Health and in pursuance of section 8(6) of the Poisons and Therapeutic

Goods Act 1966, do, by this my Proclamation, amend Schedule 4 of the Poisons List as set out in the Schedule hereunder with effect on and from 1 March 2002.

Signed and sealed at Sydney, this 20th day of February 2002.

MARIE BASHIR,
Governor

By Her Excellency's Command,

CRAIG KNOWLES, M.P.,
Minister for Health

GOD SAVE THE QUEEN!

SCHEDULE

The Poisons List is amended by revoking the effect of and omitting in its entirety that amendment to Schedule 4 which was published in Government Gazette No. 173 on 9 November 2001 at pages 9167-9168, and by inserting the following Schedule 4:

SCHEDULE 4

Each entry appearing in Schedule 4 of Part 4 of the current Poisons Standard (known as the "*Standard for the Uniform Scheduling of Drugs and Poisons*") prepared under Part 5B of the Therapeutic Goods Act 1989 of the Commonwealth, with the exception of the entries relating to:

ATROPA BELLADONNA

CODEINE

DATURA STRAMONIUM

DATURA TATULA

DUBOISIA LEICHARDTII

HYOSCYAMUS NIGER

PSEUDOEPHEDRINE

In addition the following entries are included in this Schedule:

ANTIBODIES, ANTIGENS and IMMUNOGLOBULINS or conjugates thereof in preparations for the diagnosis of human immunodeficiency virus infection.

BELLADONNA except when included in Schedule 2.

CODEINE when compounded with one or more other therapeutically active substances:

(a) in divided preparations containing 30 mg or less of codeine per dosage unit; or

(b) in undivided preparations containing 1 per cent or less of codeine

except when included in Schedule 2.

DUBOISIA LEICHARDTII except when included in Schedule 2.

HYOSCYAMUS except when included in Schedule 2.

PENTAZOCINE.

PSEUDOEPHEDRINE except when included in Schedule 2 or 3.

STRAMONIUM except:

(a) when included in Schedule 2; or

(b) in preparations for smoking or burning.

EXEMPTIONS:

Any substance listed in this Schedule is exempted from the operation of this Schedule when contained in any product shown or described in Appendix A of Part 5 of the current Poisons Standard.

POISONS AND THERAPEUTIC GOODS ACT 1966

Order Under Clause 151(1)

Poisons and Therapeutic Goods Regulation 1994.

WITHDRAWAL OF DRUG AUTHORITY

IN accordance with the provisions of clause 151(1) of the Poisons and Therapeutic Goods Regulation 1994 an order has been made on Dr Teresa Angel-Honnibal of 22 Tudor Place Carlingford prohibiting her until further notice, as a medical practitioner from supplying or having possession of drugs of addiction as authorised by clause 103 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 79 of the Regulation.

This order is to take effect on and from Thursday 14 February 2002.

Department of Health, New South Wales,
Sydney, Thursday 14 February 2002

ROBERT MCGREGOR,
Acting Director-General

ROADS ACT 1993

PROCLAMATION OF PUBLIC ROAD AT POTTSVILLE IN THE TWEED SHIRE

PROFESSOR MARIE BASHIR, Governor.

I, PROFESSOR MARIE BASHIR AC', Governor of the State of New South Wales, with the advice of the Executive Council, pursuant to the provisions of section 13 (1) of the Roads Act 1993, hereby proclaim that the land described in the schedule hereto owned by the Minister for Education and Training, a public authority and used by the public as road is hereby dedicated as a public road.

PROFESSOR MARIE BASHIR,
Governor

By Her Excellency's Command,

RAY MASTERTON
Delegate of the Minister for
Education and Training

SCHEDULE

All that piece or parcel of land situate in the Local Government Area of Tweed Shire, Parish of Cudgen and the County of Rous, being Lot 1, Deposited Plan 1006776 and having an area of 165 square metres or thereabouts. (SB52229).

ROADS ACT 1993

Proclamation of Public Road at Sherwood in the
Kempsey Shire

I, Professor MARIE BASHIR, Governor of the State of New South Wales, with the advice of the Executive Council, pursuant to the provisions of section 13 (1) of the Roads Act 1993, hereby Proclaim that the land described in the schedule hereto owned by the Minister for Land and Water Conservation, a public authority and used by the public as road is hereby dedicated as a public road.

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

SCHEDULE

All those pieces or parcels of land situate in the Local Government Area of Kempsey, Parish of Yarravel and the County of Dudley, being Lots 1, 2, 3, 5, 7, 10 & 11 in Deposited Plan 876188 and having areas of 40.3 m², 258.8 m², 684.6 m², 1361 m², 139 m², 119.2 m², and 108.4 m² respectively or thereabouts.(SB 52370)

SPORTING INJURIES INSURANCE ACT 1978

Order of Declaration under Section 5

IN pursuance of section 5 of the Sporting Injuries Insurance Act 1978, I declare be this Order the

SYDNEY DRAGONBLADES INC.

to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activities of **Dragon Boating**.

Sydney, 18 February 2002

JOHN GARBUTT
Acting Chairperson

SPORTING INJURIES INSURANCE ACT 1978

Order of Declaration under Section 5

IN pursuance of section 5 of the Sporting Injuries Insurance Act 1978, I declare be this Order the

AQUATIC FESTIVALS AUSTRALIA

to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activities of **Multi-Sports**.

Sydney, 20 February 2002

JOHN GARBUTT
Acting Chairperson

SPORTING INJURIES INSURANCE ACT 1978

Order of Declaration under Section 5

IN pursuance of section 5 of the Sporting Injuries Insurance Act 1978, I declare be this Order the

CHRISTOFLE FFB DRAGON BOAT RACING CLUB

to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activities of **Dragon Boating**.

Sydney, 18 February 2002

JOHN GARBUTT
Acting Chairperson

TENDERS

Department of Public Works and Services

SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

TENDERS for the undermentioned Period Contracts, Supplies and Services, required for the use of the Public Service, will be received by the Department of Public Works and Services, Level 3, McKell Building, 2-24 Rawson Place, Sydney, N.S.W. 2000, up til 9.30 am on the dates shown below:

27 February 2002

016-7162 HIRE & OPERATION OF FIXED WING AIRCRAFT WITH REMOTE SENSING EQUIPMENT. DOCUMENTS: \$110.00 PER SET

5 March 2002

01/2788 CLIENT SYSTEM AND IMPLEMENTATION SERVICES. DOCUMENTS: \$220.00 PER SET

6 March 2002

ITS026/2573 TWO WAY RADIOS (MOBILE & FIXED), ANTENNAS, EQUIPMENT & SERVICES. DOCUMENTS: \$220.00 PER SET

12 March 2002

111/7180 SUPPLY, OPERATION AND MAINTENANCE OF FIXED WING AIRCRAFT. DOCUMENTS: \$220.00 PER SET

14 March 2002

S0118510 SANITARY NAPKINS AND NAPPY WASTE DISPOSAL CONTRACT. DOCUMENTS: \$110.00 PER SET

TENDER DOCUMENT FEE

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

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

Government Printing Service

TENDERS FOR PRINTING

TENDERS will be received up to 9.30 am on the date specified for the undermentioned printing. Envelopes containing tenders must be addressed to: Government Printer Unit 5 Block V 391 Park Road REGENTS PARK NSW 2143, and have legibly endorsed upon the face thereof the items and description of the printing for which the tender is submitted.

Three weeks closing Monday 18th March 2002

Tender No. 23923

TENDERS are invited on the behalf of the NSW Department of Education and Training, for the production and implementation of the Primary Writing Assessment (PWA) project. The Tenderer must provide proper security facilities and resources to undertake all tasks as specified in the tender document. The Primary Writing Assessment (PWA) is a written test administered to Year 3 and Year 5 students throughout NSW and SA.

The Tender is broken down into four parts. These parts are:

- Part A Production of test material and electronic data capture (including scanning and editing)
- Part B Manual marking of written tasks
- Part C Report preparation
- Part D Pack and distribution of test material and reports

Tenderers may submit prices for the complete tender or one or more of the Parts. Tenderers must nominate any subcontractors.

Enquiries: Kim Cooper 9743 8777



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PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

BLACKTOWN CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Blacktown City Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of local trunk drainage and a stormwater detention basis. Dated at Blacktown this 18th day of February 2002. IAN REYNOLDS, General Manager, Blacktown City Council, PO Box 63, Blacktown, NSW 2148.

SCHEDULE

Lots 40-48 (inclusive), section A, DP 15587 and Lot 1, DP 1032546. [0145]

CITY OF SYDNEY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE City of Sydney Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of providing pedestrian and vehicular access to community facilities in Cook and Phillip Park. Dated at Sydney this 13th day of February 2002. ROBERT DOMM, General Manager, City of Sydney Council.

SCHEDULE

Lot 32, DP 1007439. [0122]

EVANS SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Evans Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisitions (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993. Dated at Bathurst, 15th February 2002. G. TAYLOR, General Manager, Evans Shire Council, PO Box 703, Bathurst, NSW 2795.

SCHEDULE

Lot 3 in DP 882464. [0140]

EVANS SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Evans Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisitions (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993. Dated at Bathurst, 20th February 2002. G. TAYLOR, General Manager, Evans Shire Council, PO Box 703, Bathurst, NSW 2795.

SCHEDULE

Lot 1 in DP 877322 and Lot 1, DP 880369. [0141]

GRAFTON CITY COUNCIL

Roads Act 1993 ó Section 29

Notice of Fixing of Levels

NOTICE is hereby given that the following road levels have been altered in Butters Lane, South Grafton. Plan 4165.B.1164 showing such levels has been exhibited at Council's office, advertised in the *Daily Examiner* newspaper on 12th January 2002 and duly approved and fixed by the authority delegated to me under section 378 of the Local Government Act 1993, as amended, in accordance with such plans. RAY SMITH, General Manager, Grafton City Council, PO Box 24, Grafton, NSW 2460. [0139]

LIVERPOOL CITY COUNCIL

Roads Act 1993 ó Section 10

Notice of Dedication of Land as Public Road at Liverpool in the Council of the City of Liverpool Area

THE Council of the City of Liverpool dedicates the land described in the Schedule below as public road under section 10 of the Roads Act 1993. GENERAL MANAGER, The Council of the City of Liverpool, Locked Bag 7064, Liverpool BC, NSW 1871.

SCHEDULE

All that piece or parcel of land known as Lot 54 in Deposited Plan 858877 in The Council of the City of Liverpool, Parish of St Luke, County of Cumberland, and as described in Folio Identifier 54/858877. [0143]

LIVERPOOL CITY COUNCIL

Roads Act 1993 ó Section 10

Notice of Dedication of Land as Public Road at
Liverpool in the Council of the City of Liverpool Area

THE Council of the City of Liverpool dedicates the land described in the Schedule below as public road under section 10 of the Roads Act 1993. GENERAL MANAGER, The Council of the City of Liverpool, Locked Bag 7064, Liverpool BC, NSW 1871.

SCHEDULE

All that piece or parcel of land known as Lot 2 in Deposited Plan 1007569 in The Council of the City of Liverpool, Parish of Holsworthy, County of Cumberland, and as described in Folio Identifier 2/1007569. [0144]

RYLSTONE SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Rylstone Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993. Dated at Rylstone this 1st day of February 2002. JOHN A. SUMMERS, General Manager, PO Box 42, Louee Street, Rylstone, NSW 2849.

SCHEDULE

Lot 1-8 in Deposited Plan 1030302. [0134]

SINGLETON SHIRE COUNCIL

Roads Act 1993

Naming of Road

NOTICE is hereby given that the Singleton Shire Council, in pursuance, of section 162 of the Roads Act 1993, has named the following road:

Road

Unnamed crown public road in the Parish of Tupa, which runs south-west from its junction with Box Gap Road for one kilometre to where it terminates at the northern boundary of Portion 21, Parish of Tupa. This road provides access to the property known as 'Clearview Park'.

New Name

Arthur Drive.

Authorised by resolution of the Council on 4th February 2002. S. McGRATH, General Manager, Civic Centre, Queen Street, Singleton, NSW 2330. [0123]

NARRABRI SHIRE COUNCIL

Sale of Land for Overdue Rates

Local Government Act 1993

Notice is hereby given to the persons named hereunder that the Council of the Shire of Narrabri 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 rates and charges states in each as at 11th February 2002 is due:

Owner or person having an interest in the land	Description of the Land (Lot, Section Deposit Plan and Street address	Amount of rates & charges overdue for more than 5 years	Interest accrued on amount in Column (c)	Amount of all other rates & charges due and in arrears	Interest accrued on amount in column (e)	Total
(a)	(b)	(c)	(d)	(e)	(f)	(g)
\$	\$	\$	\$	\$	\$	\$
MURRAY Eva	Lot 1 DP 938693 Baranbah St Baan Baa	2,811.11	2,704.82	733.84	1,640.92	7,890.69
WESTPAC Banking Corp.						
MACLEOD Ethol	Lot 3 DP 232234-Bibil St Baan Baa	2,180.26	2,244.10	853.99	327.82	5,606.17
James Ian						
GUEST Harold	Lots 3 & 4 DP 758042-Caloola St Baan Baa	1,918.39	1,065.39	861.03	1,035.65	4,880.46
SHIELDS Robert	Lots 1 & 2 Sec 10 DP 758042-Baan Baa	2,776.11	2,473.05	854.20	1,404.57	7,507.93
SHIELDS Leonard James	Lot 150 DP 755470-Henriendi St	173.54	17.36	976.75	519.56	1,687.21
Cheryl Margaret	Baan Baa					
Northern Inland Credit Union						
BARSI Gergelj	Lot 152 DP 755470-Henriendi St Baan Baa	2,393.32	517.35	926.75	2,525.01	6,362.43
CROCKER Raymond Albert	Lot 7 Sec A DP 7074-Mobbo St Baan Baa	2,072.57	517.35	818.28	1,824.57	5,232.77
LAMBERT James Royal						
HUDSON Herbert Alexander	Lots 6 & 7 Sec 16 DP 758042-Baan Baa	2,345.50	636.35	824.66	2,252.46	6,058.97
EASEY Greame Mark	Lot C DP 383974-Brent St Boggabri	328.40	7.24	668.55	24.25	1,028.44
Patricia Anne						
MEWES Thomas William	Lots 12 & 13 Sec 6 DP 758128-Boggabri	992.31	466.72	2,763.23	1,882.86	6,105.12
DEMPSEY Myra Connell	Lot 6 Sec 13 DP 758128-Laidlaw St Boggabri	7,896.04	11,653.90	3,121.20	3,868.74	26,539.88
HANNA Peter	Lots 2/5 & 7/9 Section 13 DP 758128	17,864.34	21,789.15	5,040.03	13,417.30	58,110.82
ANTHONY Stephen	Laidlaw St Boggabri					
KOCIC Radisav						
JANKOVIC Bilyana						
HANNA Mary						
BARCLAY David William	Lot 8 DP 664034-Laidlaw St Boggabri	5,718.56	1,679.72	5,414.46	6,155.91	18,968.65
BOYER Robert Michael						
RILEY Reuben	Lot C DP 377590-Laidlaw ST Boggabri	3,230.15	1,327.96	4,561.89	2,149.36	11,269.36
Patricia Anne						
RICHARDS Peter George						
HUMPHRIES Leah Honora	Lot 5 Sec 23 DP 758128-Laidlaw St Boggabri	6,815.89	7,044.92	3,086.51	3,719.22	20,666.54
McALLAN Grahame John	Lot B DP 387806-129 Merton St Boggabri	471.39	195.92	2,859.06	1,439.87	4,966.24
Jane						
COMMONWEALTH BANK						
PHILLIPS Timothy Bart	Lot 2 DP 626621-Merton Street Boggabri	10,329.53	10,542.63	4,337.93	2,621.90	27,831.99
Maureen Clare						
NATIONAL BANK OF AUST						
SNOW James William	Lot 22 DP 740924-Brent Street Boggabri	197.35	349.00	3402.06	1,081.72	5,030.13
Jean						
AGC (Advances) LTD						
McGEE John James	Lot A DP 416329-Caxton St Boggabri	7,395.40	9,130.27	2770.72	2,577.88	21,874.27
ENGLAND Harold Charles	Lot 1 DP 983828-81 Lynn St Boggabri	3,089.57	2,171.34	4298.45	3,294.30	12,853.66
Amy Lillian						

BAILEY Brian Roger								
ROSER Eric John	Lot 11 DP 524222-64 Merton St Boggabri	1,105.14	117.03	2693.76	545.87	4,461.80		
Susan May								
NAMOI CO-OP HOUSING SOCIETY								
KEANE Mark Lindley	Lot 42 DP 603215-Merton St Boggabri	4,155.27	2,285.30	5401.59	3,658.73	15,500.89		
Linda								
NAMOI CO-OP HOUSING SOCIETY								
TRUSTEE IN BANKRUPTCY								
ALDERSON Dawn Hettie	Lot 101 DP 594602-Oakham St Boggabri	3,183.10	630	4915.52	3,366.60	12,095.22		
Robert George								
SHIELDS Robert	Lot 234 DP 755475-Oakham St Boggabri	2,389.90	1508.13	4861.41	3,479.90	12,239.34		
IRVINE Michael John	Lot 169 DP 755475-Walton St Boggabri	5,738.13	1,490.96	2,719.49	2,294.83	12,243.41		
NELSON Hanning	Lot 20 Sec13 DP 758081-Belar St Bellata	1,557.75	611.11	2749.54	1,003.53	5,921.93		
COLLIER David Mark	Lot 17 Sec13 DP 758081-Belar St Bellata	Value of Land	2,025.00	1,928.38	142.02	2,070.40		
BARTON Raymond John	Lot 16 DP 532674-Belar St Bellata	2,172.48	1,554.59	4,607.74	1,120.88	9,455.69		
MORRIS Rosemary	Lot 13 DP 224019-Belar St Bellata	1,411.83	1,073.42	2,703.82	884.05	6,073.12		
ITALIAN DREAMS PTY LTD	Lot7 Sec 2 DP 758081-Belar St Bellata	Value of Land	2,620.00	2,727.02	882.70	3,609.72		
ROBERTS Marjorie Emma	Lots 3/5 Sec 4 DP 758081-Belar St Bellata	7,830.67	13,018.20	2,736.41	2,959.25	26,544.53		
ANZ BANKING GROUP								
ROBERTS Marjorie Emma	Lot A DP 957953 _Railway Parade Bellata	1,852.79	151.08	2,790.59	1,670.30	6,464.76		
HOLZIGAL Peter	Lot 5 Sec 2 DP 758081-Railway Pde Bellata	177.80	95.93	4,279.98	1,377.00	5,930.71		
SWINDEL Isobel Margaret A	Lot 3 Sec 3 DP 758081-Railway Pde Bellata	2,940.01	1,984.64	2,737.11	1,714.36	9,376.12		
CLARKE Susan	Lot 15 DP 532674-Wilga St Bellata	2,535.94	707.35	2,770.02	1,722.49	7,735.80		
GERMON Enid Kathleen	Lot 2 Sec 12 DP 758081-Wilga St Bellata	Value of Land	2,020.00	2,043.19	285.70	2,328.89		
ROBERTS Marjorie Emma	Lot 11 Sec 10 DP 758081-Wilga St Bellata	1,888.32	649.31	2,696.72	1,152.16	6,386.51		
TROON Thelma Edna	Lot 6 Sec4 DP 758081-Yarran St Bellata	3,524.02	4,062.01	2,647.82	1,136.53	11,370.38		
FINGLETON Elizabeth	Lot 31 DP 753933-Parish of Gehan	2,976.29	2,473.28	923.97	1,940.90	8,314.44		
WALLACE Robin Bruce	Lot 414 DP 249460-Parish of Milner	1,074.35	185.32	1,723.27	1,068.84	4,051.78		
Ellen Mary								
NATIONAL BANK OF AUST								
HATTON Kelvin Donald	Lots 1/3 Sec 13 DP 1060-Annabella St Pilliga	955.69	137.42	2,073.12	929.70	4,095.93		
Lindy Jane								
SMITH Dennis Mark	Lot 4 DP 333760-Dangar St Pilliga	737.13	335.80	2,069.75	628.78	3,771.46		
Kim Raelene								
GOLDEN PIGGERIES P/L	Lots 5/6 DP333760-Dangar St Pilliga	4,027.29	3,306.03	2,074.81	2,942.63	12,350.76		
CALEY Ian Thomas	Lots 7/8 DP333760-Dangar St Pilliga	4,747.30	6,152.42	2,074.81	2,942.63	15,917.16		
BAKER James								
FIRTH Joseph Bernard								
SHEPHERD Ronda Stella	Lot 6 Sec 2 DP 758844-Dangar St Pilliga	2,829.31	243.22	2,073.12	2,942.26	8,087.91		
HAMES Robert Allan	Lot 8 Sec 2 DP 758844-Dangar St Pilliga	166.55	312.30	2,100.90	908.30	3,488.05		
AURELI Abele	Lot 9 Sec 6 DP 758844-Dangar St Pilliga	2,686.40	2,583.77	941.79	1,141.14	7,353.10		
PHELPS Vincent Nevell H	Lot 1 Sec 7 DP 758844-Dangar St Pilliga	2,851.90	3,010.58	941.79	1,141.14	7,945.41		
CHAFFEY Janette	Lot 2 Sec 7 DP 758844-Dangar St Pilliga	2,892.21	3,151.16	941.79	1,141.14	8,126.30		
JUDGE Clarice Margaret	Lot 5 Sec 7 DP 758844-Dangar St Pilliga	915.70	1,222.43	941.79	1,141.14	4,221.06		
FERGUSON Victor William	Lot 1 DP 180060-New St Pilliga	166.55	16.08	981.79	438.51	1,602.93		
BRADLEY Margot	Lot 5 Sec 2 DP 758844-Pilliga St Pilliga	120.00	12.00	2,036.01	498.02	2,666.03		
DEWSON William	Lot 2/3 Sec 2 DP 758844-Pilliga St Pilliga	4,961.62	5,683.61	4,172.02	1,631.44	16,448.69		
JACKSON Dianna	Lot 1 Sec 2 DP 758844-Pilliga St Pilliga	2,640.93	2,525.88	2,086.01	830.72	8,083.54		
HAMES William Charles	Lts 1/2 Sec 6 DP 758844-Pilliga St Pilliga	657.40	722.77	996.01	484.73	2,860.91		
TOWNS Craig Edward	Lot 10 Sec 14 DP 758844-Queen St Pilliga	896.11	333.40	2,036.01	826.64	4,092.16		
PHILIPS Ruben Herman	Lot 6 Sec 18 DP 758844-Queen St Pilliga	2,101.26	1,588.92	2,036.01	826.64	6,552.83		
MANTON Joan Bugam	Lot 7 Sec 18 DP 758844-Queen St Pilliga	4,315.78	7,479.69	2,036.01	826.64	14,658.12		
ALLAM Joseph								
Abdul Khaliq								
TOWNS John Edward	Lot 10 Sec 2 DP 1060-Walgett St Pilliga	Land Value	1,000.00	1,306.66	1,328.85	2,635.51		
MITCHELL Norma	Lot 9 Sec 12 DP 758844-Walgett St Pilliga	1,916.32	1,071.75	2,045.91	833.23	5,867.21		
DEWSON Claarie William	Lot 10 Sec 12 DP 758844-Walgett St Pilliga	375.02	40.39	1,965.91	818.61	3,199.93		
SUTHERLAND Lloyd	Lot 7 Sec 11 DP 758844-Walgett St Pilliga	1,996.33	1,071.80	1,965.91	833.51	5,867.55		
Joyce								
ARTHUR Donald	Lot 6 Sec 7 DP 758844-Walgett St Pilliga	2,364.34	2,112.44	895.91	494.86	5,867.55		
STRICKLAND John Robert	Lot 1 Sec 13 DP 758844-Walgett St Pilliga	1,246.35	1,177.06	2,045.91	833.51	5,302.83		

NOTT Leslie Richard Margaret Susan NATIONAL AUSTRALIA BANK LTD	Lot 76 DP 754948-Therribri Psh Narrabri	2,565.74	579.05	6,928.09	2,930.59	13,003.47
RAMSEY Neville Elaine Gay	Lot 58 DP 750315-Wangan Psh Narrabri	1,112.83	719.61	3,072.82	2,092.03	6,997.29
CLARKE Mitchell Anthony	Lots 1/2 Sec 1 DP758498-AnzacPdeGwabegar	414.31	208.36	1,542.26	276.10	2,441.03
NEXTVILLE PTY LTD	Lot 3 Sec 4 DP758498-Anzac Pde Gwabegar	1,227.33	1,001.92	1,542.26	1,233.60	5,005.11
ROSS David Wendy	Lots 11,12 & 13 Sec 8 DP758498 Bridges Street Gwabegar	5,312.97	1,850.66	4,626.78	5,600.14	17,390.55
SMITH David Wayne	Lot 15 Sec 6 DP758498-Bridges St Gwabegar	616.99	328.00	2,209.65	1,174.55	4,329.19
LORD Marshall Edward O'BRIEN Augustus William	Lot 104 DP 750315-Bridges St Gwabegar	4,349.22	5,245.86	1,650.78	2,014.74	13,260.60
EDWARDS Peter Lawrence	Lot 7 Sec 5 DP 758498		2,038.37	452.65	2,491.02	
Tammy Elizabeth	Holmes St Gwabegar	land value	500.00			
LORENZ Michael	Lot 9 Sec 5 DP 758498-Holmes St Gwabegar	2,618.42	854.76	1,952.05	2,432.50	7,857.73
SMITH David Wayne	Lot 2 Sec 6 DP 758498-Holmes St Gwabegar	1,489.14	395.86	1,652.05	1,430.01	4,967.06
LOWNDS Peter Gower	Lot 60 DP 750315- Main Road Gwabegar	895.75	130.75	1,656.93	1,045.56	3,728.99
ANDREWS Sidney	Lot 18Sec8DP758498-Rosenthal StGwabegar	2,568.42	766.09	1,662.05	2,018.69	7,015.25
CLOSE Geoffrey Stan	Lot14/15 Sec9 DP 758948-Ryrie St Gwabegar	293.26	58.51	1,663.31	683.43	2,698.51
MORDEM PTY LTD NATIONAL AUSTRALIA BANK LTD	Lot 5 Sec 1 DP 6458-43 Rose St Wee Waa	12.59	1.26	4,813.35	1,216.21	6,043.41
McKNIGHT Joseph John ANZ BANKING GROUP LTD	Lot 195 DP 757125-Alma Street Wee Waa	549.00	2.25	7,724.31	2,131.81	10,407.37
MAHAFFY David Bruce NATIONAL AUSTRALIA BANK LTD	Lot 7DP231251-29 JamesHibbensSt WeeWaa	113.22	2.46	6,339.60	1,378.75	7,834.03
BUCK Robert Allan Heatrher Ann ABORIGINAL DEVELOPMENT COMMISSION HUNTER UNITED EMPLOYEES CREDIT UNION	Lot B DP 364543-Old Pilliga Road Wee Waa	2,132.46	269.68	5,616.30	1,401.27	9,419.71
MORDEM PTY LTD	Lot 1 DP 783754-Rose Street Wee Waa	11.46	1.74	6,786.13	992.26	7,791.59
SCHWAGER G J	Pt Lot 2Sec 31DP 759063-Short St Wee Waa	5,056.24	1,762.13	2,929.11	2,487.60	12,235.08
ELFORD Francis Thomas	Lots1/3 DP509024 Lot55 DP757125- WeeWaa	705.12	314.20	2,459.21	1,776.49	5,255.02
NATIONAL BANK AUST. LTD						
NEXTVILLE PTY LTD	Lot 56 DP 757125-Wee Waa	1,029.87	913.11	1,532.94	999.10	4,475.02
RYAN Francis Jeffrey	Lot 2 DP 215509-32 Deran Street Narrabri	4,581.72	1,733.99	6,788.93	3,691.00	16,795.64
TRINDALL Frederick Daniel	Lot 30 DP 235763-Lantana Avenue Narrabri	4,709.75	4,642.49	1,679.87	2,233.71	13,265.82
STATE BANK OF NSW PITTAS Spiros	Lot 1 DP 405252-Merton Street Boggabri	2,414.51	487.91	9,308.78	3,669.74	15,880.94
SULLINGS John Herbert	Lot 5 Sec 4 DP 758042-Baan Baa	land value	500.00	727.57	108.12	835.69
CAMPBELL Geoffrey	Lot A Sec 4 DP 396568-Temi St Bellata	637.82	135.92	3,256.57	1,562.06	5,592.37
NICHOLLS Eillean Marie	Lot B DP 324493-Clare Street Boggabri	8.40	0.00	2,009.57	108.25	2,126.22
WYNN R L	Lot 9 DP 333760-Dangar Street Pilliga	2,820.00	1,059.80	1,906.86	2,351.40	8,138.64
R E						
BROWN A R	Lot 8 Sec 6 DP 979855-Dangar St Narrabri	1,534.52	464.77	907.37	1,478.75	4,385.41
M E						
NINNESS Barry	Lot 19 Sec 13 DP 758081-Belar St Bellata	2.16	0.12	344.82	9.56	356.66

In default of payment to the Council of the amount stated in column (e) above and any other rates (including extra charges) becoming due and payable after publication of this notice, or any arrangement satisfactory to the Council for payment of such rates being entered into by the rateable person before the time fixed for the sale, the said land will be offered for sale by Public Auction at Narrabri Shire Council Chambers, 46-48 Maitland Street, Narrabri on Saturday 25th May 2002 commencing at 10.00 AM.

IAN McCallum
GENERAL MANAGER

TAMWORTH CITY COUNCIL

Local Government Act 1993 6 Section 713

Sale of Land for Overdue Rates and Charges

NOTICE is hereby given to the persons named hereunder, that the Council of the City of Tamworth has resolved, in pursuance of Section 713 of the Local Government Act 1993, to sell the land described hereunder of which the persons named are known to the Council to be the owners or to have an interest in the land on which the amount of rates stated in each case, as at 31 January 2002, is due:

Owner(s) or person(s) having interest in the land	Description of subject land	Amount of rates and charges (including extra charges) overdue for more than five (5) years (\$)	Amount of all other rates and charges (including extra charges) payable and unpaid (\$)	Total (\$)
(a)	(b)	(c)	(d)	(e)
RODGERS PRECISION BRICKWORKS (TAMWORTH) PTY LIMITED.	Lot 47, DP 549543; Lot 21, DP 238440, 38-178 Green Street, West Tamworth, NSW 2340, Parish of Murroon in the County of Parry.	22,570.78	36,703.95	59,274.73
HYAMS, Neville Barnett (Estate)	Lot 1A, DP 162986, 21-25 Marius Street, North Tamworth, NSW 2340, Parish of Tamworth in the County of Inglis.	4,673.35	6,080.10	10,753.45
VORHAUER, Florence Amelia, <i>Walcha Shire Council</i> <i>Writ No. 14523.</i>	Lot 18, DP 26657, 19 Wilburtree Street, Hillvue, NSW 2340, Parish of Calala in the County of Parry.	4,006.10	7,418.62	11,424.72

In default of payment to the Council of the amount stated in column (e) above and any other rates (including extra charges) becoming due and payable after this notice or any arrangements satisfactory to the Council for payment of all such rates being entered into by the rateable person before the time fixed for the sale, the said land will be offered for sale by public auction by L.J. Hooker Real Estate (Tamworth), at the Passchendaele Room, Tamworth City Council Town Hall, Fitzroy Street, Tamworth, NSW 2340, on Friday, 31st May 2002, at 11.00a.m. Mr S. M. BARTLETT, Public Officer, Tamworth City Council, 437 Peel Street, Tamworth, NSW 2340. [0146]

ESTATE NOTICES

NOTICE of intended distribution of estate.6Any person having any claim upon the estate of OWEN FRANCIS WALKER PEARCE, late of 15 Macleay Avenue, Wairoonga, in the State of New South Wales, Airline Crewmember, who died on 15th March 2001, must send particulars of his/her claim to the Executors, Sean Owen Pearce and Tarma Sascha Pearce, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 8th February 2002. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0119]

NOTICE of intended distribution of estate.6Any person having any claim upon the estate of JAMES MUSCAT, late of 199 Old Prospect Road, Greystanes, in the State of New South Wales, who died on 2nd October 2001, must send particulars of his/her claim to the Executor,

Robert Jackson, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 5th February 2002. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0120]

NOTICE of intended distribution of estate.6Any person having any claim upon the estate of POPPY HARRIS, late of Austinmer, in the State of New South Wales, Psychologist, who died on 9th December 2001, must send particulars of his/her claim to the Executor, Paul Havelock Pryor, c.o. Pryor Tzannes & Wallis, Solicitors, 1005 Botany Road, Mascot, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 30th January 2002. PRYOR TZANNES & WALLIS, Solicitors, 1005 Botany Road, Mascot, NSW 2020 (DX 164, Sydney), tel.: (02) 9669 6333. [0121]

NOTICE of intended distribution of estate.óAny person having any claim upon the estate of GEORGE WILLIAM EDWARDS, late of Ku-Ring-Gai, in the State of New South Wales, Company Director, who died on 21st August 2001, must send particulars of his/her claim to the Executor, Josephine Lillian Ford Edwards, c.o. Frank M. Deane & Co., Solicitors, 227 Elizabeth Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 15th February 2002. FRANK M. DEANE & CO., Solicitors, 227 Elizabeth Street, Sydney, NSW 2000 (DX 1179, Sydney), tel.: (02) 9264 3066. [0130]

NOTICE of intended distribution of estate.óAny person having any claim upon the estate of PAUL JAMES CROMWELL BUSH, late of ẽThe Horizoní, Unit 3902, 84 Forbes Street, Sydney and of 5A/11 Shiu Fai Terrace, Stubbs Road, Hong Kong, but domiciled in Australia, Financial Advisor, who died on 17th November 2001, must send particulars of his/her claim to the Executor, Gerald Burnham Fraser Bush, c.o. Deacons, Lawyers, 1 Alfred Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 12th February 2002. DEACONS, Lawyers, 1 Alfred Street (GPO Box 3872), Sydney, NSW 2000, (DX 368, Sydney), tel.: (02) 9330 8184. [0132]

NOTICE of intended distribution of estate.óAny person having any claim upon the estate of ETHEL MAUD PERRETT, late of 10 Britannia Avenue, Merrylands, in the State of New South Wales, widow, who died on 4th December 2001, must send particulars of his/her claim to the Executor, Glen King-Gee, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 23rd January 2002. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0133]

NOTICE of intended distribution of estate.óAny person having any claim upon the estate of KATHLEEN DOROTHY ELEFThERIOU, late of 1/68 Hibbard Drive, Port Macquarie, in the State of New South Wales, retired, who died on 31st November 2001, must send particulars of his/her claim to the Executrices, Kathryn Moonen and Lesley Ware, c.o. McKerns, Lawyers, 43 Isabella Street, Wingham, within one (1) calendar month from publication of this notice. After that time the executrices may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 11th February 2002. MCKERNs, Lawyers, 43 Isabella Street, Wingham, NSW 2429 (DX 7021, Taree), tel.: (02) 6557 0922. [0135]

NOTICE of intended distribution of estate.óAny person having any claim upon the estate of ALMA COOPER, late of Charlestown, in the State of New South Wales, who died on 3rd November 2001, must send particulars of his/her claim to the Executor, Derrick Campbell Cooper, c.o. Braye Cragg, Solicitors, 2/51 Bolton Street, Newcastle, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. BRAYE CRAGG, Solicitors, Level 2, 51 Bolton Street, Newcastle, NSW 2300 (DX 7818, Newcastle), tel.: (02) 4926 2955. [0136]

NOTICE of intended distribution of estate.óAny person having any claim upon the estate of HENRY RHYS DAVIES, late of 16 Second Avenue, Lane Cove, in the State of New South Wales, who died on 18th December 2001, must send particulars of his/her claim to the Executrix, Eileen Patricia Tindall, c.o. John S. Fordham, Solicitor, 12 Station Street, West Ryde, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 8th February 2002. JOHN S. FORDHAM, Solicitor, 12 Station Street, West Ryde, NSW 2114 (DX 27551, West Ryde), tel.: (02) 9858 1533. [0137]

NOTICE of intended distribution of estate.óAny person having any claim upon the estate of JOAN ROBINSON, late of Unit 1C/17-25 William Street, Botany, in the State of New South Wales, who died on 25th December 2001, must send particulars of his/her claim to the Executor, Alan Joseph Robinson, c.o. Simpson & Co., Solicitors, 103A Anzac Parade, Kensington, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 8th February 2002. SIMPSON & CO., Solicitors, 103A Anzac Parade, Kensington, NSW 2033, tel.: (02) 9662 4381. [0138]

NOTICE of intended distribution of estate.óAny person having any claim upon the estate of LORNA JEAN COX, late of Elizabeth Bay, in the State of New South Wales, who died on 21st December 2001, must send particulars of his/her claim to the Executor, c.o. B. E. Nagel & Co., Solicitors, Level 2, 155 King Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 14th February 2002. B. E. NAGEL & CO., Solicitors, Level 2, 155 King Street, Sydney, NSW 2000 (DX 902, Sydney), tel.: (02) 9223 2662. [0142]

COMPANY NOTICES

NOTICE of voluntary liquidation. 6HOPEFIELD PTY LTD (In liquidation), ACN 008 401 214. 6Notice is given in pursuance of section 491 (2) of the Corporations Law that at a general meeting of the abovenamed company, duly convened and held at 24 Cloete Street, Young, on 13th February 2002, the following Special Resolution passed: 1 That the company be wound up as a Members' Voluntary Liquidation and that the assets of the company may be distributed in whole or in part to the members in specie should the liquidator so desire. 2 Dated this 13th day of February 2002. LEAH ANN WELLS, B.F.A., C.P.A., Liquidator, Tester Porter Services, 24 Cloete Street, Young, NSW 2594. [0124]

NOTICE of voluntary liquidation. 6TAFHS HILL PTY LTD (In liquidation), ACN 001 256 891. 6Notice is given in pursuance of section 491 (2) of the Corporations Law that at a general meeting of the abovenamed company, duly convened and held at 24 Cloete Street, Young, on 13th February 2002, the following Special Resolution passed: 1 That the company be wound up as a Members' Voluntary Liquidation and that the assets of the company may be distributed in whole or in part to the members in specie should the liquidator so desire. 2 Dated this 13th day of February 2002. LEAH ANN WELLS, B.F.A., C.P.A., Liquidator, Tester Porter Services, 24 Cloete Street, Young, NSW 2594. [0125]

NOTICE of meeting of members. 6AUSTRALIAN AUTOMATION PTY LTD, ACN 000 276 657. 6Notice is hereby given that pursuant to section 509 (2) of the Corporations Act 1989, the final meeting of the abovenamed company will be held at the offices of Leenane Templeton Pty Ltd, Chartered Accountants and Business Advisers at Suite 3A, Level 1, 239 King Street, Newcastle, on Friday, 29th March 2002, at 10.00 a.m., for the purposes of laying before the meeting the liquidator's final account and report and giving explanation thereof. Dated 23rd February 2002. ANDREW JOHN FRANCIS FRITH, Liquidator, c.o. Leenane Templeton Pty Ltd, Chartered Accountants and Business Advisers, Suite 3A, Level 1, 239 King Street, Newcastle, NSW 2300, tel.: (02) 4926 2300. [0126]

NOTICE of meeting of members. 6AUSTRALIAN AUTOMATION (HYDRAULICS) PTY LTD, ACN 001 429 803. 6Notice is hereby given that pursuant to section 509 (2) of the Corporations Act 1989, the final meeting of the abovenamed company will be held at the offices of Leenane Templeton Pty Ltd, Chartered Accountants and Business Advisers at Suite 3A, Level 1, 239 King Street, Newcastle, on Friday, 29th March 2002, at 10.00 a.m., for the purposes of laying before the meeting the liquidator's final account and report and giving explanation thereof. Dated 23rd February 2002. ANDREW JOHN FRANCIS FRITH, Liquidator, c.o. Leenane Templeton Pty Ltd, Chartered Accountants and Business Advisers, Suite 3A, Level 1, 239 King Street, Newcastle, NSW 2300, tel.: (02) 4926 2300. [0127]

NOTICE of application for directions in the Supreme Court of New South Wales, No. 6136 of 2001. 6JARDINE FLEMING CHINA REGION LIMITED (In voluntary liquidation), ACN 060 652 191. 61. An application for directions on matters relating to the future conduct of the liquidation of Jardine Fleming China Region Limited was filed in the Supreme Court of New South Wales on 29th December 2001. 2. The application for directions will be heard by the Supreme Court of New South Wales at Law Courts Building, Queens Square, Sydney, at 11.00 a.m., on 4th March 2002. Copies of documents filed may be obtained from the plaintiff's address for service. 3. The plaintiff's address for service is c.o. Cowley Hearne, Lawyers, Level 10, 60 Miller Street, North Sydney, NSW 2060. 4. Any person intending to appear at the hearing must file a notice of appearance, in accordance with the prescribed form, together with any affidavit on which the person intends to rely, and to serve a copy of the notice and any affidavit on which the person intends to rely, and serve a copy of the notice and any affidavit on the plaintiff at the plaintiff's address for service at least 3 days before the date fixed for the hearing. Dated 19th February 2002. SUSAN PRICE, c.o. Cowley Hearne, Lawyers, Level 10, 60 Miller Street, North Sydney, NSW 2060, tel.: (02) 9956 2100. [0128]

NOTICE of dissolution of partnership. 6AQUAMART. 6 Notice is hereby given that the partnership previously subsisting between Bruce Graeme Carey and Darryl John Sillis carrying on the business of the retail sale of aquariums, live fish and reptiles and pet accessories at Castle Towers Shopping Centre, Castle Hill, under the style or firm of Aquamart has been dissolved by mutual consent as from 1st February 2002, so far as concerns the said Bruce Graeme Carey who retires from the said firm. ROWLANDSON & CO., Solicitors, Dogwoods Chambers, 74 Showground Road, Castle Hill, NSW 2154. tel.: (02) 9899 1200. [0129]



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

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PUBLIC SECTOR NOTICES

SENIOR EXECUTIVE SERVICE APPOINTMENT UNDER SECTION 13

HER Excellency the Governor and the Executive Council in pursuance of the provisions of section 13 of the Public Sector Management Act 1988, has approved that the following officers be appointed to the senior executive service positions shown, effective from the dates shown within the brackets:

Department of Housing

Melissa GIBSON, Executive Officer, Human Services CEO Group [5 November 2001].

CHIEF EXECUTIVE SERVICE RESIGNATION UNDER SECTION 37

HER Excellency the Governor and the Executive Council in pursuance of the provisions of section 37 of the Public Sector Management Act 1988, has accepted the following resignations from the Public Service and the last day of service being indicated within brackets:

Sydney Harbour Foreshore Authority

Michael Keith TEBBUTT, Facilities Manager, Administrative Officer Level 5 [7 December 2001].
Deanna Claire VARGA, Commercial Marketing Co-ordinator, Administrative Officer Level 4 [24 August 2001].

APPOINTMENT ON PROBATION

HER Excellency the Governor, with the advice of the Executive Council, pursuant to the provisions of section 28 of the Public Sector Management Act 1988, and upon recommendation of the appropriate Department Head, has approved the appointment on probation of the following, with effect from the date shown:

Department of Fair Trading

Srinivas MUDUNURI, Applications Infrastructure Specialist, Clerk Grade 9/10 [24 December 2001].
Mark LYNCH, Case Coordinator, Clerk Grade 7/8 [7 January 2002].
Terri-Anne ANDERSON, Assistant Customer Service Officer Clerk Grade 1/2 [25 November 2001].

Department of Planning

Tanya Ann STEPHENS, HR Project Officer EPO (Admin) Level 4 [20 August 2001].

State Electoral Office

Andrea SUMMERELL, Clerical Officer Grade 2/3 [8 November 2001].

CONFIRMATION OF APPOINTMENTS

HER Excellency the Governor, with the advice of the Executive Council and upon recommendation of the Department Head, has approved the confirmation of appointments in pursuance of section 29 of the Public Sector Management Act 1988, of the following:

Department of Aboriginal Affairs

Steven Lindsay ROSS.

Community Relations Commission

Catriona FRASER.

Department of Fair Trading

Rosemary Joan BEASLEY; Olivia Jane LYONS; Natasha Jayne YOUNG; Nerida Michelle TOTH; David Fidel SCHUOLER; Yolanda Christine NYSS; Daryl James MONAGHAN; Wendy Frances MICALLEF; Sophia MARKOVSKA; Chris MCCARROLL; Upma Wati GYANESWAR; Hilerine DAHANAYAKA.

Department of Housing

Carolyn BUSH; Karen WALMSLEY; Linda KINCHELA; Sabrina BALIVA; Jacqueline O'BRIEN; Paola NUNEZ; Margaret CONSTABLE; Ruth DACEY; Vanessa MILLWARD; Gordon HOOSON; Raquel CARVAJAL; Julie FERGUSON; Marina HEUSCHKE; Robyn MICHEL; Prabavathy KANDASAMY; Lucia BERGOLD; Kim Leanne FELTON; Spiro JAMES; Rebecca BROWN; Paul TROAKE; Sandra MORAN; Tabatha TIMBERY-CANN; Pina VARTULI; Manahil DAWOOD; Frank BRYANT; Roslyn ANDERSON; Bernard HEAGNEY; Tamara MCDONALD; Melanie WHITE; Angela DEANE; Kathleen FILMER; Susan REEVES; Neil BOARDMAN; Robert GOURLAY; Michael WHITESIDE; Kelly STRONELL; Josephine ROBERTS; Carolyn Ann VAN EGMOND.

Ombudsman's Office

Andrew O'BRIEN.

RESIGNATION

THE Department Head of the respective Departments listed below has accepted the following resignations from the Public Service, pursuant to the Public Sector Management Act 1988 and the last day of service being indicated within brackets:

Department of Mineral Resources

Leslie John GARDNER, Area Manager South-East, Inspector, Grade 4 [1 February, 2002].
David Jefferson BEDFORD, Area Manager Northern, Inspector, Grade 4 [12 February, 2002].

VOLUNTARY REDUNDANCIES

HER Excellency the Governor and the Executive Council with the advice of the Department Head has approved that the following officers be declared redundant in pursuance of the provisions of section 51 of the Public Sector Management Act 1988, the last day of service being indicated within brackets:

Kylie DRUERY, Clerk Grade 3/4 [27 August, 2001].

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