



Government Gazette

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NEW SOUTH WALES

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LEGISLATION

Assents to Acts

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney, 16 May 2002

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

Act No. 16, 2002 - An Act to provide for The Australian Gas Light Company to be constituted as a body corporate and to enable it to seek registration as a company under the Corporations Act 2001 of the Commonwealth; to make further provision in respect of shareholding limits in relation to the Company; to repeal and amend consequentially various Acts and other legislation; and for other purposes. [**AGL Corporate Conversion Bill**]

Act No. 17, 2002 - An Act to amend the Home Building Act 1989 and the Home Building Regulation 1997 to make further provision with respect to insurance for residential building work, owner-builder work and the supply of kit homes; and for other purposes. [**Home Building Amendment (Insurance) Bill**]

Act No. 18, 2002 - An Act to amend the Gaming Machines Act 2001 to make further provision with respect to the regulation, control and management of gaming machines in hotels and registered clubs; to make miscellaneous amendments to certain other Acts; and for other purposes. [**Gaming Machines Amendment Bill**]

Russell D. Grove PSM
Clerk of the Legislative Assembly

Proclamations

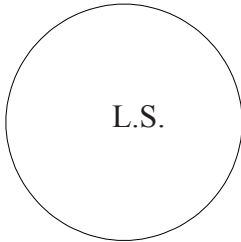
Gaming Machines Amendment Act 2002 No 18—Proclamation

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 *Gaming Machines Amendment Act 2002*, do, by this my Proclamation:

- (a) appoint 1 June 2002 as the day on which that Act commences (except as provided by paragraph (b)), and
- (b) appoint 1 July 2002 as the day on which Schedule 1 [26]–[28] to that Act commences.

Signed and sealed at Sydney, this 29th day of May 2002.



By Her Excellency's Command,

J. RICHARD FACE, M.P.,
Minister for Gaming and Racing

GOD SAVE THE QUEEN!

Regulations

Dangerous Goods (General) Amendment (Fireworks) Regulation 2002

under the

Dangerous Goods Act 1975

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

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

Explanatory note

The object of this Regulation is to prescribe offences under clause 54 (Display fireworks permits) of the *Dangerous Goods (General) Regulation 1999* as offences for which a penalty notice may be issued.

Clause 54 creates offences of receiving or using display fireworks, using a distress signal other than as a distress signal or using certain model rockets, except under the authority of a display fireworks permit.

Police officers and inspectors of dangerous goods will be able to issue penalty notices for these offences. The applicable penalty will be \$55 if the offence is committed as an employee or \$550 if committed in any other capacity.

This Regulation also makes law revision amendments to delete redundant references to short descriptions of offences and Infringement Processing Bureau codes.

This Regulation is made under the *Dangerous Goods Act 1975*, including section 43A and section 41 (the general regulation-making power).

Clause 1 Dangerous Goods (General) Amendment (Fireworks) Regulation 2002

Dangerous Goods (General) Amendment (Fireworks) Regulation 2002

1 Name of Regulation

This Regulation is the *Dangerous Goods (General) Amendment (Fireworks) Regulation 2002*.

2 Commencement

This Regulation commences on 31 May 2002.

3 Amendment of Dangerous Goods (General) Regulation 1999

The *Dangerous Goods (General) Regulation 1999* is amended as set out in Schedule 1.

Dangerous Goods (General) Amendment (Fireworks) Regulation 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 342 Penalty notice offences and penalties

Insert after clause 342 (2):

- (3) For the purposes of this clause, the offence of contravening a term or condition of a licence or permit issued under a provision is taken to be an offence that arises under the provision (even though the offence is an offence under clause 340).

[2] Clause 344 Short descriptions of offences

Omit the clause.

[3] Schedule 4 Penalty notices

Omit Columns 3 and 4.

[4] Schedule 4

Insert in Columns 1 and 2 before the matter relating to clause 94 (2) of the *Dangerous Goods (General) Regulation 1999*:

Clause 54 (in the case of a person who commits the offence in his or her capacity as an employee)	55
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Clause 54 (in any other case)	550
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[5] Dictionary

Omit the definitions of *Infringement Processing Bureau* and *IPB Code*.

Local Government (Elections) Amendment Regulation 2002

under the

Local Government Act 1993

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Government Act 1993*.

HARRY WOODS, M.P.,
Minister for Local Government

Explanatory note

The *Local Government Amendment Act 2000* made various amendments to the provisions of Chapter 10 of the *Local Government Act 1993* (which deals with elections). The system of parties or other groups of candidates submitting a group voting ticket for local government elections was abolished. Under the amended Act, a voter who records a vote for a party or other group “above the line” on the ballot-paper will be recording a vote for the candidates in that party or group in the order shown “below the line” on the ballot-paper. The full list of candidates shown “below the line” will remain as an option for those voters who wish to follow their own preferences rather than the party preferences reflected on the ballot-paper. In addition, those voters who record a vote “above the line” for a party or other group will now be able to determine for themselves whether they wish to record preferences for other parties or groups and, if so, the order in which they wish to record their preferences (instead of the decision on whether preferences are to be given and the order in which they are given being determined by the party or other group in the group voting ticket submitted to the returning officer). The amended provisions mirror the system adopted under the *Parliamentary Electorates and Elections Act 1912*.

Local Government (Elections) Amendment Regulation 2002

Explanatory note

This Regulation amends the *Local Government (Elections) Regulation 1998* as a consequence of the replacement of group voting tickets with group voting squares as discussed above, removing the ability of a group to automatically allocate preferences to other groups and candidates on the ballot-paper.

This Regulation also requires the registration of electoral material for a particular election and prohibits the distribution of any unregistered electoral material on the polling day for an election. (Proposed clauses 38A and 108A are modelled on sections 151G and 151F of the *Parliamentary Electorates and Elections Act 1912*, respectively.)

This Regulation is made under the *Local Government Act 1993* (as amended by the *Local Government Amendment Act 2000*), including section 748 (the general regulation-making power), item 4 of Schedule 6, which authorises the making of regulations for or with respect to council polls and constitutional referendums and item 14 of Schedule 6, which authorises the making of regulations for or with respect to elections.

Local Government (Elections) Amendment Regulation 2002

Clause 1

Local Government (Elections) Amendment Regulation 2002

1 Name of Regulation

This Regulation is the *Local Government (Elections) Amendment Regulation 2002*.

2 Commencement

- (1) This Regulation commences on 1 June 2003, except as provided by subclause (2).
- (2) Schedule 1 [15] to this Regulation (and clause 3, in its application to Schedule 1 [15]) commences on 1 June 2002.

3 Amendment of Local Government (Elections) Regulation 1998

The *Local Government (Elections) Regulation 1998* is amended as set out in Schedule 1.

Local Government (Elections) Amendment Regulation 2002

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 3)

[1] Clause 20 Notice of election

Omit “and (if applicable) the grouping of candidates and creation of group voting tickets” from clause 20 (2) (e).

Insert instead “, the grouping of candidates and the creation of group voting squares”.

[2] Clause 33 Claims for grouping of candidates

Omit “and group voting tickets” from clause 33 (1).

[3] Clause 33 (3) (b)

Omit “the third day after”.

[4] Clause 34 Group voting tickets

Omit the clause.

[5] Clause 35 Order of candidates and groups on ballot-papers

Omit “the third day after” from clause 35 (1).

[6] Clause 35 (2)

Omit the subclause.

[7] Clause 38 Form of ballot-papers

Omit “ticket” wherever occurring from clause 38 (6) (b) and (c).

[8] Clause 38 (8)

Omit “group voting ticket” wherever occurring.

Insert instead “group voting square”.

Local Government (Elections) Amendment Regulation 2002

Amendments

Schedule 1

[9] Clause 38A

Insert after clause 38:

38A Registration of electoral material

- (1) For the purposes of clause 108A, an application may be made, in a form approved by the Electoral Commissioner, to the Electoral Commissioner for the registration of electoral material for a particular election.
- (2) An application must be made during the period commencing on nomination day for the election and ending on the day that is 8 days after that day.
- (3) However, an application may be made to the Electoral Commissioner, during the period commencing on the third day before nomination day and ending on the day before nomination day, for preliminary advice on whether electoral material may be registered, even though the material is incomplete.
- (4) An application must contain a draft or sample of the electoral material.
- (5) The Electoral Commissioner may allow the draft or sample to be altered or replaced before agreeing to registration.
- (6) Registration of the electoral material is effected by the issue of a certificate of registration (in a form approved by the Electoral Commissioner) in respect of a draft or sample of the electoral material.
- (7) The Electoral Commissioner must register the electoral material if satisfied that registration is not prohibited by this clause.
- (8) The Electoral Commissioner may however refuse to register the electoral material if the application for registration was not made in accordance with this clause.
- (9) The Electoral Commissioner must not register the electoral material if it appears to the Electoral Commissioner:
 - (a) in the case of material that contains directions or suggestions (whether express or implied) as to how to

Local Government (Elections) Amendment Regulation 2002

Schedule 1 Amendments

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- vote in accordance with the ticket of a political party, group of candidates or candidate, that:
- (i) the party is not registered under Part 7 of Chapter 10 of the Act or the group or candidate is not registered under Part 8 of Chapter 10 of the Act, or
 - (ii) the application was not made by the registered officer, by the candidates in the group or their official agent or by the candidate or the candidate's official agent (respectively), or
- (b) in the case of material that contains any representation or indication (whether express or implied) that any candidate is a member of, or pursues or supports any or all of the objects or platform (whether with or without modification) of, a particular political party or group of candidates, that:
- (i) the party is not registered under Part 7 of Chapter 10 of the Act or the group is not registered under Part 8 of Chapter 10 of the Act, or
 - (ii) the candidate's affiliation with the party or group is not included in the Local Government Register of Candidates under section 325 of the Act, or
 - (iii) the application was not endorsed in writing by the registered officer or by the other candidates in the group or their official agent, or
- (c) in the case of material that contains directions or suggestions (whether express or implied) as to how to vote in accordance with the ticket of a political party or group of candidates in respect of an election, that:
- (i) the party or group has not endorsed a candidate for the election, or
 - (ii) the material directs or suggests that a candidate or candidates not endorsed by it should be given the first or highest preference or preferences, or
- (d) in the case of material that contains directions or suggestions (whether express or implied) as to how to vote in accordance with the ticket of a candidate in respect of an election, that the candidate is not a candidate in that election, or

Local Government (Elections) Amendment Regulation 2002

Amendments

Schedule 1

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- (e) in the case of material that contains directions or suggestions (whether express or implied) as to how to vote without using group voting squares, that the material does not indicate preferences for at least the number of candidates to be elected, or
 - (f) in the case of material that contains directions or suggestions (whether express or implied) as to how to vote by using group voting squares, that the material does not indicate preferences for at least two groups having group voting squares, or
 - (g) that the material is intended or likely to mislead or improperly interfere with any elector in or in relation to the casting of his or her vote, because of the use, in the material, of any matter suggesting or indicating party or group affiliation (whether or not that matter is the same as or similar to matter included in a register under Part 8 of Chapter 10 of the Act), or
 - (h) that the material contains words that are obscene or offensive.
- (10) Registration may be unconditional or subject to conditions specified in the certificate of registration.
 - (11) A certificate signed by the Electoral Commissioner and certifying that specified material was or was not registered on a specified day or during a specified period is admissible in proceedings for an offence under clause 108A and is, without the need for further proof, evidence of the matters certified.
 - (12) Electoral material is to be taken to be registered in accordance with this clause even though the material contains some differences from the draft or sample in respect of which the certificate of registration was issued, so long as the material is substantially the same as the draft or sample.
 - (13) Registration of electoral material is not a defence to a prosecution for an offence under clause 109.
 - (14) In this clause:
 - electoral material* means any “how to vote” card, handbill, pamphlet or card:
 - (a) containing any representation of a ballot-paper or portion of a ballot-paper, or

Local Government (Elections) Amendment Regulation 2002

Schedule 1 Amendments

- (b) containing any representation apparently intended to represent a ballot-paper or portion of a ballot-paper, or
- (c) having on it any directions or suggestions (whether express or implied) in relation to the casting of votes.

official agent has the same meaning as it has in the *Election Funding Act 1981*.

[10] Clause 65 Display of group voting tickets

Omit the clause.

[11] Clause 76 Informal ballot-papers

Insert after clause 76 (2):

- (2A) Despite subclause (1), a ballot-paper of an elector at an election is not informal merely because it does not show the minimum number of preferences required by the directions so long as it shows at least half of the minimum number of preferences required by the directions.

[12] Clause 76 (3)

Insert "at least half of" after "shows".

[13] Clause 76, note

Insert at the end of clause 76:

Note. Section 308C of the Act makes provision concerning the formality of ballot-papers where the voter marks, crosses or ticks a group voting square, or where the ballot papers contain the name of a candidate whom a court has declared to be incapable of being elected.

[14] Clause 108A

Insert after clause 108:

108A Distribution of electoral material on polling day

- (1) A person must not, in a public place, distribute any electoral material on the polling day for an election unless the material has been registered under clause 38A.

Maximum penalty: 10 penalty units.

Local Government (Elections) Amendment Regulation 2002

Amendments

Schedule 1

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- (2) For the purposes of this clause and without limiting its operation, material is taken to be distributed if it is left in such a position and in such circumstances as to indicate that it is intended to be available for collection by members of the public who are in a public place.
- (3) In this clause:
electoral material means any “how to vote” card, handbill, pamphlet or card:
- (a) containing any representation of a ballot-paper or portion of a ballot-paper, or
 - (b) containing any representation apparently intended to represent a ballot-paper or portion of a ballot-paper, or
 - (c) having on it any directions or suggestions (whether express or implied) in relation to the casting of votes.

[15] Clause 123A Modification of Parliamentary Electorates and Elections Act 1912—registration of political parties

Omit the clause.

[16] Schedule 6 Constitutional referendums and council polls

Omit “65,” from clause 1 (b).

[17] Schedule 8 Forms

Omit “Ticket” wherever occurring from Form 6.

[18] Schedule 8, Form 6

Omit “Place the number “1” in one and one only of these squares to indicate the voting ticket you wish to adopt as your vote”.

Insert instead “Place the number “1” in the square above the group of candidates for whom you wish to vote. If you wish to vote for additional candidates, place consecutive numbers beginning with the number “2” in the squares above the additional groups of candidates in the order of your preferences for them”.

Rules

LEGAL PRACTITIONERS TRANSITIONAL ADMISSION RULES 1994

Delete Part 3 and insert the following in lieu:

PART 3 LEGAL QUALIFICATIONS COMMITTEE

15. The Legal Qualifications Committee is hereby constituted to superintend the qualification of candidates for admission and to advise the Board in relation to the accreditation of academic and practical training courses.
16. (1) The Legal Qualifications Committee shall consist of the following persons:
 - (a) three Judges nominated by the Chief Justice;
 - (b) three Barristers nominated by the Bar Council;
 - (c) three Solicitors nominated by the Law Society Council; and
 - (d) three Professors of Law or full-time Law Lecturers nominated by the NSW Committee of Law Deans.(2) The Legal Qualifications Committee may, by co-option, appoint up to two further members being persons who are or have been Judges, Barristers, Solicitors, Professors of Law or full-time Law Lecturers.
 - (3) The person or body responsible for an appointment or nomination under this rule may vary that appointment or nomination.
17. Nominations under rule 16 shall be in writing to the Executive Officer.
18. (1) The term of office of a member of the Legal Qualifications Committee shall normally be from 1 July of an even numbered year to 30 June of the next even numbered year.
 - (2) All positions become vacant on 30 June of an even numbered year.
 - (3) Members may be re-nominated for subsequent terms.
19. The Legal Qualifications Committee shall elect:
 - (a) as its Chairperson a Judge appointed under rule 16(1)(a); and
 - (b) a Deputy Chairperson to exercise all the powers of the Chairperson when the Chairperson is absent.
20. The Executive Officer shall be the Executive Officer of the Legal Qualifications Committee.
21. Five members shall constitute a quorum of the Legal Qualifications Committee.
22. The Legal Qualifications Committee shall appoint an Academic Exemptions Sub-Committee of up to three members to determine applications under rule 97.
23. The Legal Qualifications Committee shall appoint a Practical Training Exemptions Sub-Committee of up to three members to determine applications under rule 98.

24. The Legal Qualifications Committee shall appoint an Accreditation Sub-Committee of up to three members to make recommendations relating to the recognition and accreditation of courses under these Rules.
25. The Legal Qualifications Committee may delegate to its Chairperson, a member, several members, the Executive Officer or any combination of the foregoing the making of a decision on any particular matter or class of matters provided always that a person who is aggrieved by a decision of a delegate may apply for a re-hearing by the Legal Qualifications Committee.
26. The Legal Qualifications Committee is accountable to the Board and shall report to the Board at least once in each calendar year as to its activities including in such report any proposals the Committee may wish to make about matters relating to the Committee's work.

Insert the following Part:

PART 3A EXAMINATIONS COMMITTEE

27. The Examinations Committee is hereby constituted to oversee the content and conduct of the Board's examinations and the candidatures of Students-at-Law.
 - 27A. (1) The Examinations Committee shall consist of the following persons:
 - (a) two Judges nominated by the Chief Justice;
 - (b) one Barrister nominated by the Bar Council;
 - (c) one Solicitor nominated by the Law Society Council;
 - (d) the Director of the Law Extension Committee; and
 - (e) two Examiners appointed by the Chairperson of the Examinations Committee.
 - (2) The Examinations Committee may, by co-option, appoint up to two further members being persons who are or have been Judges, Barristers, Solicitors, Professors of Law or full-time Law Lecturers.
 - (3) The person or body responsible for an appointment or nomination under this rule may vary that appointment or nomination.
- 27B. Nominations under rule 27A shall be in writing to the Executive Officer.
- 27C. (1) The term of office of a member of the Examinations Committee shall normally be from 1 July of an even numbered year to 30 June of the next even numbered year.
 - (2) All positions become vacant on 30 June of an even numbered year.
 - (3) Members may be re-nominated for subsequent terms.
- 27D. The Examinations Committee shall elect:
 - (a) as its Chairperson a Judge appointed under rule 27A(1)(a); and
 - (b) a Deputy Chairperson to exercise all the powers of the Chairperson when the Chairperson is absent.

- 27E. The Executive Officer shall be the Executive Officer of the Examinations Committee.
- 27F. Four members shall constitute a quorum of the Examinations Committee.
- 27G. The Examinations Committee shall appoint a Performance Review Sub-Committee of up to three members to determine applications under rule 67.
- 27H. The Examinations Committee shall appoint a Curriculum Sub-Committee of up to three members to plan, in consultation with Examiners and Revising Examiners, the curriculum and syllabi for the Board's examinations.
- 27I. The Examinations Committee shall appoint a Quality Sub-Committee of up to three members to oversee the quality of the examinations and marking.
- 27J. (1) The Examinations Committee shall in the name of the Board appoint such Examiners and Revising Examiners as are required to conduct the Board's examinations. All such appointments shall, unless otherwise specified, be for a single examination period.
- (2) The Examinations Committee may delegate, to its Chairperson, a member, several members, the Executive Officer or any combination of the foregoing the making of a decision on any particular matter or class of matters provided always that any person who is aggrieved by the decision of a delegate may apply for a re-hearing by the Examinations Committee.
- 27K. The Examinations Committee is accountable to the Board and shall report to the Board at least once in each calendar year as to its activities including in such report any proposals the Committee may wish to make about the Rules and procedures relating to the Committee's work.

In rule 1 delete "Transitional".

In rule 3 insert "3A Examinations Committee, Rules 27A-27L" after "Rules 15-27".

In rule 4(1) delete:

"Eligible Student-at-Law" means a Student-at-Law who has:

- (a) passed the Board's Examinations; or
- (b) who has been exempted by the Legal Qualifications Committee or pursuant to Rule 68 or 78 from sitting for some of the Board's Examinations and has passed those examinations for which he or she has been required to sit;

In rule 4(1) insert after the definition for "Court" the following definition:

"Examinations Committee" means the Committee established under the Rules to oversee the content and conduct of the Board's examinations and the candidatures of Students-at-Law.'

In rule 4(1) amend the definition of “Legal Qualifications Committee” to read:
““Legal Qualifications Committee” means the Committee established under the Rules to superintend the qualification of candidates for admission and to advise the Board in relation to the accreditation of academic and practical training courses.’

In rule 13(1) delete “or the Legal Qualifications Committee” and insert in lieu “, the Legal Qualifications Committee or the Examinations Committee”

Amend the following rules and sub-rules by deleting “Legal Qualifications Committee” wherever it occurs and inserting in lieu “Examinations Committee”:
46, 54(1), 54(2), 54(3), 56(1), 56(2), 57, 58(1), 59(4), 64, 67(1), 71, 73, 77(1), 77(2), 77(3), 78, 82, 111(1), and 111(2).

Amend rule 28 by adding subrule (3):

- (2) The Board may refuse to register a person as a Student-at-Law if the person is not living in, or does not expect to be living in, Australia during candidature for the Board’s examinations.

Amend rule 44(1)(c) by deleting “94(1)(b)” and inserting in lieu “95(1)(b).

Amend rule 44 by deleting “Syllabus and Curriculum Sub-Committee” in subrules (2), (3) and (4) and inserting in lieu “Accreditation Sub-Committee”.

Orders

CASINO CONTROL ACT 1992

Order

Pursuant to section 66(1) of the Casino Control Act 1992, the Casino Control Authority does, by this Order, approve the following amendments to the rules of games played in the casino operated by Star City Pty Limited under licence granted by the Casino Control Authority on 14 December 1994:

(1) **Amendments to the rules for the playing of “Blackjack”**

- a) Blackjack sub-rule **6.2** is repealed and in substitution therefor, the following new sub-rule 6.2 is approved:
- 6.2 Wagers below the stated minimum shall be paid or collected after the result and the owner of the wager shall be advised that further wagers under the minimum shall be returned regardless of the result. Wagers above the stated maximum shall be paid or collected to the maximum.
- (b) Blackjack sub-rule **10.4** is repealed and in substitution therefor, the following new sub-rule 10.4 is approved:
- 10.4 Each player must indicate his/her decision(s) by scratching, tapping or knocking on the table to indicate a request for additional cards, or by moving the hand horizontally to indicate that the player wishes to stand; or by such other visual hand signals acceptable to the casino operator. As each player indicates his/her decision(s), the dealer shall deal face up whatever additional cards are required to give effect to the decision(s) and shall announce the point total of the player's hand after each additional card is dealt.
- (c) Blackjack sub-rule **18.6.1** is repealed and in substitution therefor, the following new sub-rule 18.6.1 is approved:
- 18.6.1 Subject to rule 18.6.4, where the dealer's first card is Jack, Queen, King or Ace, any players who do not have Pontoon have the option to surrender half their original wager. Any player(s) who wish to surrender must indicate this decision by scratching, tapping or knocking on the table, or by such other visual hand signal acceptable to the casino operator. This shall be done before the subsequent deal for the current round of play commences.
- (d) Blackjack sub-rule **18.9.5** is repealed and in substitution therefor, the following new sub-rule 18.9.5 is approved:
- 18.9.5 Subject to rule 10.5, a player who has elected to double, after receiving his/her next card (the card that constitutes the double), shall indicate whether he/she wishes to forfeit the original wager and retain his/her doubled portion. This shall be done by the player scratching, tapping or knocking on the table to indicate that they wish to forfeit or by the player moving their hand horizontally to indicate that they do not wish to forfeit; or by the use of such other visual hand signals acceptable to the casino operator. This shall be done before the next hand in turn is acted on.

- (e) Blackjack sub-rule **18.14.6** is repealed and in substitution therefor, the following new sub-rule 18.14.6 is approved:

18.14.6 The bonus prize for a winning "Pontoon Pandemonium" wager is determined by random selection, initiated by the pressing of the jackpot button. The possible bonus prize will be one of the possible outcomes contained in a prize schedule approved by the Authority. The minimum return to players for the Pontoon Pandemonium prize schedule(s) shall be maintained at 85% or more. The possible bonus prize outcomes shall be displayed on a sign on the table. The sign shall also display information about the chances of winning the maximum Pontoon Pandemonium bonus prize.

(2) Amendments to the rules for the playing of "Baccarat"

- (a) Baccarat sub-rule **6.1** is repealed and in substitution therefor, the following new sub-rule 6.1 is approved:

6.1 The minimum and maximum wagers permitted by a player and/or for each playing area and/or the table differential shall be shown on a sign at the table. Unless stated on the sign, wagers are not required to be made in multiples of the minimum. The sign may also state the minimum unit in which wagers may be made above the table minimum.

- (b) Baccarat sub-rule **6.2** is repealed and in substitution therefor, the following new sub-rule 6.2 is approved:

6.2 Where the total of the wagers for a coup exceeds the table differential or the playing area maximum displayed on the table sign, the dealer may reduce wagers pro rata on either the Player's Hand or Banker's Hand so that the total no longer exceeds the table differential or the playing area maximum.

- (c) Baccarat sub-rule **6.3** is repealed and in substitution therefor, the following new sub-rule 6.3 is approved:

6.3 Wagers below the stated minimum shall be paid or collected after the result and the owner of the wager shall be advised that further wagers under the minimum shall be returned regardless of the result. Wagers above the stated maximum shall be paid or collected to the maximum.

(3) Amendments to the rules for the playing of "Mini Baccarat"

- a) Mini Baccarat sub-rule **6.1** is repealed and in substitution therefor, the following new sub-rule 6.1 is approved:

6.1 The minimum and maximum wagers permitted by a player and/or for each playing area and/or the table differential shall be shown on a sign at the table. Unless stated on the sign, wagers are not required to be made in multiples of the minimum. The sign may also state the minimum unit in which wagers may be made above the table minimum.

- (b) Mini Baccarat sub-rule **6.2** is repealed and in substitution therefor, the following new sub-rule 6.2 is approved:
- 6.2 Where the total of the wagers for a coup exceeds the table differential or the playing area maximum displayed on the table sign, the dealer may reduce wagers pro rata on either the Player's Hand or Banker's Hand so that the total no longer exceeds the table differential or the playing area maximum.
- (c) Mini Baccarat sub-rule **6.3** is repealed and in substitution therefor, the following new sub-rule 6.3 is approved:
- 6.3 Wagers below the stated minimum shall be paid or collected after the result and the owner of the wager shall be advised that further wagers under the minimum shall be returned regardless of the result. Wagers above the stated maximum shall be paid or collected to the maximum.
- (4) Amendments to the rules for the playing of "Big Wheel"**
- (a) Big Wheel sub-rule **4.2** is repealed and in substitution therefor, the following new sub-rule 4.2 is approved:
- 4.2 Wagers below the stated minimum shall be paid or collected after the result and the owner of the wager shall be advised that further wagers under the minimum shall be returned regardless of the result. Wagers above the stated maximum shall be paid or collected to the maximum.
- (5) Amendments to the rules for the playing of "Caribbean Stud "**
- (a) Existing Caribbean Stud sub-rule **6.2** is renumbered as sub-rule **6.3** and the following rules are approved as new sub-rules 6.2 and 6.3:
- 6.2 Wagers below the stated minimum shall be paid or collected after the result and the owner of the wager shall be advised that further wagers under the minimum shall be returned regardless of the result. Wagers above the stated maximum shall be paid or collected to the maximum.
- 6.3 A casino supervisor may alter the limits on a gaming table at any time except that a minimum wager can only be changed to a higher minimum if a sign indicating the new minimum and the proposed time of change has been displayed at the table at least 20 minutes before the change.
- (6) Amendments to the rules for the playing of "Craps"**
- (a) Craps sub-rule **7.2** is repealed and in substitution therefor, the following new sub-rule 7.2 is approved:
- 7.2 Wagers below the stated minimum shall be paid or collected after the result and the owner of the wager shall be advised that further wagers under the minimum shall be returned regardless of the result. Wagers above the stated maximum shall be paid or collected to the maximum.

(7) Amendments to the rules for the playing of “Let it Ride”

- (a) Let it Ride sub-rule **6.2** is repealed and in substitution therefor, the following new sub-rule 6.2 is approved:

6.2 Subject to sub-rules 12.9 and 12.10, any wager below the stated minimum shall be paid or collected after the result and the owner of the wager shall be advised that further wagers under the minimum shall be returned regardless of the result. Wagers above the stated maximum shall be paid or collected to the maximum.

(8) Amendments to the rules for the playing of “Pai Gow”

- (a) Pai Gow sub-rule **10.2** is repealed and in substitution therefor, the following new sub-rule 10.2 is approved:

10.2 When a player/banker is banking, there is no maximum wager restriction for either the player/banker or players, but the stated table minimum will apply. Any wager below the stated minimum that is not rejected prior to the cut, shall be paid or collected after the result and the owner advised that further wagers under the minimum shall be returned regardless of the result.

- (b) Pai Gow sub-rule **10.3** is repealed and in substitution therefor, the following new sub-rule 10.3 is approved:

10.3 In situations where the House is banking, any wager below the stated minimum shall be paid or collected after the result and the owner of the wager shall be advised that further wagers under the minimum shall be returned regardless of the result. Wagers above the stated maximum shall be paid or collected to the maximum.

(9) Amendments to the rules for the playing of “Roulette”

- (a) Roulette sub-rule **4.2** is repealed and in substitution therefor, the following new sub-rule 4.2 is approved:

4.2 Any wager below the stated minimum shall be paid or collected after the result and the owner of the wager shall be advised that further wagers under the minimum shall be returned regardless of the result. Wagers above the stated maximum shall be paid or collected to the maximum.

(10) Amendments to the rules for the playing of “Sic Bo”

- (a) Sic Bo sub-rule **4.2** is repealed and in substitution therefor, the following new sub-rule 4.2 is approved:

4.2 Any wager below the stated minimum shall be paid or collected after the result and the owner of the wager shall be advised that further wagers under the minimum shall be returned regardless of the result. Wagers above the stated maximum shall be paid or collected to the maximum.

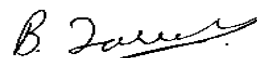
(11) **Amendments to the rules for the playing of “Two Up”**

(a) Two Up sub-rule **5.2** is repealed and in substitution therefor, the following new sub-rule 5.2 is approved:

5.2 Any wager below the stated minimum shall be paid or collected after the result and the owner of the wager shall be advised that further wagers under the minimum shall be returned regardless of the result. Wagers above the stated maximum shall be paid or collected to the maximum.

This Order shall take effect on and from the date of publication in the New South Wales Government Gazette.

Signed at Sydney, this 28th day of May 2002.



Brian Farrell
Chief Executive,
for and on behalf of the
Casino Control Authority.

By-Law

University of Western Sydney By-law 2002

under the

University of Western Sydney Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has approved the following By-law made by the Board of Trustees of the University of Western Sydney under the *University of Western Sydney Act 1997*.

JOHN WATKINS, M.P.,
Minister for Education and Training

Explanatory note

The object of this By-law is to repeal the *University of Western Sydney By-law 1998* and remake it with modifications, including the following:

- (a) references to positions and structures made redundant by the commencement of the *University of Western Sydney Amendment Act 2000* have been excluded from the By-law,
- (b) a provision specifying that the term of office of the Deputy Chancellor is 4 years has been included in the By-law,
- (c) provisions relating to the election of the Chancellor, Deputy Chancellors and elected members of the Board of Trustees of the University have been revised to provide, in particular, for the following:
 - (i) the alteration of the month in which the election of the postgraduate and graduate member of the Board is to be held from October to March in the year of election,

University of Western Sydney By-law 2002

Explanatory note

- (ii) that the Director of Human Resources is to keep the rolls of staff members of the University, and the Academic Registrar of the University is to keep the rolls of students and graduates of the University, and those officers are to provide those rolls to the returning officer to enable the conduct of elections for the elected members of the Board,
- (d) provisions relating to the term of office of persons appointed to fill a casual vacancy in the office of an elected member of the Board of Trustees of the University have been revised.

This By-law is made under the *University of Western Sydney Act 1997*, including section 40 (the general by-law making power), section 41 (relating to rules) and the provisions referred to in this By-law.

University of Western Sydney By-law 2002

Contents

Contents

	Page
Part 1 Preliminary	
1 Name of By-law	5
2 Definitions	5
3 Notes	5
Part 2 Chancellor, Vice-Chancellor and other office holders	
4 Term of office	6
5 Title of Vice-Chancellor	6
6 Membership of committees	6
7 Appointment of acting Chancellor	7
Part 3 Election of Chancellor and other office holders	
8 Definition	8
9 Application of Part	8
10 When is an election to be held?	8
11 Returning officer	8
12 Calling of election	9
13 Making of nominations	9
14 Dealing with nominations	10
15 Distribution of ballot papers	10
16 Contents of ballot papers	10
17 Method of voting	11
18 Informal ballot papers	11
19 Counting of votes	11
Part 4 Staff, student and graduate members of Board	
20 Definitions	13
21 Application of Part	13
22 When is an election to be held?	13
23 Returning officer and polling officers	14
24 Rolls of the University	14
25 Graduates of University to be invited to enrol	15
26 Qualifications for candidates and voters	16

Page 3

University of Western Sydney By-law 2002

Contents

27	Calling of election	17
28	Making of nominations	18
29	Dealing with nominations	18
30	Notice of ballot	18
31	Conduct of ballot	19
32	Material to accompany ballot papers	20
33	Contents of ballot paper	20
34	Method of voting	20
35	Procedure on close of ballot	21
36	Informal ballot papers	21
37	Counting of votes	21
38	Terms of office of elected members	22
39	Filling of casual vacancy	23
Part 5	Rules	
40	Rules	24
41	Publication of rules	24
42	What if rules are inconsistent?	24
Part 6	Miscellaneous	
43	Repeal of former By-law	25
44	Transitional provision—undergraduate member of Board	25
45	Transitional provision—postgraduate member of Board	25
46	Transitional provision—graduate member of Board	25

University of Western Sydney By-law 2002

Clause 1

Preliminary

Part 1

University of Western Sydney By-law 2002

Part 1 Preliminary

1 Name of By-law

This By-law is the *University of Western Sydney By-law 2002*.

2 Definitions

(1) In this By-law:

academic staff member of the Board means the member of the Board referred to in section 12 (5) (a) of the Act.

general staff member of the Board means the member of the Board referred to in section 12 (5) (b) of the Act.

graduate member of the Board means the member of the Board referred to in section 12 (5) (e) of the Act.

Office of the Vice-Chancellor means the Vice-Chancellor, and the other members of staff of the University who assist the Vice-Chancellor to carry out his or her functions.

postgraduate member of the Board means the member of the Board referred to in section 12 (5) (d) of the Act.

the Act means the *University of Western Sydney Act 1997*.

undergraduate member of the Board means the member of the Board referred to in section 12 (5) (c) of the Act.

(2) In this By-law, a reference to full-time employment, in relation to any staff position, is a reference to employment on a basis designated by the Board as a half-time or greater basis.

3 Notes

The notes in the text of this By-law do not form part of this By-law.

Clause 4 University of Western Sydney By-law 2002

Part 2 Chancellor, Vice-Chancellor and other office holders

Part 2 Chancellor, Vice-Chancellor and other office holders

4 Term of office

- (1) For the purposes of section 13 (2) of the Act, the prescribed term of office for the Chancellor is as follows:
 - (a) in the case of a person elected to fill a vacancy in the office of Chancellor that arises because of the expiration of the term of office of the previous Chancellor, 4 years commencing on 1 January next following the election of the person,
 - (b) in any other case, the balance of the term of office of the previous Chancellor.
- (2) For the purposes of section 14 (2) of the Act, the prescribed term of office for a Deputy Chancellor is as follows:
 - (a) in the case of a person elected to fill a vacancy in an office of Deputy Chancellor that arises because of the expiration of the term of office of a previous Deputy Chancellor, 4 years commencing on 1 January next following the election of the person,
 - (b) in any other case, the balance of the term of office of the previous Deputy Chancellor.

5 Title of Vice-Chancellor

- (1) For the purposes of section 15 (6) of the Act, the position of Vice-Chancellor may be referred to as President of the University in addition to the title of Vice-Chancellor.
- (2) A position of Deputy Vice-Chancellor may be referred to as Deputy President of the University in addition to the title of Deputy Vice-Chancellor.

6 Membership of committees

The Chancellor may, without specific appointment, exercise the right of membership of any committee established by the Board.

University of Western Sydney By-law 2002

Clause 7

Chancellor, Vice-Chancellor and other office holders

Part 2

7 Appointment of acting Chancellor

The Board is to establish a procedure for the appointment of a Deputy Chancellor to act in the place of the Chancellor during the absence or inability of the Chancellor to act or a vacancy in the office of Chancellor.

Clause 8 University of Western Sydney By-law 2002

Part 3 Election of Chancellor and other office holders

Part 3 Election of Chancellor and other office holders

8 Definition

In this Part:

close of nominations, in relation to an election under this Part, means the date and time by which nominations must be received by the returning officer for the election (as specified in a notice under clause 12).

9 Application of Part

The following persons are to be elected by the Board in the manner provided for by this Part:

- (a) the Chancellor of the University,
- (b) the Deputy Chancellors of the University.

10 When is an election to be held?

An election to fill a vacancy in the office of Chancellor or Deputy Chancellor is to be held (if practicable):

- (a) in the case of a vacancy that arises because of the expiration of the term of office of the current office holder, before the term of office of the current office holder expires, or
- (b) in any other case, within 3 months after the vacancy arises.

11 Returning officer

- (1) The Vice-Chancellor must from time to time appoint a returning officer to conduct an election.
- (2) The returning officer may, subject to this By-law, decide all matters relating to the procedure for conducting an election under this Part.
- (3) Subject to the Act and this By-law, a decision of the returning officer relating to an election, including a decision relating to the eligibility of a candidate or a voter or the result of an election, is final.
- (4) The returning officer is entitled to attend meetings of the Board for the purpose of conducting an election under this Part.

University of Western Sydney By-law 2002

Clause 12

Election of Chancellor and other office holders

Part 3

12 Calling of election

- (1) If an election is required to be held under this Part, the returning officer is to give notice of the election to the members of the Board at least 14 days before the meeting at which the election is to be held.
- (2) The notice must:
 - (a) state that an election is to be held for the position or positions concerned, and
 - (b) specify the term of office of the position or positions, and
 - (c) invite members of the Board to nominate candidates for election and specify how nominations are to be made, and
 - (d) specify the date and time by which nominations must reach the returning officer, and
 - (e) provide any other information about the election that the returning officer considers it appropriate to provide.

13 Making of nominations

- (1) A nomination for election to the office of Chancellor or Deputy Chancellor must:
 - (a) be made in writing, and
 - (b) be signed by the candidate and 2 members of the Board (other than the candidate), and
 - (c) be received by the returning officer by the close of nominations.
- (2) There must be a separate nomination paper for each candidate and for each position.
- (3) A person may not nominate more than one candidate for each position. If a person nominates more than one candidate, the returning officer is to accept only the first nomination received by the returning officer from that person.
- (4) For the purposes of subclause (3), all of the persons who sign a nomination paper (as provided for by subclause (1) (b)) are taken to have nominated the candidate.

Clause 14 University of Western Sydney By-law 2002

Part 3 Election of Chancellor and other office holders

14 Dealing with nominations

If, at the close of nominations for an election:

- (a) there are no valid nominations, the returning officer must report this to the next meeting of the Board and call an election again in the manner provided for by clause 12, or
- (b) there is only one valid nomination, the returning officer is to report this to the next meeting of the Board and the Board may declare the person nominated to be elected, or
- (c) there is more than one valid nomination, the returning officer must:
 - (i) ensure that the name of each person so nominated is on the agenda for the meeting of the Board at which the ballot is to be conducted, and
 - (ii) conduct a ballot at that meeting as provided for by this Part.

15 Distribution of ballot papers

- (1) The returning officer is to ensure that ballot papers are issued to members of the Board:
 - (a) in person at the meeting at which the ballot is conducted, or
 - (b) by post before the meeting is conducted, but only to members of the Board who request the issue of a postal vote before the close of nominations for the election.
- (2) A separate ballot paper is to be issued for each position for which a ballot is to be conducted.
- (3) The returning officer may issue a duplicate ballot paper to a member of the Board, if the returning officer is satisfied that a ballot paper has been lost or destroyed.

16 Contents of ballot papers

- (1) A ballot paper is to contain the names of the candidates arranged in an order determined by the returning officer by lot.
- (2) A ballot paper is to include or be accompanied by instructions for voting.

University of Western Sydney By-law 2002

Clause 17

Election of Chancellor and other office holders

Part 3

17 Method of voting

- (1) Members of the Board may vote in an election:
 - (a) in person at the meeting at which the ballot is conducted, or
 - (b) by post.
- (2) The ballot is to be conducted as a secret ballot.
- (3) Each member of the Board who wishes to vote is to mark a vote on his or her ballot paper by placing the figure “1” opposite the name of the candidate to whom the member wishes to give his or her first preference.
- (4) If the member of the Board wishes to show his or her order of preference for any or all of the remaining candidates, the member may do so by placing consecutive figures (starting with the figure “2”) opposite the names of any of the remaining candidates so as to indicate, in numerical sequence, the member’s preference for them.
- (5) The returning officer must collect all completed ballot papers from the members of the Board who are present at the meeting at which the ballot is conducted.
- (6) The returning officer is to determine the procedure for voting by post.

18 Informal ballot papers

- (1) A ballot paper is informal if it has any mark or writing that, in the opinion of the returning officer, would enable any person to identify the voter.
- (2) A ballot paper is informal if the voter has not indicated a clear preference for at least one candidate.
- (3) The returning officer is to reject any informal ballot papers and count the formal ballot papers.

19 Counting of votes

- (1) The returning officer must count the number of first preference votes for each candidate.
- (2) If the candidate who has the highest number of first preference votes has an absolute majority of votes, the returning officer is to declare that candidate the successful candidate.

Clause 19 University of Western Sydney By-law 2002

Part 3 Election of Chancellor and other office holders

- (3) If no candidate has an absolute majority of votes, the returning officer must exclude the candidate who has received the fewest number of first preference votes and each of the ballot papers counted to that candidate is to be counted to the continuing candidate next in order of the voter's preference.
- (4) If 2 or more candidates have an equal number of votes at the time that it is necessary to exclude one of them, the candidate to be excluded is to be determined by lot.
- (5) The process referred to in subclauses (3) and (4) is to be continued until:
 - (a) one continuing candidate has an absolute majority of votes, in which case that candidate is to be declared the successful candidate, or
 - (b) there are only 2 continuing candidates who do not have an equal number of votes, in which case the candidate with the larger number of votes is to be declared the successful candidate (even if the number of votes is below an absolute majority of votes), or
 - (c) there are only 2 continuing candidates who have an equal number of votes, in which case the returning officer is to determine the successful candidate by lot.
- (6) The returning officer is to report the name of the successful candidate to the Board and the Board may declare that candidate elected.
- (7) In this clause, a reference to a vote is a reference to a formal vote.

University of Western Sydney By-law 2002

Clause 20

Staff, student and graduate members of Board

Part 4

Part 4 Staff, student and graduate members of Board

20 Definitions

(1) In this Part:

close of nominations, in relation to an election, means the date and time by which nominations must be received by the returning officer for the election (as specified in a notice under clause 27 (4)).

close of the ballot, in relation to an election, means the date and time by which ballot papers must be received by the returning officer for the election (as specified in a notice under clause 30 (3)).

(2) For the purposes of this Part, the Board may determine the members of staff who are to be designated as academic staff and the members of staff who are to be designated as general staff.

21 Application of Part

The elected members of the Board are to be elected in accordance with this Part.

Note. The elected members of the Board comprise:

- (a) the academic staff member,
- (b) the general staff member,
- (c) the undergraduate member,
- (d) the postgraduate member,
- (e) the graduate member.

22 When is an election to be held?

(1) An election to fill a vacancy in the office of an elected member of the Board is to be held, if practicable, as follows:

- (a) in the case of an election for an academic staff member of the Board—no earlier than 4 months before the end of the current member's term of office and before that term of office ends,
- (b) in the case of an election for a general staff member of the Board—no earlier than 4 months before the end of the current member's term of office and before that term of office ends,
- (c) in the case of an election for an undergraduate member of the Board—in the month of October in the year in which the current member's term of office expires,

Clause 22 University of Western Sydney By-law 2002

Part 4 Staff, student and graduate members of Board

- (d) in the case of an election for a postgraduate member of the Board—in the month of March in the year in which the current member's term of office expires,
 - (e) in the case of an election for a graduate member of the Board—in the month of March in the year in which the current member's term of office expires.
- (2) In the case of an election that is required because of a casual vacancy in the office of an elected member (see clause 39), the election is to be held as soon as practicable after the vacancy occurs.

23 Returning officer and polling officers

- (1) The Vice-Chancellor must from time to time appoint a returning officer to conduct elections for the elected members of the Board.
- (2) The returning officer may, subject to this By-law, decide all matters relating to the procedure for conducting an election under this Part.
- (3) The returning officer must appoint one polling officer from each campus of the University to assist in the conduct of the election.
- (4) The election is to be conducted by the returning officer, with the assistance of the polling officers, and such other persons as the returning officer or a polling officer may appoint to assist in the conduct of the election.
- (5) A candidate for election may not act as a returning officer or polling officer in the election.
- (6) A candidate for election may nominate a scrutineer to assist in ascertaining the result of the election. However, a candidate for election may not act as a scrutineer.
- (7) Subject to the Act and this By-law, a decision of the returning officer relating to an election, including a decision relating to the eligibility of a candidate or a voter or the result of the election, is final.

24 Rolls of the University

- (1) The Director of Human Resources for the University is to keep the following rolls:
 - (a) a Roll of Academic Staff containing the names of the members of the full-time academic staff employed at the University and who have accepted and started duty in a position with tenure of one year or more,

University of Western Sydney By-law 2002

Clause 24

Staff, student and graduate members of Board

Part 4

-
- (b) a Roll of General Staff containing the names of the members of the full-time general staff employed at the University and who have accepted and started duty in a position with tenure of one year or more, but whose names are not entered on the Roll of Academic Staff.
- (2) The Academic Registrar for the University is to keep the following rolls:
- (a) a Roll of Undergraduate Students containing the names of the students who are enrolled at the University as candidates proceeding to an undergraduate degree, diploma or certificate, but whose names are not entered on the Roll of Academic Staff or the Roll of General Staff,
- (b) a Roll of Postgraduate Students containing the names of the students who are enrolled at the University as candidates proceeding to a postgraduate degree, diploma or certificate, but whose names are not entered on the Roll of Academic Staff or the Roll of General Staff,
- (c) a Roll of Graduates containing the names of graduates of the University, but whose names are not entered on the Roll of Academic Staff or the Roll of General Staff.
- (3) The Director of Human Resources and the Academic Registrar for the University:
- (a) are to give to the returning officer, one week before the close of nominations for an election, a current copy of the rolls required to be kept by this clause, and
- (b) are to ensure that the returning officer is notified of any changes to those rolls occurring after the copy is given to the returning officer and before the close of nominations.
- (4) The returning officer must ensure that copies of the rolls are available for the University by the close of nominations for an election.

25 Graduates of University to be invited to enrol

- (1) At least 2 months before the conduct of an election for a graduate member, the returning officer for the election is to publish a notice inviting graduates of the University or its predecessor institutions to register to vote in the election.
- (2) The notice is to be published in such newspapers or other publications as the returning officer considers appropriate.

Clause 25 University of Western Sydney By-law 2002

Part 4 Staff, student and graduate members of Board

- (3) The notice is to include information on how to register to vote.

26 Qualifications for candidates and voters

- (1) The qualifications for election and voting for a member of the Board are as follows:
- (a) **Academic staff member**
The qualifications for election as an academic staff member of the Board, and the qualifications for voting at such an election, are that the candidate or voter, as the case may be, must have his or her name entered on a Roll of Academic Staff at the close of nominations for the relevant election.
 - (b) **General staff member**
The qualifications for election as a general staff member of the Board, and the qualifications for voting at such an election, are that the candidate or voter, as the case may be, must have his or her name entered on a Roll of General Staff at the close of nominations for the relevant election.
 - (c) **Undergraduate member**
The qualifications for election as an undergraduate member of the Board, and the qualifications for voting at such an election, are that the candidate or voter, as the case may be, must have his or her name entered on a Roll of Undergraduate Students at the close of nominations for the relevant election.
 - (d) **Postgraduate member**
The qualifications for election as a postgraduate member of the Board, and the qualifications for voting at such an election, are that the candidate or voter, as the case may be, must have his or her name entered on a Roll of Postgraduate Students at the close of nominations for the relevant election.
 - (e) **Graduate member**
The qualifications for election as a graduate member of the Board, and the qualifications for voting at such an election, are that the candidate or voter, as the case may be, must have his or her name entered on a Roll of Graduates at the close of nominations for the relevant election.
- (2) A person may not stand for election for more than one position as a member of the Board, even if his or her name is entered on more than one Roll kept under this By-law.

University of Western Sydney By-law 2002

Clause 26

Staff, student and graduate members of Board

Part 4

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- (3) An election is not invalid merely because of the failure or refusal of a returning officer or other person assisting a returning officer to issue voting papers to, or to accept a vote from, a person who is not included in the relevant Roll.

27 Calling of election

- (1) If an election for an elected member of the Board is required to be held, the returning officer:
- (a) is to publish a notice referred to in subclause (4) on the official noticeboard of the Office of the Vice-Chancellor, and
 - (b) may publish the notice in such other places or in such other manner as the returning officer considers appropriate (including, for example, by the use of the Internet, electronic or ordinary mail, the University's internal mail system or the University's other noticeboards).
- (2) The notice is to be published, as referred to in subclause (1) (a), no less than 7 days before the day nominations close in the election.
- (3) If practicable, the election is to be completed, and the result of the election declared, no later than 8 weeks after publication of the notice.
- (4) The notice must:
- (a) state that an election is to be held for the position or positions concerned, and
 - (b) specify the term of office of the position or positions, and
 - (c) invite people to stand for election to the position or positions, and
 - (d) specify how nominations for election are to be made, and
 - (e) specify the date and time by which nominations must reach the returning officer or one of the polling officers, and
 - (f) specify the qualifications for election and for voting in the election, and
 - (g) provide any other information about the election that the returning officer considers it appropriate to provide.

Clause 28 University of Western Sydney By-law 2002

Part 4 Staff, student and graduate members of Board

28 Making of nominations

- (1) A nomination of a candidate for an election of a member of the Board must:
 - (a) be made in writing, and
 - (b) be signed by the candidate and 2 other people who are eligible to vote in the election, and
 - (c) be received by the returning officer by the time and date specified for the close of nominations.
- (2) There must be a separate nomination paper for each candidate and for each position.
- (3) A person may not nominate more than one candidate for the same position on the Board. If a person nominates more than one candidate, the returning officer is to accept only the first nomination received by the returning officer from that person.
- (4) For the purposes of subclause (3), all of the persons who sign a nomination paper (as provided for by subclause (1) (b)), are taken to have nominated the candidate.

29 Dealing with nominations

- (1) If 2 or more nominations of persons for election to the same position on the Board are accepted by the returning officer, there must be a ballot for the position concerned.
- (2) If only one nomination of a person for election to a position on the Board is accepted by the returning officer, the returning officer is to declare the person nominated to be elected.
- (3) If there are no valid nominations for election to a position on the Board, the returning officer is to call an election again in accordance with clause 27.

30 Notice of ballot

- (1) If a ballot is required, the returning officer:
 - (a) is to publish a notice referred to in subclause (3) on the official noticeboard of the Office of the Vice-Chancellor, and

University of Western Sydney By-law 2002

Clause 30

Staff, student and graduate members of Board

Part 4

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- (b) may publish the notice in such other places or in such other manner as the returning officer considers appropriate (including, for example, by the use of the Internet, electronic or ordinary mail, the University's internal mail system or the University's other noticeboards).
 - (2) The notice is to be published, as referred to in subclause (1) (a), not less than 14 days before the day the ballot closes.
 - (3) A notice of ballot must:
 - (a) state that there will be a ballot for the position or positions concerned, and
 - (b) specify how people may vote in the ballot (including how ballot papers will be distributed to eligible voters), and
 - (c) specify the date and time by which ballot papers must reach the returning officer or one of the polling officers, and
 - (d) provide any other information about the ballot that the returning officer considers it appropriate to provide.

31 Conduct of ballot

- (1) Ballot papers may be distributed by post or by requiring eligible voters to attend a specified place or places managed or controlled by the University, at a specified date and time, in order to receive a ballot paper and vote in the election.
- (2) In the case of a ballot that is conducted by requiring eligible voters to attend a place:
 - (a) the returning officer is to ensure that each eligible voter who attends the specified place at the specified date and time receives a ballot paper, and
 - (b) the returning officer is to ensure that each eligible voter who applied for a postal vote before the close of nominations is posted a ballot paper.
- (3) In the case of a ballot conducted by post, the returning officer is to ensure that a ballot paper is posted to each eligible voter no less than 14 days before the close of the ballot.
- (4) The returning officer may, on receipt of a written application, issue a duplicate ballot paper to an eligible voter, if the returning officer is satisfied that a ballot paper has been lost or destroyed.

Clause 31 University of Western Sydney By-law 2002

Part 4 Staff, student and graduate members of Board

- (5) The fact that a person whose name is on the relevant Roll of the University did not receive a ballot paper does not invalidate the election.
- (6) In this clause, a reference to an eligible voter is a reference to a person whose name is on the relevant Roll of the University at the date of the close of nominations for the elections.

32 Material to accompany ballot papers

Each ballot paper is to be accompanied by:

- (a) instructions for voting, and
- (b) a form of declaration of identity and entitlement to vote, and
- (c) 2 envelopes, one marked "Voting paper" and the other addressed to the returning officer or to a polling officer.

33 Contents of ballot paper

- (1) Each ballot paper is to contain the names of the candidates in the order determined by the returning officer.
- (2) The returning officer is to determine the order of the candidates on the ballot paper by lot.

34 Method of voting

- (1) Each voter who wishes to vote is to mark a vote on the ballot paper by placing the figure "1" opposite the name of the candidate to whom the voter wishes to give his or her first preference.
- (2) If the voter wishes to show his or her order of preference for any or all of the remaining candidates, the voter may do so by placing consecutive figures (starting with the figure "2") opposite the names of any of the remaining candidates so as to indicate, in numerical sequence, the voter's preference for them.
- (3) The voter must then:
 - (a) place his or her ballot paper, without anything else, in the envelope marked "Voting paper", and
 - (b) place that envelope, and the declaration of identity and entitlement to vote, in the envelope that is addressed to the returning officer or a polling officer, and
 - (c) send or deliver the envelopes to the returning officer or a polling officer by the close of the ballot.

University of Western Sydney By-law 2002

Clause 35

Staff, student and graduate members of Board

Part 4

35 Procedure on close of ballot

When the ballot is closed, and not before, the returning officer or a polling officer must, in the presence of those scrutineers who choose to be present:

- (a) open all the envelopes addressed to the returning officer or a polling officer, and
- (b) confirm that each declaration of identity and entitlement to vote has been signed by an eligible voter, and
- (c) separate those declarations from the envelopes containing the ballot papers, and
- (d) open all the envelopes containing ballot papers and take out the ballot papers, and
- (e) count the votes, and determine the result of the ballot, in the manner referred to in clause 37.

36 Informal ballot papers

- (1) A ballot paper is informal if it has any mark or writing that, in the opinion of the returning officer, would enable any person to identify the voter.
- (2) A ballot paper is informal if it has not been initialled by the returning officer or a polling officer.
- (3) A ballot paper is informal if the voter has not indicated a clear preference for at least one candidate.
- (4) The returning officer is to reject any informal ballot papers and count the formal ballot papers.

37 Counting of votes

- (1) Votes must be counted by the returning officer, with the assistance of the polling officers, in accordance with this clause.
- (2) The returning officer must count the number of first preference votes for each candidate.
- (3) If the candidate who has the highest number of first preference votes has an absolute majority of votes, the returning officer is to declare that candidate elected.

Clause 37 University of Western Sydney By-law 2002

Part 4 Staff, student and graduate members of Board

- (4) If no candidate has an absolute majority of votes, the returning officer must exclude the candidate who has received the fewest number of first preference votes and each of the ballot papers counted to that candidate is to be counted to the continuing candidate next in order of the voter's preference.
- (5) If 2 or more candidates have an equal number of votes at the time that it is necessary to exclude one of them, the candidate to be excluded is to be determined by lot.
- (6) The process referred to in subclauses (4) and (5) is to be continued until:
 - (a) one continuing candidate has an absolute majority of votes, in which case that candidate is to be declared elected, or
 - (b) there are only 2 continuing candidates who do not have an equal number of votes, in which case the candidate with the larger number of votes is to be declared elected (even if the number of votes is below an absolute majority of votes), or
 - (c) there are only 2 continuing candidates who have an equal number of votes, in which case the candidate to be elected is to be determined by lot and the successful candidate is to be declared elected.
- (7) In this clause, a reference to a vote is a reference to a formal vote.

38 Terms of office of elected members

- (1) The term of office of a person elected as an academic staff member, a general staff member or an undergraduate member of the Board is 2 years commencing on 1 January next following his or her election.
- (2) The term of office of a person elected as a postgraduate member of the Board is 2 years commencing on 1 July next following his or her election.
- (3) The term of office of a person elected as a graduate member of the Board is 4 years commencing on 1 July next following his or her election.
- (4) If the office of an elected member of the Board becomes vacant otherwise than because of the expiration of the term of office of the office holder, and a person is appointed or elected to fill the vacancy, the term of office of that person is the residue of that term.

University of Western Sydney By-law 2002

Clause 39

Staff, student and graduate members of Board

Part 4

39 Filling of casual vacancy

- (1) If there is a casual vacancy in the office of academic staff member, general staff member, undergraduate member or postgraduate member of the Board, the following provisions apply:
 - (a) if the vacancy occurs within the first 12 months of the term of that office, a person is to be elected in accordance with this By-law to hold the office for the residue of the term, and
 - (b) in any other case, the Board must appoint a person who is qualified to hold that office to hold the office of that member for the residue of the term.
- (2) If there is a casual vacancy in the office of graduate member of the Board, the Board must appoint the runner up in the most recent election for that position to hold the office of that member for the residue of the term. However, if the office cannot be filled in that way, the following provisions apply:
 - (a) if the casual vacancy occurs within the first 24 months of the term of office of the graduate member, a person is to be elected in accordance with this By-law to hold the office for the residue of the term, and
 - (b) in any other case, the Board must appoint a person who is qualified to hold that office to hold the office of that member for the residue of the term.
- (3) In this clause:

casual vacancy in an office means a vacancy that occurs in that office otherwise than because of the expiration of the term of office.

runner up in an election means the person who, in the vote counting process at the election, was the last remaining candidate for election aside from the person who was declared elected.

Clause 40 University of Western Sydney By-law 2002

Part 5 Rules

Part 5 Rules

40 Rules

- (1) The Board may make rules for or with respect to any or all of the matters for or with respect to which rules may be made under the Act.
- (2) The Vice-Chancellor may make rules (not inconsistent with the rules of the Board) for the good conduct of the University.

Note. Section 41 (1) of the Act provides that the by-laws may empower any authority (including the Board) or an officer of the University to make rules (not inconsistent with the Act or the by-laws) for or with respect to which by-laws may be made, except the matters referred to in sections 3 (2), 12 (5), 13 (2), 14 (2), 22 (1) (e) and (f) and 40 (1) (b) of the Act and clauses 1 (d) and (e) and 3 of Schedule 1 to the Act.

41 Publication of rules

- (1) If the Board makes a rule, the Board:
 - (a) must ensure that the rule is published on the official noticeboard of the Office of the Vice-Chancellor and may publish the rule by an electronic method within the University (such as electronic mail or the Internet), and
 - (b) must ensure that copies of the rule are made available for inspection at the Office of the Vice-Chancellor.
- (2) If the Vice-Chancellor makes a rule, the Vice-Chancellor:
 - (a) must ensure that the rule is published on the official noticeboard of the Office of the Vice-Chancellor and may publish the rule by an electronic method within the University (such as electronic mail or the Internet), and
 - (b) must ensure that copies of the rule are made available for inspection at the Office of the Vice-Chancellor.

42 What if rules are inconsistent?

If the Vice-Chancellor makes a rule that is inconsistent with a rule made by the Board, the rule made by the Board prevails to the extent of the inconsistency.

Note. Section 41 (3) of the Act provides that in the event of any inconsistency between a by-law and a rule, the by-law prevails to the extent of the inconsistency.

University of Western Sydney By-law 2002

Clause 43

Miscellaneous

Part 6

Part 6 Miscellaneous

43 Repeal of former By-law

- (1) The *University of Western Sydney By-law 1998* is repealed.
- (2) Any act, matter or thing that had effect under that By-law is taken to have effect under this By-law.
- (3) In particular, any rule made pursuant to a provision of the repealed By-law is taken to have been made pursuant to the corresponding provision of this By-law (subject to clause 19 of Schedule 4 to the Act).

Note. Clauses 18 and 19 of Schedule 4 to the Act continue in force the by-laws and rules made under the *University of Western Sydney Act 1988*.

44 Transitional provision—undergraduate member of Board

- (1) Despite clauses 22 and 38 (subclause (4) excepted), the term of office of the first undergraduate member of the Board elected after the commencement of this By-law commences on that election and expires on 31 December 2003.
- (2) An election for the undergraduate member of the Board is to be held in accordance with this By-law in the month of October 2003 to replace that undergraduate member of the Board.

45 Transitional provision—postgraduate member of Board

- (1) Despite clauses 22 and 38 (subclause (4) excepted), the term of office of the first postgraduate member of the Board elected after the commencement of this By-law commences on that election and expires on 30 June 2003.
- (2) An election for a postgraduate member of the Board is to be held in accordance with this By-law in the month of March 2003 to replace that postgraduate member of the Board.

46 Transitional provision—graduate member of Board

- (1) Despite clauses 22 and 38 (subclause (4) excepted), the term of office of the first graduate member of the Board elected after the commencement of this By-law commences on that election and expires on 30 June 2005.

Clause 46 University of Western Sydney By-law 2002

Part 6 Miscellaneous

- (2) An election for a graduate member of the Board is to be held in accordance with this By-law in the month of March 2005 to replace that graduate member of the Board.

Other Legislation

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to omit reference to the following species of plant in Part 1 of Schedule 1 to that Act (Endangered species) and, accordingly, that Schedule is amended as set out in Annexure "A" to this Notice:

Plants

Chenopodiaceae

Atriplex rhagodioides F. Muell.

The final determination to omit this species from Part 1 of Schedule 1 has been made because the Scientific Committee is of the opinion that the species is not known to occur in New South Wales and consequently does not satisfy the criteria for listing as an endangered species.

Copies of the final determination may be inspected during business hours at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at Area Offices or Visitor Centres of the National Parks and Wildlife Service.

Signed at Sydney, this 20th day of May 2002.

Dr Chris Dickman

Chairperson
Scientific Committee

Threatened Species Conservation Act 1995 No 101—Final Determination

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended by omitting the following matter in Part 1 under the heading “Plants” and the sub-heading “Chenopodiaceae”:

Atriplex rhagodioides F. Muell.

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 3 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to insert the following matter in Schedule 3 to that Act (Key threatening processes) and, accordingly, that Schedule is amended as set out in Annexure "A" to this Notice:

Alteration to the natural flow regimes of rivers and streams and their floodplains and wetlands (as described in the final determination of the Scientific Committee to list the threatening process)

The final determination to insert this matter in Schedule 3 has been made because the Scientific Committee is of the opinion that alteration to the natural flow regimes of rivers and streams and their floodplains and wetlands adversely affects two or more threatened species, populations or ecological communities, or could cause species, populations or ecological communities that are not threatened to become threatened.

Copies of the final determination may be inspected during business hours at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at Area Offices or Visitor Centres of the National Parks and Wildlife Service.

Signed at Sydney, this 2nd day of May 2002.

Threatened Species Conservation Act 1995 No 101—Final Determination

Dr Chris Dickman
Chairperson
Scientific Committee

Annexure “A”

Schedule 3 to the *Threatened Species Conservation Act 1995* is amended by inserting in alphabetical order the matter:

Alteration to the natural flow regimes of rivers and streams and their floodplains and wetlands (as described in the final determination of the Scientific Committee to list the threatening process)

OFFICIAL NOTICES

Appointments

POLICE SERVICE ACT 1990

APPOINTMENT UNDER SECTION 24(1)

HER Excellency the Governor and the Executive Council upon the recommendation of the Minister for Police, has approved, pursuant to the provisions of the Police Service Act 1990, that the officer listed below be appointed to the position as specified:

Police Service of NSW

Kenneth Edward MORONEY, Commissioner of Police [commencing on and from 30 May 2002].

MICHAEL COSTA, M.P.,
Minister for Police

POULTRY MEAT INDUSTRY ACT 1986

Poultry Meat Industry Committee

I, RICHARD AMERY, M.P., Minister for Agriculture, pursuant to section 4 (3) (d) of the Poultry Meat Industry Act 1986, hereby appoint Mr James SAMPHIER as an Independent Member of the Poultry Meat Industry Committee for a term commencing from the date hereof to 30 April 2003.

Dated this 14th day of May 2002.

RICHARD AMERY, M.P.,
Minister for Agriculture

PUBLIC SECTOR MANAGEMENT ACT 1988

SENIOR EXECUTIVE SERVICE RE-APPOINTMENT UNDER SECTION 18

HER Excellency the Governor and the Executive Council upon the recommendation of the Minister, has approved, pursuant to Section 18 of the Environmental Planning and Assessment Act 1979, that William Simpson be re-appointed to the Senior Executive Service positions as specified, for a period of three (3) months:

Planning NSW

William SIMPSON, Chairperson of the Office of Commissioners of Inquiry for Environment and Planning, 27 May 2002.

The Hon Dr ANDREW REFSHAUGE M.P.,
Deputy Premier, Minister for Planning,
Minister for Aboriginal Affairs
and Minister for Housing

TOURISM NEW SOUTH WALES ACT 1984

TOURISM NEW SOUTH WALES APPOINTMENT OF PART-TIME MEMBERS

IT is hereby notified that in pursuance of Section 4(3), 4(4) and 4(5) of the Tourism New South Wales Act 1984 (as amended) Maurice Lionel Newman, AC, FSIA be appointed a part-time member and Chairman of the Board of Tourism New South Wales from the date of appointment for the term of office specified:

To appoint Maurice Lionel NEWMAN, AC, FSIA as a part-time member and Chairman of the Board of Tourism New South Wales for a period of three years expiring on 31 May 2005.

SANDRA NORI, M.P.,
Minister for Small Business
Minister for Tourism

NSW Fisheries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 1995

Clause 35 (4) — Notice of Aquaculture Lease Renewal

THE Minister has renewed the following class 1 Aquaculture Lease:

OL71/408 within the estuary of Port Stephens - Karuah having an area of 0.3761 hectares to Dean Michael Johnson of Karuah, NSW, for a term of 15 years expiring on 31 December 2016.

OL72/066 within the estuary of the Manning River having an area of 0.4837 hectares to Wayne Palmer and Lorraine Palmer of Mitchells Island, NSW, for a term of 15 years expiring on 30 June 2017.

OL87/011 within the estuary of the Clyde River having an area of 0.4687 hectares to Stefanos Paschalidis of Batemans Bay NSW for a term of 15 years expiring on 26 March 2017.

OL71/230 within the estuary of the Manning River having an area of 0.7031 hectares to Peter Mansfield and Trevor Mansfield of Hawks Nest, NSW, expiring on 29 November 2016.

OL86/250 within the estuary of Wallis Lake having an area of 0.3993 hectares to Desmond Arthur Ralston and Doreen Wilma Ralston of Tuncurry, NSW, expiring on 8 March 2018.

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

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Recreational Bag Limit on Yabbies (*Cherax destructor*)

I, Edward Obeid, prohibit the taking of yabbies, (other than by a commercial fisher), by all methods of fishing, from all inland waters of NSW, with the exception that a person (not being a commercial fisher) may take or have in their possession not more than 200 yabbies on any day.

This closure will be effective from 3 June 2002 to 3 June 2004.

Note: Under this notification the bag limit of 200 yabbies applies when a person (other than a commercial fisher) is in possession in or adjacent to the waters specified, or is transporting or storing the yabbies of the quantity specified.

The Hon EDWARD OBEID OAM, MLC,
Minister for Mineral Resources
and Minister for Fisheries

Department of Land and Water Conservation

Land Conservation

DUBBO OFFICE

Department of Land and Water Conservation
142 Brisbane Street (PO Box 865), Dubbo, NSW 2830
Phone: (02) 6841 5200 Fax: (02) 6841 5231

ERRATUM

IN the notice which appeared in the *Government Gazette* No.19 of the 10 May, 2002 Folio 2793 under the heading of "Notification of Closing of Roads" the Note should read "On closing the Title for Lot 102 shall remain vested in The State of New South Wales as Crown Land". File No. DB01H7.

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

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

ERRATUM

In the notification appearing in the *Government Gazette* of 18 January 2002, Folios 202-203, under the heading Granting of a Western Lands Lease, the area of Western Lands Lease 14357 (Folio Identifier 1520/763381) should read 6070 square metres. File No: WLL 14357.

**ALTERATION OF CONDITIONS OF A WESTERN
LANDS LEASE**

IT is hereby notified that in pursuance of the provisions of Section 18J Western Lands Act 1901, the conditions of the undermentioned Western Lands Lease have been altered as shown.

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

*Shire and Administrative District – Wentworth;
Parish – Tapio; County – Wentworth*

The conditions of Western Lands Lease No. 1444, being the land contained within Folio Identifier 20/760340, have been altered effective from 17 May 2002 by the inclusion of the special conditions following.

**SPECIAL CONDITIONS ATTACHED TO WESTERN
LANDS LEASE 1444**

- a) The lessee shall permit the holder of Lot 1 DP 735148, Parish of Tapio, County of Wentworth and his/her heirs, assigns and successors in title and every person authorised by them:
 - (i) to install, maintain, repair, renew, replace and convey water through a pump and pipeline within the land leased to serve Lot 1 DP 735148;
 - (ii) to travel through the land leased along the established track for the purpose of operating the pipeline and the associated pump;
 - (iii) to enter upon the land with any tools, implements, machinery and materials necessary and to remain there for any reasonable time for the purpose of inspecting, maintaining, repairing, renewing or replacing as necessary the pipeline pumps and bores or any part thereof, and for the aforesaid purposes to open the soil of the land to such extent as may be necessary.
- b) The pipeline in (a) above shall be buried not less than 30 centimetres below the surface of the ground.
- c) The lessee shall not authorise the passage of heavy vehicles or machinery across the pipeline in (a) above and shall not disturb the topsoil within one metre either side of it unless the permission of the holder of Lot 1 DP 735148 has been first obtained.
- d) In the event of escape of water from the pipeline in (a) above, the lessee shall advise the holder of Lot 1 DP

735148 when he/she becomes aware of the fact. If the pipeline is not repaired within one calendar month of the date of that advice, or such time as is mutually agreed, the right to convey water through the pipeline under condition (a)(i) above shall lapse until such time as the pipeline is restored to watertight condition.

- e) The lessee shall comply with the provisions of the National Parks and Wildlife Act, 1974 in relation to the protection and notification of Aboriginal relics and sites of relics.
- f) In the event of any dispute arising between the lessee and the holder of Lot 1 DP 735148 regarding Special Conditions (a) - (g) the matter in dispute shall be determined by the Local Land Board.

Special Conditions (a) - (g) may be removed from the lease only with the consent of the holder of Lot 1 DP 735148.

**ALTERATION OF PURPOSE OF A WESTERN
LANDS LEASE**

IT is hereby notified that in pursuance of the provisions of Section 18J Western Lands Act 1901, the purpose and conditions of the undermentioned Western Lands Lease have been altered as shown.

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

*Administrative District and Shire of Central Darling
Parish – Wambah; County – Livingstone*

The purpose of Western Lands Lease 13292 being the land contained within folio identifier 2966/765165 has been altered from Garden (Vegetable) to Recreation effective from 23 May 2002.

As a consequence of the alteration of purpose annual rental has been determined at \$105.00 for the next five (5) year period of the term of the lease and the Conditions previously annexed to Western Lands Lease 13292 have been revoked and the following conditions have been annexed thereto.

**CONDITIONS AND RESERVATIONS ATTACHED TO
WESTERN LANDS LEASE 13292**

- (1) In the conditions annexed to the lease, the expression "the Minister" means the Minister administering the Western Lands Act 1901, and any power, authority, duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of the Department of Land and Water Conservation as the Minister may from time to time approve.
- (2) In these conditions and reservations the expression "the Commissioner" means the Commissioner charged with the administration of the Western Lands Act 1901 ("the Act") in accordance with section 4(2) of the Act.

- (3) (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majesty's Heirs and Successors and the Minister.
- (b) The lessee covenants with the Lessor to indemnify and keep indemnified the Lessor from and against all claims for injury loss or damage suffered by any person or body using or being in or upon the Premises or any adjoining land or premises of the Lessor arising out of the Holder's use of the Premises and against all liabilities for costs charges and expenses incurred by the Lessor in respect of the claim of any such person or body except to the extent that any such claims and demands arise wholly from any negligence or wilful act or omission on the part of the Lessor.
- (c) The indemnity contained in this clause applies notwithstanding that this Lease authorised or required the lessee to undertake or perform the activity giving rise to any claim for injury loss or damage.
- (d) The lessee expressly agrees that the obligations of the Holder under this clause shall continue after the expiration or sooner determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The rent of the lease shall be as determined by the local land board for each period of 5 years of the term of the lease, except where a rent is bid at auction or tendered under Section 19C(5) of the Western Lands Act 1901.
- (5) The rent shall be due and payable annually in advance on 22 July in each year.
- (6) (a) "GST" means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.
 "GST law" includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.
- (b) Notwithstanding any other provision of this Agreement:
- (i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
- (ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause "taxes"), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
- (7) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (8) The lessee shall hold and use the land leased bona fide for the lessee's own exclusive benefit and shall not transfer, convey, assign or sublet the land or any portion thereof without having first obtained the written consent of the Minister.
- (9) The land leased shall be used only for the purpose of Recreation.
- (10) The lessee shall maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (11) All minerals within the meaning of the Mining Act 1992, and all other metals, gemstones and semiprecious stones, which may be in, under or upon the land leased are reserved to the Crown and the lessee shall permit any person duly authorised in that behalf to enter upon the land leased and search, work, win and remove all or any minerals, metals, gemstones and semiprecious stones in, under or upon the land leased.
- (12) Mining operations may be carried on, upon and in the lands below the land leased and upon and in the lands adjoining the land leased and the lands below those lands and metals and minerals may be removed therefrom and the Crown and any lessee or lessees under any Mining Act or Acts shall not be subject to any proceedings by way of injunction or otherwise in respect of or be liable for any damage occasioned by the letting down, subsidence or lateral movement of the land leased or any part thereof or otherwise by reason of the following acts and matters, that is to say, by reason of the Crown or any person on behalf of the Crown or any lessee or lessees, having worked now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for, worked, won or removed or now or hereafter searching for, working, winning or removing any metals or minerals under, in or from the lands lying beneath the land leased or any part thereof, or on, in, under or from any other lands situated laterally to the land leased or any part thereof or the lands lying beneath those lands, and whether on or below the surface of those other lands and by reason of those acts and matters or in the course thereof the Crown reserves the liberty and authority for the Crown, any person on behalf of the Crown and any lessee or lessees from time to time to let down without payment of any compensation any part of the land leased or of the surface thereof.
- (13) The lessee shall comply with the provisions of the Local Government Act 1993, and of the ordinances made thereunder.
- (14) The lessee shall comply with the provisions of the Water Supply Authorities Act 1987 and any regulations and by-laws made in pursuance of that Act.

- (15) The lessee shall not erect or permit any person to erect any buildings or extend any existing buildings on the land leased except in accordance with plans and specifications approved by the Council of the local Government area.
- (16) The lessee shall ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
- (17) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee shall remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee shall leave the land in a clean and tidy condition free from rubbish and debris.
- (18) Where the Crown has paid a contribution under section 217-219 of the Roads Act 1993 in respect of the land leased, the lessee shall pay to the Crown the amount of that contribution within 3 months of being called upon to do so.
- (19) The lessee shall pay to the Crown the proportional part of the costs of road construction as notified by the Department of Land and Water Conservation within 3 months of the date of gazettal of the granting.
- (20) The lessee shall, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (21) The lessee shall comply with the provisions of the Clean Waters Act 1970 particularly in relation to disposal of tailwaters or waters which may be contaminated with fertiliser, herbicide or pesticide or similar chemicals.

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

**REVOCATION OF RESERVATION OF CROWN
LAND**

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

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

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Boorowa	Whole being Lots 155 & 4
Shire: Boorowa	DP 754602 of 214.20 ha
Parish: Rossi	
County: Monteagle	
Reserve No: 77732	
Purpose: From Sale Generally	
Date of Notification: 1 July 1955	
Torrens Title Identifiers: 155/754602 and 4/754602	
File No: GB 01 H 340	

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

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

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

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

SCHEDULE 1

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 Reference: GF93R42

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

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

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

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

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Bonalbo (R89284) Reserve Trust	Reserve No. 89284 Public Purpose: Public Recreation Notified: 20 September 1974 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Bonalbo Norman Johnston Memorial Park Reserve Trust	Reserve No. 70864 Public Purpose: Public Recreation Notified: 9 April 1943 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 3

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Bundgeam For Community Purposes (R96140) Reserve Trust	Reserve No. 96140 Public Purpose: Community Purposes Notified: 16 July 1982 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 4

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Cawongla Community Centre (R91529) Reserve Trust	Reserve No. 91529 Public Purpose: Community Centre Notified: 3 August 1979 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 5

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Cedar Point (R63033) Reserve Trust	Reserve No. 63033 Public Purpose: Public Recreation Notified: 13 November 1931 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 6

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Doubtful Creek Public Hall (R57945) Reserve Trust	Reserve No. 57945 Public Purpose: Public Hall Notified: 1 May 1925 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 7

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Fairy Mount (R69277) Reserve Trust	Reserve No. 69277 Public Purpose: Public Recreation Notified: 7 June 1940 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 8

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Green Pigeon Community Centre (R91367) Reserve Trust	Reserve No. 91367 Public Purpose: Community Centre Notified: 26 January 1979 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 9

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Horseshoe Creek (R57458) Reserve Trust	Reserve No. 57458 Public Purpose: Public Recreation Notified: 26 September 1924 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 10

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Horseshoe Creek (R82860) Reserve Trust	Reserve No. 82860 Public Purpose: Public Recreation Notified: 21 October 1960 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 11

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Kyogle (R87232) Reserve Trust	Reserve No. 87232 Public Purpose: Public Recreation Notified: 20 June 1969 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 12

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Kyogle Recreation Area (R69556) Reserve Trust	Reserve No. 69556 Public Purpose: Public Recreation Notified: 27 September 1940 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 13

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Lynch's Creek (R86485) Reserve Trust	Reserve No. 86485 Public Purpose: Public Recreation Notified: 27 October 1967 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 14

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Mallanganee (R53038) Reserve Trust	Reserve No. 53038 Public Purpose: Public Recreation Notified: 29 November 1918 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 15

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Mallanganee (R83808) Reserve Trust	Reserve No. 83808 Public Purpose: Public Recreation Resting Place Notified: 19 April 1962 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 16

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Mummulgum (R58308) Reserve Trust	Reserve No. 58308 Public Purpose: Public Recreation Notified: 25 September 1925 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 17

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	OLD Bonalbo (R86567) Reserve Trust	Reserve No. 86567 Public Purpose: Public Recreation Notified: 22 December 1967 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 18

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Sherwood (R86722) Reserve Trust	Reserve No. 86722 Public Purpose: Public Recreation Notified: 10 May 1968 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 19

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Urbenville (R83461) Reserve Trust	Reserve No. 83461 Public Purpose: Public Recreation Showground Notified: 22 September 1961 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 20

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Wadeville (R91046) Reserve Trust	Reserve No. 91046 Public Purpose: Public Recreation Notified: 24 February 1978 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 21

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Wiangaree (R57843) Reserve Trust	Reserve No. 57843 Public Purpose: Public Recreation Notified: 13 March 1925 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 22

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Woodenbong (R42886) Reserve Trust	Reserve No. 42886 Public Purpose: Public Recreation Notified: 15 July 1908 File Reference: GF02R29/1

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 23

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Woolners Arm (R65807) Reserve Trust	Reserve No. 65807 Public Purpose: Public Recreation Notified: 7 February 1936 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 24

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Bean Creek Falls (R86624) Reserve Trust	Reserve No. 86624 Public Purpose: Public Recreation Notified: 9 February 1968 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE 25

COLUMN 1	COLUMN 2	COLUMN 3
Paul Joseph Massey-Reed	Tabulam (R84819) Reserve Trust	Reserve No. 84819 Public Purpose: Public Recreation Access Notified: 26 March 1964 File Reference: GF02R29

For a term commencing the date of this notice and expiring 30 November 2002.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

Land District – Murwillumbah; Shire – Tweed

Road closed: Lot 21, DP 1041101, at Urliup, Parish Berwick, County Rous (not being land under the Real Property Act).

File No.: GF01 H 390.

Note: On closing, the land within lot 21 remains vested in the State of New South Wales as Crown land.

APPOINTMENT OF ADMINISTRATOR TO
MANAGE A RESERVE TRUST

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

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Norman Leonard Tidbury	Iluka Koala Reserve Trust	Reserve No. 140072 Public Purpose: Environmental Protection Notified: 13 December 1991 File Reference: GF91R28/2

For a term commencing the date of this notice and expiring 30 November 2002.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
John Kenny McDonald	Murwillumbah Showground Trust	Dedication No. 540097 Public Purpose: Showground Addition Notified: 30 August 1911 File Reference: GF80R199/4

For a term commencing the date of this notice and expiring 30 November 2002.

MAITLAND OFFICE
Department of Land and Water Conservation
Newcastle Road (PO Box 6), East Maitland, NSW 2323
Phone: (02) 4934 2280 Fax: (02) 4934 2252

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

Description

*Parish – Tuggerah; County – Northumberland
Land District – Gosford; Local Government Area – Wyong*

Road Closed: Lot 1, DP1039094 at The Entrance (being land within Certificate of Title Volume 3589 Folio 233).

File Reference: MD 01 H 177

Note: On closing the land within Lot 1, DP1039094 will remain land vested in Wyong Shire Council as operational land. (Council's Reference R/1211).

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

**APPOINTMENT OF CORPORATION TO MANAGE
RESERVE TRUST**

PURSUANT to section 95 of the Crown Lands Act 1989, the corporation specified in Column 1 of the Schedule hereunder is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Evans Shire Council	Sofala Camping Ground Trust	Reserve No. 1003528 Public Purpose: Public Recreation Notified: This Day File Reference: OE87R31/1

For a term commencing this day

ESTABLISHMENT OF RESERVE TRUST

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

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

SCHEDULE

COLUMN 1	COLUMN 2
Sofala Camping Ground Trust	Reserve No. 1003528 Public Purpose: Public Recreation Notified: This Day File Reference: OE87R31/1

RESERVATION OF CROWN LAND

PURSUANT to section 87 of the Crown Lands Act 1989, the Crown land specified in Column 1 of the schedule hereunder is reserved as specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Bathurst Local Government Area: Public: Evans Shire Council Locality: Sofala Lot Sec. D.P. No. Parish County PT 519 755790 Sofala Roxburgh Area: 28.7ha File Reference: OE87R31/1	Reserve No. 1003528 Public Purpose: Recreation

Notes: THE AFFECTED PART OF R190027 ADDITION
GAZETTE 10 MARCH 1989 FOLIO 1379 IS
REVOKED

**NOTIFICATION OF PROPOSED CLOSING OF A
ROAD**

IN pursuance of the provisions of the Roads Act 1993, I propose to consider the closing of the road hereunder described.

All persons interested are hereby called upon to set forth in writing and forward to the officer specified in the notice for the purpose, within one month from the date of publication of this notice, any objections or submissions which may appear to them to exist to this proposal.

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

Description

Land District of Forbes and LGA – Forbes Shire Council

Proposed closing of part of the Council public road known as Farrand Lane, being an area of 49.53m² north-west of Lot 10, in DP 734557, Parish of Forbes, County of Ashburnham. File reference: OE02H94.

Objections/submissions should be forwarded to the Manager, Access and Compliance, Department of Land and Water Conservation, PO Box 2146, ORANGE 2800.

**NOTIFICATION OF PROPOSED CLOSING OF A
ROAD**

IN pursuance of the provisions of the Roads Act 1993, I propose to consider the closing of the road hereunder described.

All persons interested are hereby called upon to set forth in writing and forward to the officer specified in the notice for the purpose, within one month from the date of publication of this notice, any objections or submissions which may appear to them to exist to this proposal.

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

Description

Land District of Lithgow and LGA – Lithgow City Council

Proposed closing of the Crown public road 20.115 metres wide south and partly east of Lot 15 in DP 804929, Parish of Cox, County of Cook. File reference: OE01H244.

Objections/submissions should be forwarded to the Manager, Access and Compliance, Department of Land and Water Conservation, PO Box 2146, Orange 2800.

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

Description

Land District of Bathurst and LGA – Bathurst City Council

Road Closed: Lots 1 in DP 1038304 comprising a total area of 219.4m², Parish of Parkes, County of Ashburnham (not being land under the Real Property Act). File Reference: OE01H352

Note: On closing, title for the land comprised in Lots 1 in DP 1038304 remains vested in the Parkes City Council as operational land. Council Reference SLR.

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

ERRATUM

IN the *Government Gazette* of 3 May 2002, folio 2618, under the heading of “Reservation of Crown Land” for reserve 1003268 “lot 230 DP754441” should be deleted and “lot 228 DP754441” should read “part lot 228 DP754441”, “Area: 296.6ha” should read “291.06ha”.

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

ERRATUM

IN the *Government Gazette* of 10 May 2002, folio 2800, under the heading of “Revocation of Reservation of Crown Land” for reserve 86299 “area: 796.7ha” should read “area: 796.7m²”.

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

WAGGA WAGGA OFFICE
Department of Land and Water Conservation
43–45 Johnston Street (PO Box 10), Wagga Wagga, NSW 2650
Phone: (02) 6923 0400 Fax: (02) 6931 0397

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

THE Minister for Land and Water Conservation has prepared a draft assessment for the Crown land described hereunder.

Inspection of this draft assessment can be made, during normal working hours, at:

- Department of Land and Water Conservation, District Office at 120-130 Banna Avenue, Griffith.
- Coleambally Irrigation Co-operative Limited at 7 Brolga Place, Coleambally.
- Jerilderie Shire Council Chambers at 35 Jerilderie Street, Jerilderie.
- Murrumbidgee Shire Council Chambers at 21 Carrington Street, Darlington Point.

Representations are invited from the public on the draft assessment. These may be made in writing for a period of forty (40) days commencing from the 31st May 2002 until the 8th July 2002 and should be sent to the Land Assessment Officer, Department of Land and Water Conservation, PO Box 10 Wagga Wagga 2650. Please quote File Number A2237.

Reason for assessment: The purpose of this assessment is to address the issue of disposal or retention of the Crown land.

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

Description

Crown land at Coleambally comprising a total area of 4915 hectares being that land described in the following schedule, in the Local Government Areas of Jerilderie and Murrumbidgee.

Parcel	Lot/Deposited Plan (DP)	Parish	County
Lease Block 21	Lots 54, 55 & 159 DP750908	Waddi	Boyd
Lease Block 22	Lots 63, 64 & 160 DP750908	Waddi	Boyd
Lease Block 4	Part Lot 4 DP46629	Waddi	Boyd
Lease Block 11	Part Lot 4 DP46629 & Part Lot 165 DP750908	Waddi	Boyd
Lease Block 14	Lot 89 DP750908	Waddi	Boyd
Lease Block 16	Lots 98 & 99 DP750908	Waddi	Boyd
Lease Block 26	Lot 95 DP750908	Waddi	Boyd
Lease Block 27	Lots 92, 93, 135 & 164 DP750908	Waddi	Boyd
Quarry	Part Lot 165 DP750908	Waddi	Boyd
Lease Block 18	Part Lot 4 DP191799	Ugobit	Boyd
Lease Block 29	Lots 51, 52 & 53 DP750904	Ugobit	Boyd
Lease Block 37	Part Lot 4 DP191799, Lots 49 & 50 DP750904	Ugobit	Boyd
Lease Block 6	Lots 33, 34, 53 & 54 DP750896	Mycotha	Boyd
Lease Block 12	Lots 41, 42 & 43 DP750896	Mycotha	Boyd
Lease Block 30	Lot 2 DP187619, Lots 38, 39, 48, 49 & 63 DP750896	Mycotha	Boyd
Lease Block 31	Lots 35, 36 & 67 DP750896	Mycotha	Boyd
Lease Block 32	Lots 26, 27, 28, 29 & 66 DP750896	Mycotha	Boyd
Lease Block 33	Lot 65 DP750896	Mycotha	Boyd
Lease Block 34	Lot 24 DP750874	Boona	Boyd
Lease Block 35	Lot 51 DP46256	Boona	Boyd
Lease Block 36	Lot 2 DP515508, Lots 22 & 23 DP750872	Coleambally	Boyd
Lease Block 10	Part Lot 27, Part 103, Part 104 & Part 148 DP756457	Yamma	Urana
Lease Block 38	Part Lot 103 DP756457	Yamma	Urana

Contact: Wendy Menz 02- 69230449

Water Conservation

WATER MANAGEMENT ACT 2000 NO. 92

NOTICE under sections 224 and 225 of the Water Management Act 2000 to amend the boundary of the Muckerawa Bore Water Trust District.

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

It is hereby notified that following participation in the Cap and Pipe the Bore Programme to replace bore drains with a piped watering system the amended boundary of the Muckerawa Bore Water Trust District incorporates the following land.

Property Name	Area (ha)	Portion	Parish	County
“Golden Plains”	8,432	Pt WL4477 Pt WL4774 WL4029 WL522	Bugindear Bugindear Concord Muckerawea	Narran
“Minramar”	1,280	Pt WL2310	Mungrada	Narran
“Belvedere” (Bomalli Block)	2,226	WL2315	Mungrada	Narran
“Cuttabunda”	11,197	WL2313 Pt WL2314 Pt WL2312 Pt WL2311	Wirrawarra Coobung Coobung Mungrada	Narran

As from the publication of this notice the Muckerawa Trust District Boundary shall be deemed to be altered accordingly.

WATER MANAGEMENT ACT 2000 NO. 92

NOTICE under sections 224 and 225 of the Water Management Act 2000 to amend the boundary of the Dungle Ridge Bore Water Trust District.

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

It is hereby notified that following the construction of a new bore and the implementation of a piped reticulation system from the new bore the amended boundary of the Dungle Ridge Bore Water Trust District incorporates the following land.

Property Name	Area (ha)	Portion	Parish	County
“Argadagah”	567	Pt WL3169	Dungell	Finch
“Carinya”	688	Pt WL1796	Barrangeell	Finch
“Burrabaa”	40.5 461.35 3283.15	2 1, 26, 40 Pt WL521	Dungell Yourblah Dungell and Yourblah	Finch
“Rugby”	3990.00	Pt WL3170	Dungell and Peelborough	Finch
“Bendeena”	405 3761.2	WL1797 WL442	Barrangeel Barrangeel, Bloxsome and Bundah	Finch
“Bonanza”	202.45 3636.85	WL2772 WL441	Barrangeel Barrangeel, Bloxsome and Bundah	Finch
“Tipperary”	3006	WL3588	Mundoo	Finch
“Myall”	470	Pt WL3878	Yourblah	Finch
“Minoru”	404.85 1415.15	WL1799 Pt 440	Barrangeel Barrangeel and Deripas	Finch
“Heathfield”	3769	WL439	Deripas	Finch
“Warrinalla”	3475	Pt WL1802	Bloxsome	Finch
TS&CR	258 260	TL231 PWP231	Mundoo Mundoo	Finch

As from the publication of this notice the Trust District Boundary shall be deemed to be altered accordingly.

WATER ACT 1912

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

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

Murray River Valley

NEVILLE J. and PATRICIA J. HOARE for a pump on the Murray River on Lot 9, DP 756521, Parish of Bymue, County of Wakool, for water supply stock and domestic purposes and irrigation (replacement licence due to permanent transfer) (GA2: 504539) (Ref: 50SL75502).

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

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

L. J. HOLDEN,
A/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 being within a proclaimed (declared) local area under section 10 of the Water Act 1912, as amended.

Applications for licences within a proclaimed local area as generally described hereunder have been received as follows:

Namoi River Valley

1. EPACRIS PTY LIMITED for two (2) pumps on the Namoi River on Lot 1/131148, Parish of Bugilbone, County of Denham for water supply for stock and domestic purposes and irrigation of 162 hectares. L.O. Papers 90SL100606.
2. EPACRIS PTY LIMITED for two (2) pumps on the Namoi River on Lot 1/131148, Parish of Bugilbone, County of Denham, for irrigation of 57 hectares. L.O. Papers 90SL100605H.

These applications are to replace existing licences due to increase in pump sizes. Two pumps only will be installed.

Written objections to the applications 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

WATER ACT 1912

AN application under Part 2 being within a proclaimed (declared) local area under section 10 of the Water Act 1912, as amended.

An application for a licence within a proclaimed local area as generally described hereunder has been received as follows:

Namoi River Valley

Kevin James LYNCH and Sandra May LYNCH for a pump on an unnamed watercourse on Lot 21/785276, Parish of Piallmore, County of Parry for stock and domestic purposes. L.O. Papers 90SL100602. GA2493714.

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

WATER ACT 1912

APPLICATIONS FOR licences under section 10 of Part 2 of the Water Act have been received as follows:

Norman NORVILL for a pump on the Pages River on Part Lot PT8/750944, Parish of Murulla, County of Brisbane, to supply water for stock and domestic purposes. (New licence; exempt from current embargo - 20SL061045)

LANDBOUND PTY LIMITED for a pump on the Isis River on Lot 2/159862, Parish of Timor, County of Brisbane, for irrigation of 26 hectares. (Improved pasture; replacement licence; permanent water transfer - 20SL061049)

ARROWFIELD FARMS PTY LIMITED for two pumps on Lake Glenbawn on part land resumed for Lake Glenbawn west of Lot 11/750912, Parish of Alma, County of Brisbane, to supply water for stock and domestic purposes and irrigation of 42 hectares. (Improved pasture; replacement license; permanent water transfer - 20SL061027)

Paul Alexander EATHER for a pump on Wybong Creek on Lot 42/628572, Parish of Terell, County of Brisbane, for irrigation of 10 hectares. (Improved pasture; splitting of existing licence; permanent water transfer - 20SL061037)

Arthur and Beverley MURRAY for a pump on the Hunter River on Lot 1/783318, Parish of Belford, County of Northumberland, to supply water for farming purposes and irrigation of 27 hectares. (Improved pasture; combining existing licences - 20SL061038)

Graeme KRAUTZ for a pump on the Hunter River on Lot 118/755211, Parish of Branxton, County of Northumberland, for irrigation of 6 hectares. (Improved pasture; replacement licence; permanent water transfer - 20SL061047)

Paul Francis WHELAN for a pump on the Hunter River on Lot 1/74576, Parish of Wolfigham, County of Durham, for irrigation of 26 hectares. (Improved pasture; replacement licence; permanent water transfer - 20SL061033)

Yasser Mohammed EISSA for a pumping plant on the Williams River on Lot 461/858128, Parish of Allyn, County of Durham, to supply water for industrial (guesthouse) purposes. (Permanent water transfer - 20SL61044)

Peter DILLON for a pump on the Williams River on Lot 21/753176, Parish of Horton, County of Gloucester, for irrigation of 4 hectares. (Improved pasture; permanent water transfer - 20SL061042)

Diane HINES and Janet DRURY for a pump on the Paterson River on Lot 2/154880, Parish of Gresford, County of Durham, for irrigation of 4 hectares. (Improved pasture; permanent water transfer - 20SL061039)

Kenneth Gordon BENNETT for a pump on the Paterson River on Lot 12/4900, Parish of Houghton, County of Durham, to supply water for irrigation of 10 hectares. (Improved pasture; splitting of existing licence - 20SL061043)

AN APPLICATION for a licence under section 10 of Part 2 of the Water Act has been received as follows (this results from the water amnesty process);

Gordon MASLEN for a pump on the Avon River on Lot 2/234517 and a dam and pump on an unnamed watercourse on part Lot PT23/979573, Parish of Gloucester, County of Gloucester, for the conservation and supply of water for stock, domestic and farming (dairy) purposes, to augment the supply in the unnamed watercourse and irrigation of 25 hectares. (Improved pasture) (20SL060925)

Any enquiries regarding the above should be directed to the undersigned, on telephone number (02) 4934 4840.

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.

BRIAN McDOUGALL,
Senior Natural Resource Project Officer
Hunter Region

Department of Land and Water Conservation
PO Box 6 EAST MAITLAND NSW 2323

WATER ACT 1912

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

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

Murray River Valley

L. M. WHEATLEY & ASSOCIATES PTY LIMITED for a pump on the Edward River on Lot 68, DP 756298, Parish of Morago, County of Townsend, for water supply stock and domestic purposes and irrigation (replacement licence due to permanent transfer) (GA2: 504540) (Ref: 50SL75504).

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

Written objections to the application specifying the grounds thereof may be made by any statutory authority or a local occupier within the proclaimed area and must be

lodged at the Department's Office at Deniliquin within twenty-eight (28) days of the date of this publication.

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

Department of Land and Water Conservation
PO Box 205 DENILIQUIN NSW 2710

WATER ACT 1912

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

An Application for a licence under section 10 of Part 2 of the Water Act has been received as follows:

Lachlan River Valley

Peter Neal DAWSON for 2 pumps on Goobang Creek on Lots 27, 28 and 39/752084, Parish of Derriwong, County of Cunningham, for water supply for stock and domestic purposes and for irrigation of 162.00 hectares (New Licence – no increase in allocation –increasing pumping capacity).(GA2:494422) (Ref:70SL090796).

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

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

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

WATER ACT 1912

AN application under Part 2, being within a proclaimed (declared) local area under section 10 of the Water Act 1912, as amended.

An application for a licence within a proclaimed local area as generally described hereunder has been received as follows:

Namoi River Valley

Jetz SCHRALE and Brenda Fay SCHRALE for a pump on the Namoi River on Lot 20/634900, Parish of Lowry, County of Darling for stock and domestic purposes. L.O. Papers 90SL100604. GA2493714.

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

WATER ACT 1912

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

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

Lachlan River Valley

LAMPE FARMING (AUSTRALIA) PTY LIMITED and OTHERS for 2 pumps on the Lachlan River and an unnamed watercourse on Lot 1/112549, Parish of Huntawong, County of Nicholson, for water supply for stock and domestic purposes and irrigation of 390.64 hectares (Amended Authority - Replacing existing entitlement—increase in allocation obtained by way of Permanent Transfer.) (GA2:494423) (Ref:70SA009582).

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

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

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

**NOTICE UNDER SECTION 22B OF THE
WATER ACT 1912****PUMPING RESTRICTIONS***Koreelah Creek and its Tributaries*

THE Department of Land and Water Conservation pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Koreelah Creek and its tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licenses under Part 2 of the Act that from Wednesday 29 May 2002 and until further notice, the right to pump water from Koreelah Creek and its tributaries is **RESTRICTED** to a maximum of six hours in any twenty four hour period between the hours of 7 am to 10 am and 4 pm to 7 pm.

This restriction excludes water supply for town water supply, stock, domestic and farming (fruit washing and dairy washdown) purposes.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- a) where the offence was committed by a Corporation – 200 penalty units.
- b) where the offence was committed by any other person – 100 penalty units.

One penalty unit = \$110.00.

DATED this twenty ninth day of May 2002.

G. LOLLBACK,
Resource Access Manager
NORTH COAST REGION
GRAFTON

GA2: 343345

WATER ACT 1912

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

Peter HAERTSCH for a 125 millimetre centrifugal pump on Macquarie Rivulet, being 1//881927 Parish Jamberoo, County Camden for irrigation of 5.5 hectares of irrigation (dairy pasture)(Replacement licence-no increase in area authorised). Application replaces existing licence 10SL14197. Licence application covers upgrade in pumping equipment from 100 millimetre centrifugal pump to 125 millimetre centrifugal pump.(Ref:10SL56362)(GA2:462860)

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

Department of Mineral Resources

NOTICE is given that the following applications have been received:

ASSESSMENT LEASE APPLICATION

(T02-0082)

No. 25, NEW ENGLAND TIN NL (ACN 069 306 289), area of about 954 hectares, for group 1, dated 16 May, 2002. (Inverell Mining Division).

EXPLORATION LICENCE APPLICATIONS

(T02-0075)

No. 1916, GOLDSEARCH LIMITED (ACN 006 645 754), area of 6 units, for Group 1, dated 14 May, 2002. (Sydney Mining Division).

(T02-0083)

No. 1923, LFB RESOURCES NL (ACN 073 478 574), area of 71 units, for Group 1, dated 21 May, 2002. (Orange Mining Division).

MINING LEASE APPLICATION

(T01-0211)

No. 194, BALRANALD GYPSUM PTY LTD (ACN 081 196 947), area of about 4.75 square kilometres, to mine for gypsum, dated 28 November, 2001. (Broken Hill Mining Division).

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

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

(M80-1650)

Authorisation No. 359, IVANHOE COAL PTY LIMITED (ACN 064 237 154), area of 700 hectares. Application for renewal received 24 May, 2002.

(C89-0666)

Authorisation No. 414, CHARBON COAL PTY LIMITED (ACN 064 237 118) and SK AUSTRALIA PTY LIMITED (ACN 003 964 225), area of 3047 hectares. Application for renewal received 24 May, 2002.

(T95-1182)

Exploration Licence No. 5047, STEPHEN WILLIAM WOODHAM, area of 22 units. Application for renewal received 20 May, 2002.

(T96-1176)

Exploration Licence No. 5484, ACAPULCO MINING NL (ACN 067 983 582), area of 11 units. Application for renewal received 24 May, 2002.

(T00-0026)

Exploration Licence No. 5748, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), area of 43 units. Application for renewal received 21 May, 2002.

(T00-0029)

Exploration Licence No. 5753, JANE MCCLURE AND MURRAY CHURCHILL MCCLURE, area of 6 units. Application for renewal received 21 May, 2002.

(T01-0456)

Mining Purposes Lease No. 287 (Act 1973), VERNON JOHN MARRIOTT, area of 1.351 hectares. Application for renewal received 23 May, 2002.

(T01-0413)

Mining Purposes Lease No. 310 (Act 1973), DOUGLAS LEHMAN, area of 1.67 hectares. Application for renewal received 24 May, 2002.

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

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(T92-0331)

Exploration Licence No. 4473, SITEGOAL PTY. LIMITED (ACN 052 317 503), County of Cook, Map Sheet (8931), area of 1 unit, for a further term until 11 January, 2004. Renewal effective on and from 2 May, 2002.

(T93-0860)

Exploration Licence No. 4642, PETER WARREN ENGLISH, County of Murchison, Map Sheet (9037), area of 1 unit, for a further term until 10 March, 2004. Renewal effective on and from 13 May, 2002.

(T95-1007)

Exploration Licence No. 4936, NEWCREST MINING LIMITED (ACN 005 683 625), County of Gipps, Map Sheet (8330, 8331), area of 19 units, for a further term until 15 February, 2004. Renewal effective on and from 16 May, 2002.

(T97-1269)

Exploration Licence No. 5400, ZEOLITE AUSTRALIA LIMITED (ACN 010 550 357), County of Buckland, Map Sheet (9035), area of 3 units, for a further term until 10 December, 2003. Renewal effective on and from 13 May, 2002.

(T98-1080)

Exploration Licence No. 5574, STRAITS EXPLORATION (AUSTRALIA) PTY LTD (ACN 061 614 695), Counties of Georgiana and Westmoreland, Map Sheet (8830), area of 46 units, for a further term until 3 June, 2003. Renewal effective on and from 16 May, 2002.

(T99-0015)

Exploration Licence No. 5642, P.J.MCSHARRY & ASSOCIATES PTY LTD (ACN 002 242 579), County of Roxburgh, Map Sheet (8831, 8832), area of 22 units, for a further term until 9 November, 2003. Renewal effective on and from 2 May, 2002.

(T99-0140)

Exploration Licence No. 5669, RIMFIRE PACIFIC MINING NL (ACN 006 911 744), County of Murchison, Map Sheet (8938), area of 12 units, for a further term until 9 January, 2004. Renewal effective on and from 22 May, 2002.

(T99-0170)

Exploration Licence No. 5679, WESTERN METALS COPPER LIMITED (ACN 004 664 108), County of Yancowinna, Map Sheet (7133), area of 3 units, for a further term until 20 January, 2004. Renewal effective on and from 1 May, 2002.

(T00-0750)

Mineral Lease No. 195 (Act 1906), BORAL LIMITED (ACN 008 421 761), Parish of Cullen Bullen, County of Roxburgh, Map Sheet (8831-2-N), area of 3124 square metres, for a further term until 31 December, 2010. Renewal effective on and from 8 April, 2002.

(T95-0225)

Mining Lease No. 210 (Act 1973), HARDY MARR CONSTRUCTIONS PTY LIMITED (ACN 000 374 649), Parish of Glen Innes, County of Gough, Map Sheet (9238-3-N), area of 1.46 hectares, for a further term until 21 December, 2009. Renewal effective on and from 14 May, 2002.

(T93-1035)

Mineral Lease No. 3333 (Act 1906), HARDY MARR CONSTRUCTIONS PTY LIMITED (ACN 000 374 649), Parish of Glen Innes, County of Gough, Map Sheet (9238-3-N), area of 8094 square metres, for a further term until 21 December, 2009. Renewal effective on and from 14 May, 2002.

(T93-1034)

Mineral Lease No. 4925 (Act 1906), HARDY MARR CONSTRUCTIONS PTY LIMITED (ACN 000 374 649), Parish of Glen Innes, County of Gough, Map Sheet (9238-3-N, 9238-4-S), area of 2.183 hectares, for a further term until 21 December, 2009. Renewal effective on and from 14 May, 2002.

(C99-0695)

Mining Purposes Lease No. 191 (Act 1973), POWERCOAL PTY LTD (ACN 052 533 070), Parish of Coorumbung, County of Northumberland, Map Sheet (9131-1-N), area of 5615 square metres, for a further term until 24 February, 2023. Renewal effective on and from 24 April, 2002.

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

CANCELLATION OF AUTHORITIES AT REQUEST OF HOLDERS

NOTICE is given that the following authorities have been cancelled:

(T02-0215)

Mining Lease No. 1065 (Act 1973), RUTILE & ZIRCON MINES (NEWCASTLE) LIMITED (ACN 000 393 135), Parish of Stowell, County of Gloucester, Map Sheet (9232-2-N), area of 28.14 hectares. Cancellation took effect on 17 May, 2002.

(T02-0217)

Mining Lease No. 1067 (Act 1973), RUTILE & ZIRCON MINES (NEWCASTLE) LIMITED (ACN 000 393 135), Parish of Stowell, County of Gloucester, Map Sheet (9232-2-N), area of 4.116 hectares. Cancellation took effect on 17 May, 2002.

(T95-0315)

Mining Lease No. 1068 (Act 1973), RUTILE & ZIRCON MINES (NEWCASTLE) LIMITED (ACN 000 393 135), Parish of Stowell, County of Gloucester, Map Sheet (9232-2-N), area of 15.02 hectares. Cancellation took effect on 17 May, 2002.

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

PART CANCELLATION

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

(T00-0078)

Exploration Licence No. 5809, GREAT NORTHERN NSW PTY LTD (ACN 091 240 425) and SAPPHIRE MINES N.L. (ACN 009 153 128), County of Arrawatta and County of Gough, Map Sheet (9138, 9238).

Description of area cancelled:

Map Sheet	Block	Units
Armidale	1456	tu
Armidale	1458	vwx
Armidale	1459	q vw
Armidale	1531	a
Armidale	1602	c ghjk
Armidale	1603	f

Part cancellation took effect on 17 May, 2002.

The authority now embraces an area of 85 units.

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

COAL MINES REGULATION ACT 1982

APPROVAL No : **MDA Exia 10226**
ISSUE : **A2586-00**
DATE : **15 April 2002**

NOTICE OF PRIMARY APPROVAL

IT is hereby notified that the Approved Item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate standards or requirements, and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 71 of the Coal Mines Regulation (General) Regulation 1999.

This APPROVAL is issued to : **Pepperl +Fuchs Australia Pty Ltd ABN 99 009 059 287**
Address of Approval Holder : **Unit 7, 72-74 Chifley Drive, PRESTON VIC 3072**
Description of Item/s : **Surface Mounted Inductive Sensors**
Manufacturer : **Pepperl + Fuchs – Germany or Singapore**
Model/Type : **Models FJ.., NJ.., NC..**
C.M.R.A Regulation : **Coal Mines (Underground) Regulation 1999** Clause : **140 (1)**
Specific Approval Category : **Explosion Protected – Intrinsically Safe**

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

The Authority issuing this Approval has, for the purpose of the Occupational Health and Safety Act

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

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

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

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

L. R. JEGO,
Accredited Assessing Authority (MDA-A2586)
for Chief Inspector Of Coal Mines

Dept. File No: C02 / 0163

Page 1 of 4

Approval Holder : Pepperl + Fuchs Australia Pty Ltd

COAL MINES REGULATION ACT 1982

APPROVAL No : **MDA TBS 020200**
ISSUE : **C02/0200**
DATE : **16 May 2002**

Notice of Type Approval (Transport Braking System)

IT is hereby notified that the Approved Item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate standards or requirements and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 Part 8 of Approval of items of the Coal Mines (General) Regulation 1999.

This APPROVAL is issued to : **DBT Diesel Pty Ltd, ABN 22 097 159 834**
Address of Approval Holder : **4-10 Karoonda Close, RATHMINES NSW 2283**
Description of Item : **Type Approval for the Transport Braking System on a FBL10 LHD vehicle as per the listed documents.**
CMRA Approval Clause : **61(1)(b) of the Coal Mines (Underground) Regulation 1999.**
Specific Approval Category : **TBS (Transport Braking System)**

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

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

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

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

Any maintenance, repair or overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulations Act 1982.

G. D. JERVIS,
Acting Senior Inspector of Mechanical Engineering
Under the delegated authority of the Chief Inspector of Coal Mines

Issue No.: M5005
Page 1 of 1
Event No.: 209379000
Prepared by: P. Sunol

COALMINES REGULATION ACT 1982

APPROVAL No : **MDA DES 020199**
ISSUE : **C02/0199**
DATE : **22 May 2002**

Notice of Temporary Type Approval (Diesel Engine System)

This Temporary Type Approval has been issued to allow the use of the Diesel Engine System for trial purposes until a suitable Australian Standard is endorsed. This approval shall be for a maximum 12 month period ending 31 May 2003.

IT is hereby notified that the Approved System listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate standards or requirements and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 Part 8 of Approval of items of the Coal Mines (General) Regulation 1999.

This APPROVAL is issued to : **DBT Diesel Pty Ltd, ABN 22 097 159 834**
Address of Approval Holder : **4-10 Karoonda Close, RATHMINES NSW 2283**
Description of Item : **Temporary Type Approval for the Diesel Engine System on a FBL 10 LHD machine with a Caterpillar 3216 Direct Injection, Turbo Assisted (DITA) engine rated at 230 HP and dry exhaust system per the listed documents.**
CMRA Approval Clause : **13 of the Coal Mines (Underground) Regulation 1999.**
Specific Approval Category : **DES (Diesel Engine System)**

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

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

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

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

Any maintenance, repair or overhaul of Approved system shall be carried out in accordance with the requirements of the Coal Mines Regulations Act 1982.

G.D. JERVIS,
Acting Senior Inspector of Mechanical Engineering
Under the delegated authority of the Chief Inspector of Coal Mines

Issue No: M5005
Page 1 of 1
Event No.: 209379000
Prepared by: P. Sunol

Department of Planning

State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Planning. (S00/01192/Pt3)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)

Contents

Contents

	Page
1 Name of Policy	3
2 Commencement	3
3 Aim of Policy	3
4 Definitions	4
5 Application of Policy	4
6 Land to which Policy applies	4
7 Relationship to other environmental planning instruments	4
8 Definition of “affordable housing”	4
9 Identification of need for affordable housing	5
10 Requirement for imposition of section 94F conditions	5
Schedules	
1 Amendments	6
2 Affordable housing principles	21

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Clause 1

State Environmental Planning Policy No 70— Affordable Housing (Revised Schemes)

1 Name of Policy

This Policy is *State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)*.

2 Commencement

This Policy commences on 1 June 2002.

3 Aim of Policy

(1) The aim of this Policy is to insert revised affordable housing provisions into environmental planning instruments for land:

- (a) within the Ultimo-Pyrmont Precinct of City West and subject to *Sydney Regional Environmental Plan No 26—City West*, and
- (b) within the City of Willoughby and subject to *Willoughby Local Environmental Plan 1995*, and
- (c) at Green Square and subject to *South Sydney Local Environmental Plan 1998*,

because of the expiry of savings made by the *Environmental Planning and Assessment Amendment (Affordable Housing) Act 2000*.

(2) This Policy:

- (a) identifies that there is a need for affordable housing in the local government areas within which that land is situated, and
- (b) describes the kinds of households for which affordable housing may be provided, and
- (c) makes a requirement with respect to the imposition of conditions relating to the provision of affordable housing.

Clause 4 State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

4 Definitions

In this Policy:

Greater Metropolitan Region means the land declared to be the Greater Metropolitan Region by order published in Government Gazette No 142 of 11 October 1991 at page 8758.

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

5 Application of Policy

This Policy applies only to a development application made after the commencement of this Policy.

6 Land to which Policy applies

This Policy applies to land within the Greater Metropolitan Region.

7 Relationship to other environmental planning instruments

- (1) If any other environmental planning instrument, whether made before or after this Policy, contains provisions that are inconsistent with this Policy, this Policy prevails to the extent of the inconsistency, subject to section 36 (4) of the Act.
- (2) This Policy amends the following environmental planning instruments as set out in Schedule 1:

Sydney Regional Environmental Plan No 26—City West

Willoughby Local Environmental Plan 1995

South Sydney Local Environmental Plan 1998

8 Definition of “affordable housing”

For the purposes of the definition of **affordable housing** in section 4 (1) of the Act, very low income households, low income households and moderate income households are those whose gross incomes fall within the following ranges of percentages of the median household income for the time being for the Sydney Statistical Division according to the Australian Bureau of Statistics:

Very low income household	less than 50%
Low income household	50 or more but less than 80%
Moderate income household	80–120%

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Clause 9

9 Identification of need for affordable housing

Pursuant to section 94F (1) of the Act, this Policy identifies that there is a need for affordable housing in each of the following local government areas within the Greater Metropolitan Region:

City of South Sydney

City of Sydney

City of Willoughby

Leichhardt

10 Requirement for imposition of section 94F conditions

Pursuant to section 94F (3) (a) of the Act, the following requirement is prescribed with respect to the imposition of conditions under section 94F of the Act on development consents:

A consent authority is to have regard to the affordable housing principles set out in Schedule 2 before imposing such a condition.

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 7 (2))

1.1 Sydney Regional Environmental Plan No 26—City West

Part 4

Omit the Part. Insert instead:

Part 4 Affordable housing in the Ultimo-Pyrmont Precinct

55 What are the “Affordable Housing Program” and “total floor area”?

In this Part:

Affordable Housing Program means an official program with that name, as adopted by the Minister from time to time, for the provision and management of affordable housing in the Ultimo-Pyrmont Precinct in accordance with the affordable housing principles. Copies of the program are available from the Department of Planning’s Head Office.

total floor area means the total of the areas of each floor of a building. The area of each such floor is taken to be the area within the outer face of the external enclosing walls, but excluding:

- (a) columns, fin walls, sun control devices, awnings and other elements, projections or works outside the general lines of the outer face of the external walls (other than balconies), and
- (b) ancillary car parking required by the consent authority and any associated internal vehicular and pedestrian access to that car parking, and
- (c) space for the loading and unloading of goods.

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Amendments

Schedule 1

56 What are the affordable housing principles?

The affordable housing principles are set out in Schedule 2 to *State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)*.

57 Matters for consideration by consent authority

Before granting consent to any proposed development of land in the Residential or Residential-Business Zone within the Ultimo-Pyrmont Precinct, the consent authority is to take into consideration the following:

- (a) the planning principles for City West and for the Ultimo-Pyrmont Precinct,
- (b) the affordable housing principles,
- (c) the need for development to provide different kinds of housing, including affordable housing, to ensure that very low, low and moderate income households may continue to afford to live in City West,
- (d) whether land values in City West may reasonably be expected to rise when land in City West is developed in accordance with this plan and whether very low to moderate income households may continue to be able to live in City West,
- (e) the impact of the proposed development on the existing housing within the Ultimo-Pyrmont Precinct for very low, low and moderate income households,
- (f) the impact of the proposed development on the existing mix and likely future mix of residential housing stock within City West.

58 Dedication or contribution for purpose of affordable housing

- (1) Before granting consent to the carrying out of development (other than subdivision) on land in the Residential or Residential-Business Zone within the Ultimo-Pyrmont Precinct, the consent authority must consider whether an affordable housing condition should be imposed on the consent.

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Schedule 1 Amendments

- (2) The following are *affordable housing conditions*:
- (a) A condition requiring the payment of a monetary contribution to the consent authority by the applicant to be used for the purpose of providing affordable housing in accordance with the Affordable Housing Program that is the value, calculated in accordance with that program, of the following *total amount*:
 - (i) 0.8% of so much (if any) of the total floor area to which the development application relates as is intended to be used exclusively for residential purposes, and
 - (ii) 1.1% of so much (if any) of that total floor area as is not intended to be used exclusively for residential purposes.
 - (b) If that total amount is sufficient, a condition requiring:
 - (i) the dedication in favour of the consent authority, free of cost, of land of the applicant comprised of one or more complete dwellings with a total floor area of not more than that total amount, each dwelling having a total floor area of not less than 50 square metres, and
 - (ii) if the amount of total floor area of the complete dwelling or dwellings is less than that total amount, the payment of a monetary contribution to the consent authority by the applicant that is the value, calculated in accordance with the Affordable Housing Program, of the total floor area equivalent to the difference between those amounts,

to be used for the purpose of providing affordable housing in accordance with that program.
- (3) To remove any doubt:
- (a) it does not matter whether the floor area concerned was in existence before, or is created after, the commencement of this Part, or whether or not the floor area concerned replaces a previously existing area, and

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Amendments

Schedule 1

-
- (b) the demolition of a building, or a change in the use of land, does not give rise to a claim for a refund of any amount that has been contributed under an affordable housing condition.
 - (4) This clause authorises the imposition of an affordable housing condition when a consent authority grants consent to the carrying out of development (other than subdivision) on land in the Residential or Residential-Business Zone within the Ultimo-Pyrmont Precinct, subject to section 94F (3) (c) and (4) of the Act and clauses 59 and 60.
 - (5) However, a consent authority is not authorised to impose an affordable housing condition unless at least one of the circumstances described in section 94F (1) (a)–(d) of the Act exists.
 - (6) This clause and any condition imposed under it are subject to section 94G of the Act.

59 Development excepted from this Part

Clause 58 does not apply to the following development (or to so much of any mixed development that consists of the following development):

- (a) development for the purpose of public housing, or
- (b) development for the purpose of affordable housing, or
- (c) development for the purpose of community facilities, or
- (d) development for residential purposes that will result in the creation of less than 200 square metres of total floor area, or
- (e) development for non-residential purposes that will result in the creation of less than 60 square metres of total floor area, or
- (f) development for the purpose of a public road, a light rail or railway undertaking or a public utility undertaking or facility,

and no other purpose.

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Schedule 1 Amendments

60 Affordable housing conditions after initial development

Clause 58 does not authorise an affordable housing condition to be imposed with respect to an amount of total floor area if the consent authority is satisfied that a condition of consent has previously been imposed pursuant to this Part with respect to the same or an equivalent amount of total floor area.

1.2 Willoughby Local Environmental Plan 1995

[1] Clause 5 Definitions

Omit the definitions of *special needs housing groups*, *Willoughby Local Housing*, *Willoughby Local Housing Precinct* and *Willoughby Local Housing Program* from clause 5 (1).

[2] Clause 5 (1)

Insert in alphabetical order:

special needs housing groups means residents of the City of Willoughby who are identified as being in housing need in the *Willoughby City Housing Policy*, being a policy adopted by the Council.

the Willoughby Local Housing Program means an official program, set out in the development control plan for Willoughby Local Housing (*Development Control Plan No 23*), as in force from time to time, for the provision and management of Willoughby Local Housing in the Willoughby Local Housing Precincts, in accordance with the Willoughby Local Housing Principles set out in clause 25B.

Willoughby Local Housing means affordable housing provided pursuant to conditions imposed under section 94F of the Act that is rented housing occupied by people from special needs housing groups and provided and managed in accordance with the Willoughby Local Housing Program.

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Amendments

Schedule 1

Willoughby Local Housing Precinct means any of the following parcels of land in the City of Willoughby:

“Local Housing Precinct 1”, being the parcel of land shown edged heavy black on the map marked “Willoughby Local Environmental Plan 1995 (Amendment No 21)”

“Local Housing Precinct 2”, being the parcel of land shown edged heavy black on the map marked “Willoughby Local Environmental Plan 1995 (Amendment No 31)”

“Local Housing Precinct 3”, being the parcel of land shown edged heavy black on the map marked “Willoughby Local Environmental Plan 1995 (Amendment No 30)”

[3] Clause 25B

Omit the clause. Insert instead:

25B Willoughby Local Housing to be provided in Willoughby Local Housing Precincts

(1) Willoughby Local Housing Principles

For the purposes of this clause, the Willoughby Local Housing Principles are as follows:

- (a) Willoughby Local Housing is to be provided and managed in the City of Willoughby so that accommodation for a diverse residential population representative of all income groups is available within the City.
- (b) Willoughby Local Housing is to be rented to residents of the City of Willoughby who are from special needs housing groups and whose gross household incomes fall within the following ranges of percentages of the median household income for the time being for the Sydney Statistical Division according to the Australian Bureau of Statistics:

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Schedule 1 Amendments

Very low income household less than 50%
Low income household 50 or more but less
than 80%
Moderate income household 80–120%
and at rents that do not exceed a benchmark of 30% of
their actual household income.

- (c) Dwellings provided for Willoughby Local Housing are to be managed so as to maintain their continued use for Willoughby Local Housing.
- (d) Rental from Willoughby Local Housing received by or on behalf of the Council, after deduction of normal landlord's expenses (including management and maintenance costs and all rates and taxes payable in connection with the dwellings), should be used for the purpose of improving or replacing Willoughby Local Housing or for providing additional Willoughby Local Housing within the City of Willoughby.
- (e) Willoughby Local Housing is to consist of dwellings constructed to a standard which, in the opinion of the Council, is consistent with other dwellings within the City of Willoughby, especially in terms of internal fittings and finishes, solar access and privacy.

(2) **Principles to be considered**

Before granting consent to any proposed development of land within a Willoughby Local Housing Precinct, the consent authority is to take into consideration the following:

- (a) the Willoughby Local Housing Principles,
- (b) the affordable housing principles set out in Schedule 2 to *State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)*,
- (c) the need for development to provide housing that meets the requirements of special needs housing groups,
- (d) the impact of the proposed development on existing housing within the City of Willoughby for special needs housing groups,

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Amendments

Schedule 1

-
- (e) the impact of the proposed development on the existing mix and likely future mix of residential housing stock within the City of Willoughby.
- (3) **Affordable housing condition to be considered**
Before granting consent to the carrying out of residential development within a Willoughby Local Housing Precinct, the consent authority must consider whether an affordable housing condition should be imposed on the consent.
- (4) The following are *affordable housing conditions*:
- (a) A condition requiring the payment of a monetary contribution to the consent authority by the applicant to be used for the purpose of providing Willoughby Local Housing in accordance with the Willoughby Local Housing Program that is the value, calculated in accordance with subclause (5), of 4% of the accountable total floor space to which the development application relates.
- (b) If 4% of that accountable total floor space provides a sufficient amount of gross floor area, a condition requiring:
- (i) the dedication in favour of the consent authority, free of cost, of land of the applicant comprised of one or more complete dwellings with a gross floor area of not more than the amount equivalent to that percentage, each dwelling having a gross floor area of not less than 50 square metres, and
- (ii) if the total amount of gross floor area of the complete dwelling or dwellings is less than the amount equivalent to that percentage, the payment of a monetary contribution to the consent authority by the applicant that is the value, calculated in accordance with subclause (5), of the gross floor area equivalent to the difference between those amounts,
- to be used for the purpose of providing Willoughby Local Housing in accordance with the Willoughby Local Housing Program.

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Schedule 1 Amendments

- (5) **Calculation of contribution of money for affordable housing**
The amount of the contribution required to be paid by a condition described in subclause (4) is the value of the gross floor area concerned calculated by reference to the market value of dwellings of a similar size to those proposed by the development application. That market value is taken to be the most current median sales price of such dwellings for the Willoughby local government area as documented in the *Rent and Sales Report NSW* published by the Department of Housing or, if another document has been approved for that purpose by the Director-General, that document.
- (6) **Dedication or contribution for affordable housing purposes**
This clause authorises the imposition of an affordable housing condition when the consent authority grants consent to the carrying out of development (other than subdivision) on land in a Willoughby Local Housing Precinct, subject to section 94F (3) (c) and (4) of the Act and subclauses (7)–(10).
- (7) However, the consent authority is not authorised to impose an affordable housing condition unless at least one of the circumstances described in section 94F (1) (a)–(d) of the Act exists.
- (8) This clause and any condition imposed under it are subject to section 94G of the Act.
- (9) **Development to which this clause does not apply**
This clause does not apply to the following development:
- (a) development for the purpose of public housing,
 - (b) development for the purpose of community housing.
- (10) **Affordable housing conditions after initial development**
An affordable housing condition is not authorised to be imposed with respect to an amount of accountable total floor space if the consent authority is satisfied that a condition of consent has previously been imposed pursuant to this clause with respect to the same or an equivalent amount of accountable total floor space.

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Amendments

Schedule 1

(11) **Definitions**

In this clause:

accountable total floor space means the gross floor area to which a development application relates excluding any floor space bonus.

floor space bonus means:

in relation to Willoughby Local Housing Precinct 1—any additional amount of floor space that results from consent being granted to development that results in a floor space ratio exceeding 3:1 pursuant to clause 23 (1) (i).

residential development means use of land for any form of housing, including that leased on a short term basis, but does not include the use of land for a hotel, serviced apartment or motel.

1.3 South Sydney Local Environmental Plan 1998

[1] **Part 4, Division 3**

Omit the Division. Insert instead:

Division 3 Affordable housing at Green Square

27L Affordable housing aims and objectives

Because land values in Green Square may reasonably be expected to increase when land in the area is developed in accordance with this plan, development in Green Square should provide different kinds of housing, including affordable housing, to ensure that households on very low to moderate incomes may live in the area.

Development in Green Square should promote and retain a socially diverse residential population representative of all income groups.

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Schedule 1 Amendments

27M Meanings of “affordable housing”, “affordable housing provisions” and “total floor area”

In this Division:

affordable housing has the same meaning as in the Act.

affordable housing provisions means the provisions of the *Green Square Affordable Housing Development Control Plan*, as in force from time to time, setting out a scheme for the provision and management of affordable housing in the Green Square area in accordance with the affordable housing principles. Copies of the development control plan are available from the Council’s administrative offices.

total floor area means the total of the areas of each floor of a building. The area of each such floor is taken to be the area within the outer face of the external enclosing walls, but excluding:

- (a) columns, fins, sun control devices, awnings and other elements, projections or works outside the general lines of the outer face of the external walls (other than balconies comprising the minimum balcony area required by the Council, and excluding any additional area), and
- (b) the maximum ancillary car parking permitted by the Council and any associated internal vehicular and pedestrian access to that car parking, and
- (c) space for the loading and unloading of goods.

27N Green Square affordable housing principles

The *Green Square affordable housing principles* are as follows:

- (a) affordable housing should be provided and managed in the Green Square locality so that a socially diverse residential population representative of all income groups is created and maintained,
- (b) affordable housing that is provided is to be made available to a mix of households on very low, low and moderate incomes,

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Amendments

Schedule 1

-
- (c) affordable housing that is provided is to be rented to eligible households at an appropriate rate of gross household income,
 - (d) dwellings provided for affordable housing are to be managed so as to maintain their continued use for affordable housing,
 - (e) affordable housing is to consist of dwellings constructed to a standard which in the opinion of the Council is consistent with other dwellings in the Green Square locality.

270 Matters for consideration by consent authority

Before granting consent to any proposed development of land within Green Square in Zone No 10 (a), 10 (b), 10 (c), 10 (d) or 10 (e), the consent authority is to take into consideration the following:

- (a) the aims and objectives of this Division,
- (b) the Green Square affordable housing principles,
- (c) the affordable housing principles set out in Schedule 2 to *State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)*,
- (d) the need for development to provide different kinds of housing, including affordable housing, to ensure that households on very low, low and moderate incomes may be able to afford to live in Green Square,
- (e) the impact of the proposed development on the existing mix and likely future mix of residential housing stock within Green Square.

27P Affordable housing conditions

- (1) Before granting consent to the carrying out of development (other than subdivision) on land in Green Square within Zone No 10 (a), 10 (b), 10 (c), 10 (d) or 10 (e), the consent authority must consider whether an affordable housing condition should be imposed on the consent.

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Schedule 1 Amendments

- (2) The following are *affordable housing conditions*:
- (a) A condition requiring the payment of a monetary contribution to the consent authority by the applicant to be used for the purpose of providing affordable housing in accordance with the Green Square affordable housing principles and the affordable housing provisions that is the value, calculated in accordance with those provisions, of the following *total amount*:
 - (i) 3% of so much (if any) of the total floor area to which the development application relates as is intended to be used exclusively for residential purposes, and
 - (ii) 1% of so much (if any) of that total floor area as is not intended to be used exclusively for residential purposes.
 - (b) If that total amount is sufficient, a condition requiring:
 - (i) the dedication in favour of the consent authority, free of cost, of land of the applicant comprised of one or more complete dwellings with a total floor area of not more than that total amount, each dwelling having a total floor area of not less than 50 square metres, and
 - (ii) if the amount of total floor area of the complete dwelling or dwellings is less than that total amount, the payment of a monetary contribution to the consent authority by the applicant that is the value, calculated in accordance with the affordable housing provisions, of the total floor area equivalent to the difference between those amounts,

to be used for the purpose of providing affordable housing in accordance with the Green Square affordable housing principles and the affordable housing provisions.
- (3) To remove any doubt:
- (a) it does not matter whether the total floor area concerned was in existence before, or is created after, the commencement of this Division, or whether the area concerned replaces a previously existing area, and

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Amendments

Schedule 1

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- (b) demolition of a building or a change in the use of land does not give rise to a claim for a refund of any amount that has been contributed under this clause for use for affordable housing.
 - (4) This clause authorises the imposition of an affordable housing condition when the consent authority grants consent to the carrying out of development (other than subdivision) on land in Green Square within Zone No 10 (a), 10 (b), 10 (c), 10 (d) or 10 (e), subject to section 94F (3) (c) and (4) of the Act and clauses 27Q and 27R.
 - (5) However, a consent authority is not authorised to impose an affordable housing condition unless at least one of the circumstances described in section 94F (1) (a)–(d) of the Act exists.
 - (6) This clause and any condition imposed under it are subject to section 94G of the Act.

27Q Development exempted from affordable housing conditions

This Division does not authorise an affordable housing condition to be imposed in the case of a development application seeking consent for development:

- (a) for residential purposes, if the proposed development will result in the creation of less than 200 square metres of total floor area, or
 - (b) for non-residential purposes, if the proposed development will result in the creation of less than 60 square metres of total floor area, or
 - (c) for the purpose of public housing, or
 - (d) for the purpose of affordable housing, if the applicant for consent is a community housing or non-profit organisation, or
 - (e) for the purpose of community facilities, or
 - (f) for the purpose of a public road, or a public utility undertaking or facility,
- and for no other purpose.

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Schedule 1 Amendments

27R Affordable housing conditions after initial development

An affordable housing condition is not authorised to be imposed with respect to an amount of total floor area if the consent authority is satisfied that a condition of consent has previously been imposed pursuant to this Division with respect to the same or an equivalent amount of total floor area.

[2] Schedule 1 Definitions

Omit the definition of *affordable housing*.

[3] Schedule 1, definition of “Green Square”

Omit the definition of *Green Square*. Insert instead:

Green Square means land shown edged red on the map marked “State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)—Green Square Boundary Map”.

State Environmental Planning Policy No 70—Affordable Housing
(Revised Schemes)

Affordable housing principles

Schedule 2

Schedule 2 Affordable housing principles

(Clause 10)

- 1 Where any of the circumstances described in section 94F (1) (a), (b), (c) or (d) of the Act occur, and a regional environmental plan or local environmental plan authorises an affordable housing condition to be imposed, such a condition should be imposed so that mixed and balanced communities are created.
- 2 Affordable housing is to be created and managed so that a socially diverse residential population representative of all income groups is developed and maintained in a locality.
- 3 Affordable housing is to be made available to a mix of very low, low and moderate income households.
- 4 Affordable housing is to be rented to appropriately qualified tenants and at an appropriate rate of gross household income.
- 5 Land provided for affordable housing is to be used for the purpose of the provision of affordable housing.
- 6 Buildings provided for affordable housing are to be managed so as to maintain their continued use for affordable housing.
- 7 Rental from affordable housing, after deduction of normal landlord's expenses (including management and maintenance costs and all rates and taxes payable in connection with the dwellings), is generally to be used for the purpose of improving or replacing affordable housing or for providing additional affordable housing.
- 8 Affordable housing is to consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings in the vicinity.

Blue Mountains Local Environmental Plan No 147

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (P02/00023/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Blue Mountains Local Environmental Plan No 147

Blue Mountains Local Environmental Plan No 147

1 Name of plan

This plan is *Blue Mountains Local Environmental Plan No 147*.

2 Aims of plan

This plan aims:

- (a) to identify part of the land to which this plan applies that is required for road widening, and
- (b) to enable the residue land to be used for the purpose of residential development.

3 Land to which plan applies

This plan applies to Lot 4, Section 3, DP 2700, having frontage to the Great Western Highway, Lawson, as shown edged heavy black on the map marked "Blue Mountains Local Environmental Plan No 147" deposited in the office of the Council of the City of the Blue Mountains.

4 Amendment of Blue Mountains Local Environmental Plan No 4

Blue Mountains Local Environmental Plan No 4 is amended by inserting in appropriate order in the definition of *the map* in clause 6 (1) the following words:

Blue Mountains Local Environmental Plan No 147

Hawkesbury Local Environmental Plan 1989 (Amendment No 19)

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. (P92/00051/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Hawkesbury Local Environmental Plan 1989 (Amendment No 19)

Hawkesbury Local Environmental Plan 1989 (Amendment No 19)

1 Name of plan

This plan is *Hawkesbury Local Environmental Plan 1989 (Amendment No 19)*.

2 Aims of plan

This plan aims:

- (a) to rezone the land to which this plan applies from Zone No 2 (a) (Residential "A") to Zone No 4 (b) (Industry Light) under *Hawkesbury Local Environmental Plan 1989*, and
- (b) to prohibit vehicular access to or from the land by means of Windsor Street (which fronts the land), and
- (c) to permit vehicular access to or from the land only by means of Lukis Avenue (being at the rear of the land).

3 Land to which plan applies

This plan applies to land within the City of Hawkesbury, being Lots 14–16, DP 23504, and known as Nos 27, 29 and 31 Windsor Street, Richmond, as shown by distinctive colouring, edged red and lettered "4 (b)" on the map marked "Hawkesbury Local Environmental Plan 1989 (Amendment No 19)" deposited in the office of the Council of the City of Hawkesbury.

4 Amendment of Hawkesbury Local Environmental Plan 1989

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

Hawkesbury Local Environmental Plan 1989 (Amendment No 19)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

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

Hawkesbury Local Environmental Plan 1989 (Amendment No 19)

[2] Clause 40AA

Insert after clause 40A:

40AA Vehicular access—Windsor Street, Richmond

- (1) This clause applies to Lots 14–16, DP 23504, and known as Nos 27, 29 and 31 Windsor Street, Richmond, as shown by distinctive colouring, edged red and lettered “4 (b)” on the map marked “Hawkesbury Local Environmental Plan 1989 (Amendment No 19)” deposited in the office of the Council.
- (2) Despite any other provision of this plan:
 - (a) vehicular access to or from the land to which this clause applies by means of Windsor Street is prohibited, and
 - (b) vehicular access to or from the land is permissible only by means of Lukis Avenue.

Hawkesbury Local Environmental Plan 1989 (Amendment No 131)

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. (P01/00100/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Hawkesbury Local Environmental Plan 1989 (Amendment No 131)

Hawkesbury Local Environmental Plan 1989 (Amendment No 131)

1 Name of plan

This plan is *Hawkesbury Local Environmental Plan 1989 (Amendment No 131)*.

2 Aims of plan

This plan aims to allow, with the consent of Hawkesbury City Council, the carrying out of development on the land to which this plan applies (being land within the Environmental Protection (Scenic) zone under *Hawkesbury Local Environmental Plan 1989*) for the purpose of a nursing home, aged care facility or similar land use, while retaining the application of the provisions relating to that zone.

3 Land to which plan applies

This plan applies to land within the City of Hawkesbury, being Lot 2, DP 1015308, Chapel Street, Richmond, as shown edged red on the map marked "Hawkesbury Local Environmental Plan 1989 (Amendment No 131)" deposited in the office of the Council of the City of Hawkesbury.

4 Amendment of Hawkesbury Local Environmental Plan 1989

Hawkesbury Local Environmental Plan 1989 is amended by inserting at the end of Schedule 3 the following matter:

Lot 2, DP 1015308, Chapel Street, Richmond—nursing home, aged care facility or similar land use.

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 189)

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. (W95/00152/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 City of Shoalhaven Local Environmental Plan 1985 (Amendment No 189)

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 189)

1 Name of plan

This plan is *City of Shoalhaven Local Environmental Plan 1985 (Amendment No 189)*.

2 Aims of plan

This plan aims:

- (a) to amend the zoning map supporting *City of Shoalhaven Local Environmental Plan 1985 (the 1985 plan)* to alter (by extension) the boundary of the Special Rural Lifestyle Area No 7 East Coolangatta Mountain Area (*the Area*):
 - (i) to provide for the relocation of an existing concessional allotment, and
 - (ii) to correspond with the approved subdivision.
- (b) to amend that zoning map to move one of the approved lots to a less visible location to reduce the visual impact of the future subdivision, and
- (c) to ensure that the total number of rural residential lots created in the Area (including the land referred to in paragraph (b)) is restricted to six lots, and
- (d) to add an objective for the development of land in the Area to the 1985 plan, being the prohibition on the erection of buildings above the 38 metre Australian Height Datum contour in the Area.

This plan also corrects a duplication of a clause number in the 1985 plan.

3 Land to which plan applies

This plan applies to land situated in the City of Shoalhaven, in the vicinity of Bolong Road, Coolangatta, as shown edged heavy black on the map marked "City of Shoalhaven Local Environmental Plan 1985 (Amendment No 189)" deposited in the office of the Council of the City of Shoalhaven.

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 189)

Clause 4

4 Amendment of City of Shoalhaven Local Environmental Plan 1985

City of Shoalhaven Local Environmental Plan 1985 is amended as set out in Schedule 1.

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 189)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] **Clause 6 Interpretation**

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

City of Shoalhaven Local Environmental Plan 1985
(Amendment No 189)

[2] **Clause 12A Lot densities—Zone No 1 (c)**

Re-number the clause as clause 12B.

[3] **Schedule 10, heading**

Insert “**Special Rural Lifestyle Areas**” at the end of the heading to the Schedule.

[4] **Schedule 10, Special Rural Lifestyle Area No 7**

Insert at the end of paragraph (c) of the objectives for Special Rural Lifestyle Area No 7:

, and

- (d) to prohibit the erection of buildings above the 38 metre AHD contour.

[5] **Schedule 13**

Omit “Clause 12A”. Insert instead “Clause 12B”.

Strathfield Local Environmental Plan No 96

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. (S01/01853/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Strathfield Local Environmental Plan No 96

Strathfield Local Environmental Plan No 96

1 Name of plan

This plan is *Strathfield Local Environmental Plan No 96*.

2 Aims of plan

This plan aims to replace the definition in *Strathfield Planning Scheme Ordinance* of ***Bed and breakfast establishment*** with a definition that sets out specific limitations on bed and breakfast establishments.

3 Land to which plan applies

This plan applies to all land within the local government area of Strathfield to which the *Strathfield Planning Scheme Ordinance* applies.

4 Amendment of Strathfield Planning Scheme Ordinance

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

5 Savings and transitional provision

An application for consent to development for the purpose of a bed and breakfast establishment under *Strathfield Planning Scheme Ordinance* that was made on or before 1 September 2001, but that has not been finally determined as at the commencement of this plan, is to be determined as if *Strathfield Planning Scheme Ordinance* had not been amended by this plan.

Strathfield Local Environmental Plan No 96

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Clause 4 Interpretation

Omit the definition of “Bed and breakfast establishment” from clause 4 (1).
Insert instead:

bed and breakfast establishment means the use of a dwelling to provide accommodation for commercial purposes to guests, where:

- (a) the dwelling is used to accommodate no more than 12 persons (including permanent residents of the dwelling and their guests, whether or not the guests pay for the accommodation) at any one time, and
- (b) paying guests do not stay at the premises for consecutive periods of more than 1 week, and
- (c) no more than 4 bedrooms are made available for use by paying guests, and
- (d) any bedroom made available for paying guests is used to accommodate no more than 2 persons.

City of Wollongong Local Environmental Plan 1990 (Amendment No 210)

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. (W00/00094/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 City of Wollongong Local Environmental Plan 1990 (Amendment No 210)

City of Wollongong Local Environmental Plan 1990 (Amendment No 210)

1 Name of plan

This plan is *City of Wollongong Local Environmental Plan 1990 (Amendment No 210)*.

2 Aims of plan

This plan aims:

- (a) to reclassify the land to which this plan applies from community land to operational land, and
- (b) to rezone the land from the Public Recreation Zone to Special Uses (Crematorium) under *City of Wollongong Local Environmental Plan 1990*.

3 Land to which plan applies

This plan applies to land situated in the City of Wollongong, being part of Lot 127, DP 817646, known as the Wollongong Crematorium, Berkeley Road, Unanderra, as shown edged heavy black and lettered "Crematorium" on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 210)" deposited in the office of Wollongong City Council.

4 Amendment of City of Wollongong Local Environmental Plan 1990

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

City of Wollongong Local Environmental Plan 1990 (Amendment No 210)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Definitions

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

City of Wollongong Local Environmental Plan 1990
(Amendment No 210)

[2] Schedule 4A Reclassification of community land as operational land

Insert at the end of the Schedule:

Part of Lot 127, DP 817646, known as the Wollongong Crematorium, Berkeley Road, Unanderra, as shown edged heavy black and lettered "Crematorium" on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 210)".

Roads and Traffic Authority

Roads Act 1993

Notice under the Roads Transport (Mass, Loading and Access) Regulation, 1996

I, Paul Forward, Chief Executive of the Roads and Traffic Authority, in pursuance of Divisions 1, 2 and 3 of Part 3 of the *Road Transport (Mass, Loading, Access) Regulation 1996*, by this Notice, specify the routes and areas on or in which those vehicles described in clause 4 may be used subject to any requirements or conditions set out in the Schedule.

Paul Forward
Chief Executive
Roads and Traffic Authority

Schedule

Part 1- General

1.1 Citation

This Notice may be cited as the Roads and Traffic Authority 4.6 Metre High Vehicle Route Notice No 3/2002.

1.2 Commencement

This Notice takes effect from the date of gazettal.

1.3 Effect

This Notice remains in force until 31 March 2006 unless it is amended or repealed earlier.

1.4 Application

This Notice applies to the vehicle classes specified in Part 2 of this Schedule.

1.5 Limitations

The conditions of requirements set out in Clause 3.3 and 3.4 of Part 3 ('Vehicle Access'), Part 4 ('General Requirements') and Part 5 ('Special Requirements') of the Schedule to the '**4.6m Metre High Vehicle Route Notice 1999**' published in NSW Government Gazette No. 22 of 19 February, 1999, as amended by the Notice published in NSW Government Gazette No.32 of March, 2000, must be duly complied with.

Part 2- Vehicle Classes

2.1 Class 1 Vehicles

- a) a special purpose vehicle that exceeds 4.3 metres, but does not exceed 4.6metres, in height;

- b) a vehicle or combination (including a low loader or load platform combination) that is specially designed for the carriage of large indivisible item, that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;

2.2 Class 2 vehicles

- a) a combination carrying vehicles on more than one deck that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;
- b) a single motor vehicle, or combination, that exceeds 4.3 metres but does not exceed 4.6 metres in height and is built to carry cattle, sheep, pigs or horses.

2.3 Class 3 vehicles

- a) a single motor vehicle, or combination, that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height and is carrying wool, hay bales or other primary produce;
- b) a single motor vehicle carrying vehicles on more than one deck that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height.
- c) A single motor vehicle, or combination, that is constructed to exceed 4.3 metres in height, but does not exceed 4.6 metres in height and is carrying freight, other than cattle, sheep, pigs, horses, wool, hay bales, or other primary produce.
- d) A single motor vehicle or combination carrying a freight container that together with its load exceeds 4.3 metres in height, but does not exceed 4.6 metres in height.

Part 3 - Routes

3.1 Routes

4.6 metre high vehicle routes within the Sydney Region

Route	Starting point	Finishing point	Conditions
Arras Parade, Turner Avenue and Princes Street, Ryde	Victoria Road	Blaxland Road	Nil

ROADS ACT 1993**Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation 1996**

Bland Shire Council, in pursuance of Division 2 of Part 3 of the Road Transport (Mass, Loading and Access) Regulation 1996, by this Notice, specify the roads and road related areas on or in which B-Doubles may be used subject to any requirements or condition set out in the Schedule.

Frank Zaknich
General Manager
Bland Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as the Bland Shire Council B-Double Notice 1, 2002.

2. Commencement

This Notice takes effect from the date of the gazettal.

3. Effect

This Notice remains in force until June, 2005 unless it is amended or repealed earlier.

4. Application

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

5. Routes

B-Double routes within the Bland Shire Council

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	SH17	Neeld Street, Wyalong	Copeland Street, Wyalong	Central Street, West Wyalong	
25	000	Central Street, West Wyalong	Neeld Street, West Wyalong	Jamieson's Transport Depot	

Sydney Water

SEWER MAINS

SYDNEY WATER

Sewer Mains

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

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

CITY OF CAMDEN, AT SMEATON GRANGE: Contract Number 976864S5, Project Number 3003011. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving identified properties in ANZAC AVENUE.

CITY OF FAIRFIELD, AT FAIRFIELD: Contract Number 974250S5, Project Number 3002947. Line 1 & p.c.s. 1, inclusive and its appurtenant junctions, sidelines and inlets serving identified properties in WARE 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.

PETER ALLEN,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 31 May 2002.

SYDNEY WATER

Sewer Mains

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

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

CITY/MUNICIPALITY OF HORNSBY, AT HORNSBY: Contract Number 978335S9, Project Number 3003051. Property connection sewer line 1, inclusive and its appurtenant junctions, sidelines and inlets serving CLARINDA STREET.

CITY/MUNICIPALITY OF HORNSBY, AT HORNSBY HEIGHTS: Contract Number 975252SB, Project Number 3002404. Line 1 to line 3, inclusive and their appurtenant junctions, sidelines and inlets serving PIKE ROAD.

CITY/MUNICIPALITY OF HORNSBY, AT CHERRYBROOK: Contract Number 958985S3, Project Number 353197. Line 1 to line 5, inclusive and their appurtenant junctions, sidelines and inlets serving McCUSKER CRESCENT, MONTEREY PLACE and COUNTY DRIVE.

CITY/MUNICIPALITY OF HORNSBY, AT CHERRYBROOK: Contract Number 975989S5, Project Number 3002879. Line 1 to line 2, inclusive and their appurtenant junctions, sidelines and inlets serving FORESTER and FEATHERWOOD AVENUE.

CITY/MUNICIPALITY OF NORTH SYDNEY, AT MACMAHONS POINT: Contract Number 941947S8, Project Number 352005. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving LAVENDER STREET.

CITY/MUNICIPALITY OF KU-RING-GAI, AT ST. IVES: Contract Number 974157S9, Project Number 3002155. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving MONA VALE ROAD.

CITY/MUNICIPALITY OF PARRAMATTA, AT EASTWOOD: Contract Number 975978S6, Project Number 3003021. Property connection sewer line 1, inclusive and its appurtenant junctions, sidelines and inlets serving EASTWOOD AVENUE.

CITY/MUNICIPALITY OF CONCORD, AT CANADA BAY: Contract Number 978375S9, Project Number 3002953. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving ADA STREET and COLES STREET.

CITY/MUNICIPALITY OF WILLOUGHBY, AT WILLOUGHBY: Contract Number 965400, Project Number 3000352. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving LAUREL 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.

MARTHA AMADOR,
Developer Activity Officer,
Chatswood.

Dated: 31 May 2002.

WATER MAINS**SYDNEY WATER**

Water Mains

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

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

CITY OF FAIRFIELD, AT BOSSLEY PARK: Contract Number 973823W4, Project Number 1001322. Water mains are now laid and capable of serving identified properties in MURRUMBIDGEE 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.

PETER ALLEN,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 31 May 2002.

SYDNEY WATER

Water Mains

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

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

CITY/MUNICIPALITY OF PARRAMATTA, AT RYDALMERE: Contract Number 975435W8, Project Number 1001306. Water mains are now laid and capable of serving identified properties in VICTORIA ROAD.

CITY/MUNICIPALITY OF HUNTERS HILL, AT GLADESVILLE: Contract Number 970118WA, Project Number 1000676. Water mains are now laid and capable of serving identified properties in KARRABEE AVENUE and FRYAR ROW.

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: 31 May 2002.

Other Notices

ANTI-DISCRIMINATION ACT 1977

EXEMPTION ORDER

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977, and on the recommendation of the Anti-Discrimination Board, an exemption is given from the provisions of sections 25 and 51 of the Anti-Discrimination Act 1977 for Health for Her to run a health, fitness and lifestyle centre for women only.

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

Dated this 14th day of May 2002.

BOB DEBUS, M.P.,
Attorney General

ANTI-DISCRIMINATION ACT 1977

EXEMPTION ORDER

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977, and on the recommendation of the Anti-Discrimination Board, an exemption is given from the provisions of sections 25 and 51 of the Anti-Discrimination Act 1977 to CO.AS.IT to designate and recruit for a position for a male facilitator to run a support group targeting older Italian migrant men.

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

Dated this 22nd day of May 2002.

BOB DEBUS, M.P.,
Attorney General

ANTI-DISCRIMINATION ACT 1977

EXEMPTION ORDER

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977, and on the recommendation of the Anti-Discrimination Board, an exemption is granted from the provisions of section 49ZYB(2) the Anti-Discrimination Act 1977 for NRMA LTD to allow the 13 Patrol Officers over the age of 55 who are currently exempt from working set midnight shifts pursuant to past industrial agreements to continue enjoying that exemption.

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

Dated this 22nd day of May 2002.

BOB DEBUS, M.P.,
Attorney General

ANTI-DISCRIMINATION ACT 1977

EXEMPTION ORDER

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977, and on the recommendation of the Anti-Discrimination Board, an exemption is given from the provisions of sections 8, 25 and 51 of the Anti-Discrimination Act 1977 for the REDFERN LEGAL CENTRE to designate and recruit for a position as Assistant Co-ordinator of the Women's Domestic Violence Court Assistance Scheme for an Aboriginal woman.

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

Dated this 22nd day of May 2002.

BOB DEBUS, M.P.,
Attorney General

APPRENTICESHIP AND TRAINEESHIP ACT 2001

ORDER

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

Commissioner for Vocational Training

Commencement

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

Amendment

2. The Apprenticeship and Traineeship Order 2001 is amended by:

inserting in Schedule 1 in appropriate alphabetical order the following vocations which are designated as recognised trade vocations for the purposes of the Apprenticeship and Traineeship Act 2001:

Polymer Technology Injection Moulding Technician

Polymer Technology Blow Moulding Technician

Polymer Technology Extrusion Technician

Polymer Technology Composites Technician

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the *Apprenticeship and Traineeship Act 2001* has made the following Vocational Training Order in relation to the recognised trade vocation of Polymer Technology Injection Moulding Technician.

CITATION

The Order is cited as the Polymer Technology Injection Moulding Technician (Trade) Order.

ORDER

A summary of the Order is given below.

(a) Term of Training

Training shall be given for a nominal period of 4 years or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(b) Competency Outcomes

Apprentices will be trained in and learn the relevant competencies in accordance with the packaging guidelines contained in the endorsed Plastics, Rubber and Cablemaking Training Package (PMB01).

(c) Courses of Study to be undertaken

Apprentices will undertake the following certificate from the Plastics, Rubber and Cablemaking Training Package (PMB01):

Certificate IV in Polymer Technology PMB40101

AVAILABILITY TO INSPECT

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

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the *Apprenticeship and Traineeship Act 2001* has made the following Vocational Training Order in relation to the recognised trade vocation of Polymer Technology Blow Moulding Technician.

CITATION

The Order is cited as the Polymer Technology Blow Moulding Technician (Trade) Order.

ORDER

A summary of the Order is given below.

(a) Term of Training

Training shall be given for a nominal period of 4 years or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(b) Competency Outcomes

Apprentices will be trained in and learn the relevant competencies in accordance with the packaging guidelines contained in the endorsed Plastics, Rubber and Cablemaking Training Package (PMB01).

(c) Courses of Study to be undertaken

Apprentices will undertake the following certificate from the Plastics, Rubber and Cablemaking Training Package (PMB01):

Certificate IV in Polymer Technology PMB40101

AVAILABILITY TO INSPECT

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

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice of Making of a Vocational Training Order

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

CITATION

The Order is cited as the Polymer Technology Extrusion Technician (Trade) Order.

ORDER

A summary of the Order is given below.

(a) Term of Training

Training shall be given for a nominal period of 4 years or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(b) Competency Outcomes

Apprentices will be trained in and learn the relevant competencies in accordance with the packaging guidelines contained in the endorsed Plastics, Rubber and Cablemaking Training Package (PMB01).

(c) Courses of Study to be undertaken

Apprentices will undertake the following certificate from the Plastics, Rubber and Cablemaking Training Package (PMB01):

Certificate IV in Polymer Technology PMB40101

AVAILABILITY TO INSPECT

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

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice of Making of a Vocational Training Order

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

CITATION

The Order is cited as the Polymer Technology Composites Technician (Trade) Order.

ORDER

A summary of the Order is given below.

(a) Term of Training

Training shall be given for a nominal period of 4 years or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(b) Competency Outcomes

Apprentices will be trained in and learn the relevant competencies in accordance with the packaging guidelines contained in the endorsed Plastics, Rubber and Cablemaking Training Package (PMB01).

(c) Courses of Study to be undertaken

Apprentices will undertake the following certificate from the Plastics, Rubber and Cablemaking Training Package (PMB01):

Certificate IV in Polymer Technology PMB40101**AVAILABILITY TO INSPECT**

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

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice of Making of a Vocational Training Order

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

CITATION

The order is cited as the Process Manufacturing Order.

ORDER

A summary of the Order is given below.

(a) Term of Training**(i) Full-time**

Training shall be given for a nominal period of 12 months for a Certificate II outcome, 24 months for a Certificate III outcome and 36 months for a certificate IV outcome or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(ii) Part-time

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

School based traineeships

In the case of school-based part-time traineeships, where the nominal full-time term is twelve (12) months, training

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

shall be for nominal terms up to 30 months within which period(s) trainees shall be required to demonstrate competencies relevant to the Vocational Training Order. Training may extend to 36 months where the Higher School Certificate is being delivered over a three (3) year period.

Students may work full-time during school vacations. They are not required to attend on-the-job or off-the-job training for more than 7.6 hours per week during examination periods or exam preparation periods.

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

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the units of competence specified in the Plastics, Rubber and Cablemaking Training Package (PMB01), the Manufactured Mineral Products Training Package (PMC99) and the Chemical, Hydrocarbons and Oil Refining Training Package (PMA98).

(c) Courses of Study to be Undertaken

Trainees will undertake the following courses of study:

Certificate II in Plastics PMB20101

Certificate III in Plastics PMB30101

Certificate II in Rubber PMB20201

Certificate III in Rubber PMB30201

Certificate II in Cablemaking PMB20301

Certificate III in Cablemaking PMB30301

Certificate II in Process Manufacturing PMB20401

Certificate III in Process Manufacturing PMB30401

Certificate IV in Polymer Technology PMB40101

Certificate II in Process Plant Operation PMA20198

Certificate III in Process Plant Operation PMA30198

Certificate IV in Process Plant Technology PMA40198

Certificate II in Process Manufactured Mineral Products (PMC20199)

Certificate III in Process Manufactured Mineral Products (PMC30199)

Certificate IV in Process Manufactured Mineral Products (PMC40199)

AVAILABILITY TO INSPECT

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

HEALTH ADMINISTRATION ACT 1982

Order of authority under section 23 as to Specially Privileged Information

PURSUANT to section 23 of the Health Administration Act 1982, I CRAIG JOHN KNOWLES, Minister for Health, do by this Order hereby authorise the New South Wales Mental Health Sentinel Events Review Committee, a committee established pursuant to section 20(4) of that Act, to conduct investigations into morbidity and mortality occurring within New South Wales involving persons suffering or reasonably believed to be suffering from a mental illness.

Signed at Sydney this twenty seventh day of May 002.

CRAIG KNOWLES, M.P.,
Minister for Health

HUNTER WATER ACT 1991 and Hunter Water Corporation's Operating Licence

Notice of Additional Customer Service Performance Indicators for Hunter Water

I, the Minister for Energy, make the attached customer service performance indicators under the Hunter Water Act 1991 and clause 2.1.1 of Hunter Water Corporation's Operating Licence, to apply from 1 July 2002.

These indicators relate to:

- Affordability;
- Complaints and account contact;
- Telephone calls; and
- Metered accounts where meters are not read.

KIM YEADON, M.P.,
Minister for Energy

HUNTER WATER CUSTOMER SERVICE PERFORMANCE INDICATORS

1. Affordability indicators

1. Indicators for Affordability

- (a) Number of disconnections for non-payment.
- (b) Number of flow restrictions for non-payment.
- (c) Number of debt recovery actions.
- (d) Number of customers assisted though payment support and/or instalment options.

Interpretation and Definitions for Affordability Indicators

- A **disconnection** is defined as the point where the customer's water supply is completely cut by Hunter Water due to the non-payment of a bill.
- A **flow restriction** is defined as Hunter Water's direct intervention in the supply system in order to reduce flow to a customer's property in response to the non payment of a bill.
- A **debt recovery action** is defined as when a summons is issued by or on behalf of Hunter Water for non payment of a service account, or when matters are referred to a debt recovery agent.
- **Payment support** means the acceptance by Hunter Water of some lesser sum than the amount due in full and final settlement of a residential customer account whether by payment voucher or other means, or whether agreement is reached by instalment options.

2. Complaints and Account Contact Indicators

2A. Indicators for Complaints

- (a) Time to provide a substantive response to complaints by time band:
 - Percentage less than two days;
 - Percentage less than five days; and
 - Percentage less than ten days.

2B. Account Contact Indicators

- (b) Time to provide a substantive response to complaints by time band:
 - Percentage less than two days;
 - Percentage less than five days; and
 - Percentage less than ten days.

Interpretation and Definitions for Complaints and Accounts Contact Indicators

- A **complaint** is any communication received from a consumer or representative of a consumer which expresses dissatisfaction with a product or service or disservice of Hunter Water or its representative that relates to its obligations as set out in the Hunter Water Act 1991 or its Operating Licence.
- **Dissatisfaction** includes any element of dissatisfaction whether mildly termed or in Hunter Water's opinion unjustified.
- **Hunter Water's representative** includes its own employees and any one employed by another body working on behalf of Hunter Water, for example a contractor.

- An **account contact** is defined as:
 - any communication received from the customer that relates to any aspect of the billing or payment process, and requires a response or action from Hunter Water.
- A **substantive response** is one that addresses the issues raised by the customer and:
 - Resolves them to the customer's satisfaction, or provides explanation of the relevant policy and explains why no further action is required; or
 - If the issue cannot be addressed immediately due to circumstances beyond the control of Hunter Water, the response must provide a clear strategy of action and/or identify when the action will be undertaken.
- Hunter Water is not required to make judgements on whether the complaint is justified.
- A complaint received from a customer representative, such as a solicitor; local MP or the Energy and Water Ombudsman should be included as a complaint.
- A letter or telephone call advising of a problem (e.g. burst main) does not necessarily constitute a complaint unless it expresses dissatisfaction with the business.
- If a complaint necessitates a number of contacts by the customer, each contact is to be dealt with as a separate complaint and logged accordingly, unless the subsequent contact only requests or provides further information.
- Hunter Water may exclude complaints that are:
 - Anonymous;
 - Not about its core activities as expressed in the operating licence or the Hunter Water Act 1991; or
 - Sent in response to or alongside invitations for feedback from Hunter Water, i.e. in response to customer surveys.
- A communication can be in any medium including face-to-face, telephone, letter, fax or electronic mail.
- Where a further communication from the customer or his representative is received actively chasing the complaint or account contact, this shall be logged as a separate complaint or account contact, although one providing or requesting further information is not to be recorded as a complaint.
- Response times should be calculated using working days where date of receipt is day 0 and weekends and public holidays are not included. A part response should not be recorded as a response.
- The response time should be reported from when the proposed action has been completed, except where the response relates to future planned operational or capital works.
- Where Hunter Water responds to a written complaint or account contact by telephone call or visit, then the date of the telephone call or visit must be recorded as the date of response.

3. Telephone call Indicators

3. Indicators for Telephone Calls

- (a) Percentage of telephone calls received by a permanent primary advertised number that are answered:
 - (i) within 15 seconds; and
 - (ii) within 30 seconds.
- (b) Total time when all incoming lines are busy and callers receive the busy tone.
- (c) Total number of calls abandoned.

Interpretation and Definitions for Telephone Calls

- A **primary permanent advertised number** is one which Hunter Water advertises to its customer base for use in contacting Hunter Water.
- An agent is a person engaged by the business to answer telephone calls to one of the principal primary advertised numbers. An agent does not include any pre-recorded or voice synthesiser message.
- Response times should be calculated from when the caller hears the first ring tone to the point the caller speaks to an agent. Where Hunter Water uses alternative methods of answering a call the following points should be considered as times when the call is considered answered:
 - Answer phone messages – from the time of the first ring tone up to the point the message has completed its run, and asks customer to leave their details; and
 - Recorded message – where a recorded message is used to advise customers of a particular incident, the response time is to be considered from the point the customer hears the first ring (or the message begins, whichever is first) to the point the message has run for at least 20 seconds or has completed, whichever is first.
- Hunter Water may exclude calls that are:
 - Not made from the primary customer base, such as suppliers of the business, Hunter Water contractors etc, using the primary contact numbers;
 - To a temporary contact point, for example one specifically set up to deal with flooding incidents;
 - Calls to an automated bill payment telephone number; and
 - Received outside of the advertised hours.
- **All lines busy:** Record the cumulative total elapsed time in minutes during the report period when all lines available for incoming calls are in use such that callers on the primary contact numbers receive a busy tone.
- **Calls abandoned:** Number of calls received where the customer hangs up before the agent answers the call, or before the call is considered answered where there is an automatic system.

4. Metered Accounts Where Meter Not Read Indicators

4. Indicators for Unread Metered Accounts

- (a) Percentage of metered accounts receiving a bill not based on an actual meter read during the report year.

Interpretation and Definitions for Unread Metered Accounts

- A **metered account** refers to any account that is billed based on volume.
- If a property has multiple meters and each metered property receives a separate bill based on a meter read, these should be reported as separate metered accounts for the purposes of this indicator.
- If a property has multiple meters and a single account is issued due to common ownership, the meters will be treated as separate metered accounts for the purposes of this indicator.

GEOGRAPHICAL NAMES ACT 1966

ERRATUM

IN the notice referring to the assignment of the name and Meeds, Folio 5206, 17 October 1980. The name was incorrectly spelt, the correct spelling for this name is Meads, this notice corrects that error.

W. WATKINS,
Chairman

Geographical Names Board
PO Box 143 Bathurst 2795.

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder.

Assigned Name:	Tongo Woolshed Lake
Designation:	Lake
L.G.A.:	Central Darling Shire Council
County:	Fitzgerald
L.P.I. Map:	Tongo
1:100,000 Map:	Tongo 7637
Reference:	GNB 4668
Assigned Name:	Lambton Ker-rai Creek
Designation:	Creek
L.G.A.:	Newcastle City Council
Parish:	Newcastle
County:	Northumberland
L.P.I. Map:	Wallsend
1:100,000 Map:	Newcastle 9232
Reference:	GNB4875
Assigned Name:	Ray Abood Village Green
Designation:	Reserve
L.G.A.:	Shoalhaven City Council
Parish:	Illaroo
County:	Camden
L.P.I. Map:	Berry
1:100,000 Map:	Kiama 9028
Reference:	GNB 4866
Assigned Name:	Joe Hyam Reserve
Designation:	Reserve
L.G.A.:	Shoalhaven City Council
Parish:	Illaroo
County:	Camden
L.P.I. Map:	Berry
1:100,000 Map:	Kiama 9028
Reference:	GNB 4883

Assigned Name:	Boatrowers Reserve
Designation:	Reserve
L.G.A.:	Lake Macquarie City Council
Parish:	Kahibah
County:	Northumberland
L.P.I. Map:	Swansea
1:100,000 Map:	Lake Macquarie 9231
Reference:	GNB 4872
Assigned Name:	Byrnes Reserve
Designation:	Reserve
L.G.A.:	Lake Macquarie City Council
Parish:	Kahibah
County:	Northumberland
L.P.I. Map:	Swansea
1:100,000 Map:	Lake Macquarie 9231
Reference:	GNB 4873
Assigned Name:	Dillwynia Bushland Reserve
Designation:	Reserve
L.G.A.:	Lake Macquarie City Council
Parish:	Morisset
County:	Northumberland
L.P.I. Map:	Morisset
1:100,000 Map:	Gosford 9131
Reference:	GNB 4877
Assigned Name:	Elizabeth Macarthur Bay
Designation:	Bay
L.G.A.:	Sydney City Council
Parish:	St Andrew
County:	Cumberland
L.P.I. Map:	Parramatta River
1:100,000 Map:	Sydney 9130
Reference:	GNB 4869
Assigned Name:	Yarringly Nature Reserve
Designation:	Reserve
L.G.A.:	Richmond Valley Council
Parish:	West Coraki
County:	Richmond
L.P.I. Map:	Ellangowan
1:100,000 Map:	Woodburn 9539
Reference:	GNB 4871
Assigned Name:	Anita Cobby Reserve
Designation:	Reserve
L.G.A.:	Blacktown City Council
Parish:	Prospect
County:	Cumberland
L.P.I. Map:	Prospect
1:100,000 Map:	Penrith 9030
Reference:	GNB 4876
Assigned Name:	Federation Point
Designation:	Point
L.G.A.:	Manly Council
Parish:	Manly Cove
County:	Cumberland
L.P.I. Map:	Sydney Heads
1:100,000 Map:	Sydney 9130
Reference:	GNB 4870
Assigned Name:	Railway Park
Designation:	Reserve
L.G.A.:	Bombala Council
Parish:	Bombala
County:	Wellesley
L.P.I. Map:	Bombala
1:100,000 Map:	Bombala 8724
Reference:	GNB 4885
Assigned Name:	Discovery Park
Designation:	Reserve
L.G.A.:	Hornsby Shire Council
Parish:	Field of Mars
County:	Cumberland
L.P.I. Map:	Parramatta River
1:100,000 Map:	Sydney 9130
Reference:	GNB 4882

Assigned Name: Coots Creek
 Designation: Creek
 L.G.A.: Yass Shire Council
 Parish: Bedulluck
 County: Murray
 L.P.I. Map: Bedulluck
 1:100,000 Map: Canberra 8727
 Reference: GNB 4865

Assigned Name: Collingridge Reserve
 Designation: Reserve
 L.G.A.: Hornsby Shire Council
 Parish: Field of South Colah
 County: Cumberland
 L.P.I. Map: Hornsby
 1:100,000 Map: Sydney 9130
 Reference: GNB 4882

The position and the extent for these features are recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's Web Site at www.lpi.nsw.gov.au/geog/.

WARWICK WATKINS,
 Chairperson

Geographical Names Board
 PO Box 143
 Bathurst NSW 2795

HUNTER WATER ACT 1991

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Erratum

IN the notice referring to the Compulsory Acquisition for the West Lakes Sewerage Scheme in *Government Gazette* No. 57 of 8 March 2002 at folio 1551 the words "(B) PROPOSED EASEMENT FOR SEWERAGE PIPELINE AND ACCESS THERETO 5 WIDE" should have read "(B) PROPOSED EASEMENT FOR SEWERAGE PIPELINE AND ACCESS THERETO VARIABLE WIDTH". This notice corrects that error.

KIMBERLY MAXWELL YEADON, M.P.,
 Minister for Information Technology,
 Minister for Energy, Minister for Forestry
 and Minister for Western Sydney.

(C5/12284)

LOCAL GOVERNMENT REMUNERATION TRIBUNAL

Erratum

THE following amendment is made to the Local Government Remuneration Tribunal's 2002 Report and Determination of 29 April 2002, published in the 10 May 2002 edition of the *Gazette*. The list of categories for councils and county councils outlined in the determination under "Determination of Categories of Councils and County Councils for 2001/2002" is amended to "Determination of Categories of Councils and County Councils for 2002/2003".

STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL

Erratum

THE following amendment is made to the Statutory and Other Offices Remuneration Tribunal's Report and Determination – Motor Vehicles Allowance for Certain Public Office Holders of 30 April 2002, published in the 10 May 2002 edition of the *Gazette*. The Deputy President of the Guardianship Tribunal is eligible to receive a motor vehicle allowance of \$13,000 per annum in accordance with conditions specified in the Tribunal's determination. In addition, the positions of Deputy Chairperson and Senior Member of the Fair Trading Tribunal are amended to Deputy Chairperson and Senior Member of the Consumer, Trader and Tenancy Tribunal.

LOCAL GOVERNMENT ACT 1993

Corindi Sewerage

Vesting of Easements in Pristine Waters 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 Corindi Sewerage Scheme are vested in Pristine Waters Council.

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

SCHEDULE

Interest in Land

Easements created by Dealing 8487946 (SB55127)
 DPWS Reference 401.

NATIONAL PARKS AND WILDLIFE ACT 1974

Maria National Park Plan of Management

IN pursuance of section 75 of the National Parks and Wildlife Act 1974, it is hereby notified that a Plan of Management for Maria National Park has been prepared.

The plan will be on public display from 31 May until 16 September 2002. Copies of the plan may be inspected during office hours at:

NPWS Mid North Coast Regional Office 152 Horton Street PORT MACQUARIE	Trial Bay Historic Gaol Arakoon State Recreation Area via SOUTH WEST ROCKS
--	--

Kempsey Library Elbow Street WEST KEMPSEY	National Parks Centre 102 George Street THE ROCKS
---	---

NPWS Head Office Library
 7th Floor
 43 Bridge Street
 HURSTVILLE

Copies of the plan may be obtained, free of charge, from the National Parks and Wildlife Service office at Port Macquarie, Trial Bay Historic Gaol and the National Parks Centre. The plan is also available on the NPWS web site: www.npws.nsw.gov.au.

Written representations in connection with the plan should be forwarded to:

The Planner – Maria National Park
National Parks and Wildlife Service
PO Box 61
PORT MACQUARIE NSW 2444

by close of business on 16 September 2002.

Following the exhibition period, the plan of management together with any representations received will be submitted to the National Parks and Wildlife Advisory Council for its comments and advice to the Minister.

Your comments on this draft plan of management may contain information that is defined as “personal information” under the NSW Privacy and Personal Information Protection Act 1998 and identifies you. If you do not want your personal details to become public, please mark on your submission that you want your details to remain confidential.

KEVIN SHANAHAN,
Manager, Conservation Management Unit

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Transport Administration Act 1988

Notice of Compulsory Acquisition of Land for the purposes of The State Rail Authority of New South Wales

THE State Rail Authority of New South Wales, with the approval of Her Excellency the Governor, declares that the land described in the Schedule hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the State Rail Authority, as authorised by the Transport Administration Act 1988, being for the Parramatta Rail Link.

Dated this 24th day of May 2002

HOWARD LACY,
Chief Executive

SCHEDULE

All that piece or parcel of land situate at ROSEVILLE in the Local Government Area of Willoughby Parish of Willoughby County of Cumberland and State of New South Wales being the whole of the land comprised within Computer Folio Identifier 3/128375 said to be in the possession of State Rail and subject to Lease 3677781 in favour of Enterprise Rent A Car Pty Limited.

All that piece or parcel of land situate as aforesaid being the whole of the land comprised within Computer Folio Identifier 19/135079 said to be in the possession of State Rail and subject to Lease 8046114 in favour of Jax Tyres Pty Limited EXCLUDING THEREOUT the land shown in the plan annexed to Memorandum of Transfer G763195.

All that piece or parcel of land situate as aforesaid being the whole of the land comprised within Computer Folio Identifier 10/8089 and Certificate of Title Volume 6869 Folio 60 said to be in the possession of State Rail and subject to Lease 6998410 in favour of Baby Holdings Pty Limited.

All that piece or parcel of land situate as aforesaid being the whole of the land comprised within Computer Folio Identifier 1/531547 said to be in the possession of State Rail and subject to Lease 6930946 in favour of Barbeques Galore (Aust) Pty Limited RESERVING THEREOUT the Easement for Drainage created by Memorandum of Transfer L90037 in favour of Willoughby City Council.

SRA Reference: 012329.

LOCAL GOVERNMENT ACT 1993

PROCLAMATION

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

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 218B of the Local Government Act 1993, do, on and from 30 June 2002, hereby alter the boundaries of the Area of Mudgee as described by proclamation in *Government Gazette* No. 12 of 29 January 1999 and the Area of Coolah as described by proclamation in *Government Gazette* No. 15 of 7 February 1997, by taking the part of the Area of Mudgee described in Schedule “A” hereto and adding it to the Area of Coolah so that the boundaries of the Area of Mudgee and Area of Coolah shall be as respectively described in Schedules “B” and “C” hereto. (FF02/0030/01)

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

By Her Excellency’s Command,

HARRY WOODS,
Minister for Local Government

GODSAVE THE QUEEN!

Schedule A

Land proposed to be transferred from Mudgee Area

Area about 4.52 hectares being Lot 6 DP 130766

Schedule B

Mudgee Area as altered

Area about 5469.96 square kilometres: Commencing at the confluence of Macquarie River and Tambaroora Creek; and bounded thence by that river downwards to the northern boundary of the Parish of Triamble, County of Wellington; by part of that boundary easterly to the western boundary of Portion 59, Parish of Walters; by that boundary and the western boundary of Portion 60 northerly, part of the southern and the generally western boundaries of Portion 39 and its prolongation westerly and generally northerly to Black Willow Creek; by that creek downwards and Gundowda Creek upwards to the southern prolongation of eastern boundary of Portion 11, Parish of Suttor; by that boundary and the eastern and northern boundaries of Portion 12 northerly and westerly, the generally north-western boundaries of Portion 21, 14 and 10 generally north-easterly, the generally south-western boundaries of Portions 31, 32, 22, 20 and Pt 34 generally north-westerly and the eastern boundaries of Portions 51 and Pt 17 and its prolongation northerly to Meroo Creek; by that creek downwards and Cudgegong River upwards to the generally

southern boundary of the parish of Worobul, County of Bligh; by part of that boundary generally westerly and part of the generally south-eastern boundary of the County of Lincoln generally north easterly to the southern boundary of Portion 44, Parish of Rouse, County of Bligh; by part of that boundary and the southern boundaries of Portions 33 and 184 easterly and part of the eastern boundary of the last mentioned portion northerly, the southern boundary of Lot 6, DP 130766 easterly, the eastern boundary of the last mentioned lot and its prolongation northerly to the southern boundary of Portion 26; by part of that boundary easterly, part of the western, the southern and the eastern boundaries of Portion 25 southerly, easterly and northerly and the eastern boundaries of Portions 24, 23 a line, 29 and 119 northerly to the south-eastern boundary of the County of Lincoln, aforesaid; by part of that boundary generally northerly and part of the generally southern boundary of the Parish of Wargundy, County of Bligh, generally easterly to the south-western boundary of the land shown on plan Ms16980e; by that boundary north-westerly and the north-western and north-eastern boundaries of that land north-easterly and south-easterly to the generally southern boundary of the Parish of Wargundy; again by part of that boundary generally northerly and easterly to Talbragar River; by that river upwards to the eastern boundary of the Parish of Bungaba; by part of that boundary southerly and the generally northern and part of the generally eastern boundaries of Parish of Bligh generally easterly, generally south-easterly and westerly to the northern prolongation of the western boundary of Portion 46, Parish of Bobadeen; by that prolongation northerly to the eastern prolongation of the northern boundary of Portion 13, Parish of Bligh; by that prolongation westerly to the eastern boundary of that portion; by part of that boundary southerly to the generally eastern boundary of the Parish of Bligh, aforesaid; by part of that boundary generally south-easterly and generally south-westerly to the Great Dividing Range; by that range generally southerly to the generally western boundary of D.P. 253765; by part of that boundary and part of the northern boundary of that D.P. generally northerly and easterly to Rouses Creek; by that creek, Sportsman's Hollow Creek, Goulburn River, the original bed of Goulburn River through Ulan Colliery, and again Goulburn River downwards to the eastern prolongation of the northern boundary of Lot 3, D.P. 755439; by that prolongation; boundary, the western, the southern boundary of that Lot and D.P. and its eastern prolongation to again Goulburn River; by that river downwards to the eastern prolongation of the northern boundary of Lot 18, D.P. 755422, by that prolongation and boundary westerly, the western boundaries of that lot and Lot 17 southerly, part of the northern and part of the western boundaries of Lot 29 westerly and southerly, the northern and western boundaries of Lot 20 westerly and southerly, part of the northern and western boundaries of Lot 53, D.P. 704125 westerly and southerly, the south-western boundary of Lot 44, D.P. 755422 and its prolongation south-easterly, the generally south-western and southern boundaries and its prolongation of Lot 43, D.P. 755422 generally south-easterly and easterly to Goulburn River, aforesaid, by that river downwards to the northern prolongation of the western boundary Lot 56, D.P. 704134 by that prolongation, boundary and the western boundary of Lot 55 and its prolongation southerly to Goulburn River, aforesaid and by that river downwards to the western prolongation of the southern boundary of Portion 82, Parish of Coggan, County of Phillip; by that prolongation and boundary easterly and

the western boundaries of Portions 30 and 31 (and its prolongation) southerly to the northern boundary of Portion 79; by part of that boundary and the northern and generally north-western boundaries of Portion 153 westerly and generally south-westerly to the range forming the western watershed of Growee River; by that range generally southerly to the Great Dividing Range, aforesaid; by that range generally north-westerly to the northern prolongation of the easternmost eastern boundary of Portion 130, Parish of Botobolar; by that prolongation southerly to the generally western boundary of the Parish of Hawkins; by part of that boundary generally southerly and generally westerly to the eastern boundary of Portion 118, Parish of Bara; by part of that boundary and its prolongation southerly to the generally western boundary of the Parish of Hawkins; again by part of that boundary southerly to the northern boundary of Portion 140; by part of that boundary easterly for a distance of about 201 metres; by a line southerly to the northern boundary of Portion 13; by part of that boundary westerly to the generally western boundary of the Parish of Hawkins; again by part of that boundary generally southerly to Lawsons Creek; by that creek upwards to the generally western boundary of the Parish of Dungree; by part of that boundary generally southerly to the northern boundary of Portion 98; by that boundary and its prolongation easterly to Half Acre Creek; by that creek upwards to the northern boundary of Portion 5; by part of that boundary westerly to the generally western boundary of the Parish of Dungree; again by part of that boundary generally southerly to Cudgegong River; aforesaid, at Lake Windamere; by that river and Cudgegong Creek upwards to the generally eastern boundary of the Parish of Toolamanang, County of Wellington; by part of that boundary generally southerly to Bombardi Creek at its intersection with the southern boundary of Portion 101; by that creek downwards to the road forming the northernmost generally southern and the westernmost eastern boundaries of Portion 127, Parish of Tunnabidgee; by that road and its continuation generally westerly and southerly to the northern boundary of Portion 53; by part of that boundary and its prolongation easterly to Crudine River; by that river downwards to the eastern prolongation of the northern boundary of Portion 26; by that prolongation and boundary and the northernmost northern boundary of Portion 216 westerly, the eastern and southern boundaries of Portion 204 southerly and westerly, the westernmost western boundary of Portion Pt 206 and the western boundary of Portion 205 southerly, a line southeasterly and the western boundary of Portion 50 and its prolongation southerly to Crudine River, aforesaid; by that river downwards to the generally northern boundary of the Parish of Cunningham; by part of that boundary generally westerly to Green Valley Creek at its intersection with the northern boundary of Portion 11; by that creek downwards to the road from Hill End to Hargraves; by that road generally south-westerly to the north-eastern prolongation of the north-western boundary of Lot 78, D.P. 756873; by that prolongation, boundary and its prolongation south-westerly to a point 50 metres offset on the south-western side of Dixons Long Point Road; by that 50 metre offset generally north-westerly to the northern boundary of Hill End – Tambaroora Common; by that boundary and the generally western boundary of that common westerly and generally southerly to Tambaroora Creek, aforesaid, and by that creek downwards to the point of commencement.

Schedule C –

Coolah Area (as altered)

Area about 4792.37 square kilometres: Commencing at the junction of the eastern boundary of the Parish of Bungaba, County of Bligh with Talbragar River: and bounded thence by part of that boundary southerly, the generally northern boundary of the Parish of Bligh generally easterly and part of the generally south-eastern boundary of the Parish of Nandoura northerly to the generally south-western boundary of Portion 138; by that boundary and the generally north-western and northern boundaries of that portion generally north-westerly, generally north-easterly and generally easterly to the generally south-eastern boundary of the Parish of Nandoura; again by part of that boundary generally north-easterly to the Great Dividing Range; by that range generally north-easterly to the generally south-eastern boundary of the Parish of Nandoura; again by part of that boundary and the generally northern boundary of that parish generally north-easterly and generally westerly to Talbragar River, aforesaid; by that river upwards to the generally northern boundary of Portion 77, Parish of Warung; by part of that boundary generally easterly and part of the generally western boundary of Portion 12, Parish of Cunna easterly and northerly to the generally northern boundary of the County of Bligh; by part of that boundary and part of the generally south-eastern boundary of the Parish of Moredevil, County of Pottinger generally north-westerly to the generally south-western boundary of Portion 191, of Parish of Bundella; by that boundary and the generally south-western boundaries of Portions 189, 187 and 195 (part) generally north-westerly, the generally eastern boundary of Portion 186 generally southerly and part of the generally north-eastern, the generally south-eastern and the southern boundaries of Portion 143 south-easterly, generally south-westerly and westerly to Cox Creek; by that creek upwards to the north-eastern prolongation of the south-eastern boundary of Portion 58; by that prolongation and boundary south-westerly to the generally south-western boundary of the County of Pottinger; by part of that boundary generally north-westerly to the eastern prolongation of the northernmost northern side of Round Mountain Road; by that prolongation, side of road and its prolongation westerly to a point approximately 765 metres west of the western boundary of Portion 143, Parish of Neible, County of Napier; by a line south-westerly to a point approximately 170 metres north and 240 metres east of the south-eastern corner of Portion 52, Parish of Ulinda; by a line westerly to the eastern boundary of that portion; by part of that boundary and part of the eastern boundary of Portion 51 southerly to Boltens Creek; by that creek and Ulinda Creek downwards to the west most eastern boundary of Lot 20, D.P. 727215; by part of that boundary northerly, the northern and part of the western boundary of that D.P. westerly and southerly to Ulinda Creek, aforesaid; by that creek downwards to the eastern boundary of Portion 112; by part of that boundary and its prolongation southerly to the road through and forming part of the western boundary of Portion 55; by that road generally southerly, and the road forming the northern and western boundaries of Portion 110, the western boundary of Portion 109, the western and southern (part) boundaries of Portion 104 and the western boundary of Portion 117 and its prolongation westerly and generally southerly to Binnia Creek; by that creek and Castlereagh River downwards to the generally southern boundary of the Parish of Caigan, County of Gowen; by part of that boundary north-westerly and westerly to the eastern

boundary of Portion 67; by that boundary northerly, the generally north-eastern boundaries of that portion, a line, and Portion 56, Parish of Yarragin generally north-westerly, the south-eastern boundary of Portion 27 south-westerly and the generally south-eastern boundaries of Lot 60 D.P. 40091, Lots 2 and 1 D.P. 538465 and Portion 77, Parish of Bandulla and its prolongation generally south-westerly to Yarragin Creek; by that creek and Castlereagh River, aforesaid, downwards to the generally western boundary of the Parish of Richardson, County of Lincoln; by that boundary and part of the generally southern boundary of that parish generally southerly and generally easterly and the eastern boundary of the Parish of Breealong South and its prolongation southerly to a point approximately 310 metres south of the southern boundary of Portion 2, Parish of Spring Creek; by a line westerly to Spring Creek; by that creek downwards to the northern prolongation of the eastern boundary of Portion 5; by that prolongation, boundary and its prolongation southerly to Talbragar River, aforesaid; by that river and Sandy Creek upwards to the generally western boundary of the Parish of Dapper; by part of that boundary generally southerly to the southernmost southern boundary of Portion 89; by that boundary easterly and the southern prolongation of the westernmost eastern boundary of that portion southerly to a point west of the westernmost south-western corner of Portion 82; by a line easterly to that corner; by part of the generally south-eastern boundary of the County of Lincoln generally north-easterly to the southern boundary of Portion 44, Parish of Rouse, County of Bligh; by part of that boundary and the southern boundaries of Portions 33 and 184 easterly and part of the eastern boundary of the last mentioned portion northerly, the southern boundary of Lot 6, DP 130766 easterly, the eastern boundary of the last mentioned lot and its prolongation northerly to the southern boundary of Portion 26; by part of that boundary easterly, part of the western, the southern and the eastern boundaries of Portion 25 southerly, easterly and northerly and the eastern boundaries of Portions 24, 23, a line, 29 and 119 northerly to the south-eastern boundary of the County of Lincoln, aforesaid; by part of that boundary generally northerly and part of the generally southern boundary of the Parish of Wargundy, County of Bligh, generally easterly to the south-western boundary of the land shown on plan Ms16980e; by that boundary north-westerly and the north-western and north-eastern boundaries of that land north-easterly and south-easterly to the generally southern boundary of the Parish of Wargundy; again by part of that boundary generally northerly and easterly to Talbragar River, aforesaid, and by that river upwards to the point of commencement.

NATIONAL PARKS AND WILDLIFE ACT 1974

Murramarang National Park
Plan of Management

IN pursuance of section 75 of the National Parks and Wildlife Act 1974 it is hereby notified that amendments to the Plan of Management for Murramarang National Park, Brush Island Nature Reserve, Belowla Island Nature Reserve and Tollgate Islands Nature Reserve were adopted by the Minister for the Environment on 4 April 2002.

Copies of the adopted amendments may be obtained from the NPWS South Coast Regional Office, 55 Graham Street, Nowra. The amended plan is also available on the NPWS web site: www.npws.nsw.gov.au.

ALISON RAMSAY,
Planning Coordinator

NSW NATIONAL PARKS AND WILDLIFE SERVICE

Notice of Exhibition of the Approved Western Pygmy-possum Species Recovery Plan

THE National Parks and Wildlife Service, hereby give notice of the exhibition of the Approved Western Pygmy-possum (*Cercartetus concinnus*) Recovery Plan. The Recovery Plan will be available for inspection from 31 May 2002. Exhibition details will be published on 31 May 2002 in the Sydney Morning Herald.

JOSHUA GILROY,
Acting Manager, Conservation Programs and
Planning, Western Directorate

NATIONAL PARKS AND WILDLIFE ACT 1974

Tuckean Nature Reserve Plan of Management

IN pursuance of section 76 of the National Parks and Wildlife Act 1974 it is hereby notified that a Plan of Management for Tuckean Nature Reserve was adopted by the Minister for the Environment on 24 April 2002.

Copies of the plan may be purchased at a cost of \$8.25 plus \$5.50 to cover postage and handling from The National Parks Centre, 102 George Street, The Rocks, NSW 2655 (telephone 1300 361 967). The plan is also available on the NPWS web site: www.npws.nsw.gov.au.

ALISON RAMSAY,
Planning Coordinator

NATIONAL PARKS AND WILDLIFE ACT 1974

Goobang National Park Plan of Management

IN pursuance of section 75 of the National Parks and Wildlife Act 1974 it is hereby notified that a Plan of Management for Goobang National Park was adopted by the Minister for the Environment on 7 November 2001.

Copies of the plan may be purchased at a cost of \$8.25 plus \$5.50 to cover postage and handling from The National Parks Centre, 102 George Street, The Rocks, NSW 2655 (telephone 1300 361 967). The plan is also available on the NPWS web site: www.npws.nsw.gov.au.

ALISON RAMSAY,
Planning Coordinator

NSW SCIENTIFIC COMMITTEE

Notice of Preliminary Determinations

THE Scientific Committee, established by the Threatened Species Conservation Act, has made Preliminary Determinations to support proposals to list the following two species in the relevant Schedules of the Act and as a consequence, omit reference to Günther's Skink, *Cyclodomorphus branchialis* (Günther 1867), as a Vulnerable Species.

Endangered Species (Part 1 of Schedule 1)

Cyclodomorphus venustus Shea and Miller (1995) a skink
The Committee is of the opinion that this species is likely to become extinct in nature in NSW unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Vulnerable Species (Schedule 2)

Cyclodomorphus melanops elongatus (Werner 1910) Mallee Slender Blue-tongue Lizard

The Committee is of the opinion that this species is likely to become endangered unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Any person may make a written submission regarding these Preliminary Determinations, which should be forwarded to:

Director General
National Parks & Wildlife Service
PO Box 1967
Hurstville NSW 2220

Attention: Suzanne Chate
Executive Officer,
Scientific Committee

Submissions must be received by 5th July, 2002.

Copies of these Determinations may be inspected at the National Parks Centre 102 George St, The Rocks, Sydney and at NPWS Area Offices or Visitors Centres during business hours.

Dr CHRIS DICKMAN,
Chairperson
Scientific Committee

NSW SCIENTIFIC COMMITTEE

Notice of Preliminary Determinations

The Scientific Committee, established by the Threatened Species Conservation Act, has made Preliminary Determinations to support proposals to list the following in the relevant Schedules of the Act, and as a consequence, omit reference to these species from Schedule 2 (Vulnerable Species) of the Act.

Endangered Species (Part 1 of Schedule 1)

Diurus aequalis F. Muell. ex Fitzg., a terrestrial orchid

Plinthanthesis rodwayi (C. E. Hubb.) S. T. Blake, a grass

The Committee is of the opinion that these species are likely to become extinct in nature in NSW unless the circumstances and factors threatening their survival or evolutionary development cease to operate.

Any person may make a written submission regarding these Preliminary Determinations, which should be forwarded to:

Director General
National Parks & Wildlife Service
PO Box 1967
Hurstville NSW 2220

Attention: Suzanne Chate
Executive Officer,
Scientific Committee

Submissions must be received by 5th July, 2002.

Copies of these Determinations may be inspected at the National Parks Centre 102 George St, The Rocks, Sydney and at NPWS Area Offices or Visitors Centres during business hours.

Dr CHRIS DICKMAN,
Chairperson
Scientific Committee

SAFER COMMUNITY COMPACT

Order

I, the Honourable BOB DEBUS, Attorney General of the State of New South Wales, in pursuance of section 39 (1) of the Children (Protection and Parental Responsibility) Act 1997, do, by this my Order, approve the Newcastle Crime Prevention Plan as a Safer Community Compact for the purposes of Division 3 of Part 4 of that Act.

This Order takes effect on 6 May 2002 and remains in force until 5 May 2005.

Signed at Sydney, this 29th day of April 2002.

BOB DEBUS, M.P.,
Attorney General

**ELECTRICITY SUPPLY ACT 1995
GAS SUPPLY ACT 1996**

MARKETING CODE OF CONDUCT

**Approval and revocation under section 63G of the Electricity Supply Act 1995 and
section 33N of the Gas Supply Act 1996**

I, Kimberley Maxwell YEADON, M.P., Minister for Energy, pursuant to section 63G of the Electricity Supply Act 1995 and section 33N of the Gas Supply Act 1996, have revoked the Electricity Marketing Code of Conduct published in *Government Gazette* No. 170 of 29 December 2000 at pages 14091 to 14106 and amended in *Government Gazette* No. 196 of 21 December 2001 at pages 10753 to 10761, and the Gas Marketing Code of Conduct published in *Government Gazette* No. 175 of 16 November 2001 at pages 9291 to 9306, and approved an Energy Marketing Code of Conduct to replace the revoked Codes.

The Energy Marketing Code of Conduct published for the purposes of Part 5B of the Electricity Supply Act 1995 and Part 2A Division 5 of the Gas Supply Act 1996 is set out in Schedule 1 to this notice.

The Energy Marketing Code of Conduct is to take effect from 1 June 2002.

KIMBERLEY MAXWELL YEADON, M.P.,
Minister for Energy

SCHEDULE 1

MARKETING CODE OF CONDUCT

Approved for the purposes of the Electricity Supply Act 1995 (NSW) and the Gas Supply Act 1996 (NSW) by the NSW Minister for Energy

CONTENTS

Topic	Page
1. FOREWORD	1
1.1 Introduction	1
1.2 Legislative framework – gas and electricity	2
1.3 Legislation.....	3
2. DEFINITIONS	4
3. INTERPRETATION AND COMMENCEMENT	6
4. OBJECTIVES.....	6
5. MARKETER RESPONSIBILITIES	6
5.1 Compliance	6
5.2 Obligations to the Code Administrator.....	7
5.3 Obligations to the Ombudsman	7
5.4 Statement to Suppliers	7
6. STANDARDS OF CONDUCT.....	8
6.1 General	8
6.2 Marketing by telephone	8
6.3 Marketing at Customer's Premises	9
6.4 Marketing via Internet or e-mail	10
6.5 Marketing by personal contact outside the Customer's Premises	11
6.6 Conduct when Customers do not wish to be contacted	11
7. INFORMATION PROVISION.....	12
7.1 Minimum requirement.....	12
7.2 Additional information	14
 APPENDIX 1	
Customer written acknowledgement.....	16

1. FOREWORD

1.1 Introduction

The NSW Treasury and the Ministry of Energy and Utilities, on behalf of the Minister for Energy (**Minister**), previously developed the Electricity Marketing Code of Conduct and the Gas Marketing Code of Conduct to protect small customers in light of full retail competition in electricity and gas in NSW. Both Codes were approved by the Minister, with the Electricity Marketing Code taking effect on 1 January 2001 and the Gas Marketing Code on 1 January 2002. Both these Marketing Codes are now revoked and replaced by a single Energy Marketing Code of Conduct (the **Code**) to apply to the retail marketing of gas and electricity by "Marketers" in NSW. Accordingly, for acts or omissions by electricity and gas Marketers on or after 1 June 2002, this Code replaces:

1. The Code approved for the purposes of the Electricity Supply Act 1995 (NSW) (**ES Act**) gazetted on 29 December 2000 (Government Gazette No 170) and amended on 21 December 2001 (Government Gazette No 196); and
2. The Code approved for the purposes of the Gas Supply Act 1996 (NSW) (**GS Act**) gazetted on 16 November 2001 (Government Gazette No. 175).

While currently applicable only within NSW, the Code may be amended to apply to other jurisdictions or on a national basis, as the need arises.

The Code specifies the minimum level and quality of information to be provided by "Marketers" to "Small Retail Customers" so that those Customers can make informed choices. The Code also aims to protect Customers against any unethical or unscrupulous behaviour by Marketers. "Marketers" is taken to mean all suppliers and all persons who act as agents or intermediaries between Small Retail Customers and suppliers of gas or electricity. A "Small Retail Customer" is defined as a Customer consuming 160 megawatt hours or less of electricity per annum (see section 92 of the ES Act and clause 7 of the Electricity Supply (General) Regulation 2001) or 1,000 gigajoules or less of natural gas per annum (section 33R of the GS Act and clause 8 of the Gas Supply (Natural Gas Retail Competition) Regulation 2001).

The Code was developed in consultation with NSW and interstate market participants, the Electricity and Water Ombudsman of New South Wales (**EWON**), the New South Wales Department of Fair Trading (**DFT**), the Independent Pricing and Regulatory Tribunal (**IPART**) and other stakeholders.

1.2 Legislative framework – gas and electricity

1.2.1 Governance

The Code is approved under section 63G of the ES Act and section 33N of the GS Act by the NSW Minister for Energy, as the Marketing Code of Conduct that applies to electricity and gas Marketers in NSW. The Minister is the initial Code administrator, meaning that the Minister will be responsible for monitoring compliance with the Code and for approving any changes to the Code. Eventually, a dedicated industry Code administrator may be established to take over the ongoing development and governance of the Code.

1.2.2 Enforcement

The Code is enforceable as a matter of law and imposes statutory obligations on all persons who engage in electricity or gas Marketing to comply with the Code (Section 63H, ES Act; Section 33O, GS Act) in so far as it affects dealings with Small Retail Customers. Additionally, for all Retail Suppliers, the ES Act requires compliance with the Code as a condition of licence (Section 63I(a)) and the GS Act requires compliance with the Code as a condition of authorisation (Section 33P(a)).

A Small Retail Customer is able to refer (at no cost to the customer) a complaint in relation to the conduct of an electricity or gas Marketer to the Ombudsman. This right is supported by requirements in both Acts for Retail Suppliers to be members of an approved Ombudsman scheme and to comply with any decision of the Ombudsman. A Customer with a complaint in relation to the marketing activities of a supplier needs, in the first instance, to refer that complaint to the Retail Supplier for resolution. The Ombudsman may alert the Code Administrator and/or IPART to a Marketer's alleged non-compliance with the Code.

Where electricity or gas Marketers are not licensed/authorised Retail Suppliers, the Acts make provision for non-licensed/authorised Marketers to be bound by any decision of the Ombudsman with respect to a complaint made by a Small Retail Customer. A decision of the Ombudsman in these circumstances may also set out the Ombudsman's costs in dealing with the Customer's complaint that will be required to be paid by the Marketer.

Penalties apply under both Acts for a breach of the Code. A Marketer that contravenes or fails to comply with a requirement of the Code with respect to either a gas or electricity Customer is liable to pay a maximum penalty of \$22,000 in the case of a corporation and \$5,500 in all other cases (or any amended amounts as provided in the legislation subsequent to gazettal of the Code).

1.2.3 Other obligations

Further obligations are imposed under the ES Act and GS Act on Retail Suppliers who have Customers referred to them by another Marketer. The Acts require that in these circumstances, before a Retail Supplier can enter into a negotiated Customer Supply Contract, it must be satisfied that the Marketer who has referred that Customer has complied with the Code (Section 63I, ES Act; Section 33P, GS Act).

Given the above requirement, both Acts impose a corresponding obligation on Marketers that are not licensed Retail Suppliers to provide a Retail Supplier with a written statement to the effect that the Marketer has complied with the Code where it introduces a Small Retail Customer to a Retail Supplier or facilitates or arranges a Customer Supply Contract (Section 63J, ES Act; Section 33Q, GS Act).

In addition to the Code, the Acts provide for Small Retail Customer protection through the application of minimum conditions in Customer Supply Contracts for Small Retail Customers. For example, electricity Retail Suppliers must agree to arrange provision of connection services if a new connection, reconnection or increase in capacity is requested by the Small Retail Customer and Retail Suppliers must provide an emergency services number to Customers on their bills.

1.3 Legislation

The key sources of legislation affecting marketing practices in gas and electricity are:

- *Electricity Supply Act 1995* (NSW)
- *Gas Supply Act 1996* (NSW)
- *Trade Practices Act 1974* (Cth)
- *Fair Trading Act 1987* (NSW)
- *Door-to-Door Sales Act 1967* (NSW)
- *Contracts Review Act 1980* (NSW)
- *Electronic Transactions Act 2000* (NSW)
- *Privacy Act 1988* (Cth)

The Code supplements and does not limit any rights, obligations or liabilities a person may have under any existing legislation or under common law.

2. DEFINITIONS

In this Code:

“Code Administrator” means the Minister for Energy in the State of New South Wales;

“Customer Connection Services” has the meaning given in the ES Act;

“Customer Supply Contract” means a Standard Form Customer Supply Contract or a negotiated Customer Supply Contract with a Small Retail Customer within the meaning given in the ES Act, where applicable to a contract for electricity, and within the meaning given in the GS Act, where applicable to a contract for gas;

“Contact Number” means the complaints and enquiries telephone number of a Marketer;

“Energy” means electricity and/or natural gas;

“ES Act” means the Electricity Supply Act 1995 (NSW);

“GS Act” means the Gas Supply Act 1996 (NSW);

“Marketer” has the same meaning as “electricity marketer” in the ES Act and “gas marketer” in the GS Act, which means any of the following persons:

- a person who is a Retail Supplier;
- a person who acts as an agent of a Retail Supplier for the purposes of obtaining new Customers, or retaining existing Customers, for the Retail Supplier;
- a person who acts as an agent of one or more Customers in respect of the retail supply of Energy; and
- a person who acts as an intermediary in any other capacity between one or more Customers and a Retail Supplier in respect of the retail supply of Energy;

“Marketing” includes, but is not limited to, advertising, sales, promotion, market research, public relations and negotiations by any means, whether solicited or unsolicited, for the purposes of entering into a Supply Arrangement;

“Ombudsman” has the meaning given in the ES Act where applicable to a contract for electricity, which means, an electricity industry Ombudsman appointed under an approved electricity industry Ombudsman scheme; or the meaning given in the GS Act, where applicable to a contract for gas, which means, a gas industry Ombudsman appointed under an approved gas industry Ombudsman scheme;

“Premises” includes the Customer’s residential premises and the Customer’s workplace premises;

“Previous Codes” means the Electricity Marketing Code of Conduct and the Gas Marketing Code of Conduct in force prior to this Code

“Regulations” means:

- in relation to electricity, the Electricity Supply (General) Regulation 2001; and
- in relation to natural gas, the Gas Supply (Natural Gas Retail Competition) Regulation 2001;

“Retail Supplier” means:

- in relation to electricity, a person who holds a retail supplier’s licence for the supply of electricity under the ES Act; and
- in relation to natural gas, a person who holds a supplier’s authorisation for the supply of natural gas under the GS Act;

“Small Retail Customer” means:

- an actual or prospective small retail customer within the meaning of the ES Act; or
- an actual or prospective small retail customer within the meaning of the GS Act;

“Standard Form Contract” means:

- in relation to electricity, a standard form customer supply contract within the meaning given to that term in the ES Act; and
- in relation to natural gas, a contract that is declared by the regulations under the GS Act to be a standard form contract;

“Supply Arrangement” includes, but is not limited to, an actual or potential agreement or contract between a Retail Supplier and a Customer for the supply of Energy to the Customer.

3. INTERPRETATION AND COMMENCEMENT

- 3.1 The Code takes effect on 1 June 2002.
- 3.2 In relation to any Marketing by an Energy Marketer after 1 June 2002 and before 1 August 2002, an Energy Marketer is taken to comply with this Code if the Energy Marketer complies with the applicable requirements of the Previous Codes.
- 3.3 The Code supplements and does not limit any rights a person may have under any statutory instrument or under the common law or at equity.

4. OBJECTIVES

The objectives of the Code are to:

- Protect Small Retail Customers from unscrupulous Marketing conduct.
- Ensure that Marketers act in accordance with standards necessary to promote and enhance consumer confidence in the retail energy market.
- Promote an environment of honesty and fairness within the retail energy market by defining standards of acceptable marketing behaviour.
- Promote effective relationships between Customers, Marketers, suppliers (to the extent they are not Marketers), regulators and other industry participants.
- Ensure Customers have access to the product and service information needed to make informed choices, thereby facilitating entry into Retail Supply Arrangements.

5. MARKETER RESPONSIBILITIES

5.1 Compliance

- 5.1.1 A Marketer must comply with the Code.
- 5.1.2 A Marketer must ensure that any person who:
 - a) is employed by or authorised by the Marketer to carry out Marketing activities on behalf of the Marketer, and
 - b) could reasonably be considered by a Customer to represent the Marketer and is engaging in Marketing activity,complies with the Code.

5.2 Obligations to the Code Administrator

5.2.1 A Marketer must:

- a) monitor and keep a record of complaints made by Customers in relation to the Marketing activities of the Marketer;
- b) conduct audits at least on an annual basis to verify that they are complying with the Code; and
- c) upon request, or if directed to do so by the Code Administrator, provide to the Code Administrator any information relating to Code compliance, including information the Marketer is required to keep under the Code.

5.3 Obligations to the Ombudsman

5.3.1 A Marketer must, on request or if directed to do so by the Ombudsman in relation to a complaint by a Customer:

- a) provide to the Ombudsman, any information, including information the Marketer is required to keep under the Code, relating to the complaint;
- b) pay any relevant Ombudsman fees and other amounts in accordance with a decision made by the Ombudsman in relation to the complaint; and
- c) agree to be bound by any relevant decision of the Ombudsman in relation to the complaint.

5.4 Statement to Suppliers

5.4.1 A Marketer that is not a Supplier must provide a written statement of compliance with the Code to a Supplier where the Marketer introduced a Customer to the Supplier or where the Marketer arranged or facilitated a Supply Arrangement for that Supplier.

5.4.2 A Marketer must not give to a Supplier a statement in relation to a Supply Arrangement arranged or facilitated by the Marketer that is false, misleading or deceptive, knowing it to be false, misleading or deceptive.

6. STANDARDS OF CONDUCT

6.1 General

- 6.1.1 A Marketer must not, when carrying out Marketing, engage in misleading, deceptive or unconscionable conduct whether by act or omission.
- 6.1.2 A Marketer must comply with all applicable laws.
- 6.1.3 A Marketer must ensure that any information that this Code requires a Marketer to provide to Customers is in plain language and designed to be readily understood by Customers.
- 6.1.4 Customers must be able to contact a Marketer on the Marketer's Contact Number during the normal business hours of the Marketer.
- 6.1.5 All Supply Arrangements must be in writing and, except for Standard Form Contracts, must be signed by the relevant Customer to evidence the Customer's acceptance of the Supply Arrangement as a Customer Supply Contract.
- 6.1.6 A Marketer must maintain records to demonstrate compliance with section 6.1.5 for at least one year after the date of the relevant Supply Arrangement.
- 6.1.7 If any requirement under this Code is met electronically in accordance with the *Electronic Transactions Act 2000* (NSW), the Marketer must, prior to the electronic transaction, explain to the Customer how the electronic transaction is to operate and that as appropriate the Customer will:
- a) be bound to that electronic transaction; or
 - b) be recognised as having received the information contained in the electronic transaction.

6.2 Marketing by telephone

- 6.2.1 In any telephone call made by or on behalf of a Marketer to a Customer for the purposes of Marketing, the caller must, as soon as practicable, clearly identify:
- a) his or her name and, where applicable, the name of the Marketer on whose behalf the call is being made;
 - b) if requested, the Marketer's Contact Number;
 - c) the purpose of the call; and
 - d) ask the Customer if the Customer wishes to progress further.

- 6.2.2 If the Customer indicates, at any time during a telephone conversation between the Customer and the Marketer, that the Customer does not wish to proceed, the Marketer must cease Marketing promptly and must not contact that Customer in any way for the purposes of Marketing in accordance with section 6.6.1 or 6.6.2 as applicable.
- 6.2.3 Unless requested by a Customer, a Marketer must not make a telephone call to a Customer:
- a) on Christmas Eve after 5:00pm; or
 - b) on Christmas Day, Boxing Day, Good Friday or Easter Sunday; or
 - c) outside the following times:
 - i. 8am to 8:30pm on weekdays; and
 - ii. 9am to 7pm on Saturdays and 10am to 7pm on Sundays.
- 6.2.4 A Marketer must ensure that if a telephone call is commenced within the hours permitted by section 6.2.3, the call must not continue for more than 15 minutes beyond the permitted times without the Customer's agreement.
- 6.2.5 A Marketer must maintain the following records in relation to all telephone calls involving Marketing to Customers:
- a) the names and telephone numbers of the Customers;
 - b) the name of the person that made and/or dealt with each call on behalf of the Marketer; and
 - c) the times and dates of telephone calls
- 6.2.6 The records required to be kept under section 6.2.5 must be kept for at least one year after the date of the last telephone call for the purpose of Marketing.

6.3 Marketing at Customer's Premises

- 6.3.1 Where a Marketer engages in Marketing at a Customer's Premises, the Marketer must immediately, upon entering the premises:
- a) and at all times after that on request by the Customer, produce an identity card that shows his or her full name and photograph and the business's name, address and Australian Business Number and the Marketer's Contact Number;
 - b) advise the Customer of the purpose of the visit; and
 - c) ask the Customer if the Customer wishes to proceed further.

- 6.3.2 If the Customer indicates, at any time during the visit, that the Customer does not wish to proceed, the Marketer must cease marketing and leave the premises immediately and must not contact that Customer in any way for the purposes of Marketing in accordance with section 6.6.1 or 6.6.2.
- 6.3.3 Unless requested by a Customer, a Marketer must not contact a Customer at the Customer's Premises:
- a) on Christmas Eve after 5:00pm; or
 - b) on Christmas Day, Boxing Day, Good Friday or Easter Sunday; or
 - c) outside the following times
 - i. 8am to 8:30pm on weekdays; and
 - ii. 9am to 7pm on Saturdays and 10am to 7pm on Sundays.
- 6.3.4 A Marketer must maintain the following records in relation to all Marketing conducted at Customers' Premises:
- a) the addresses of the Premises visited;
 - b) the name of the Marketer's representative(s) visiting the Premises; and
 - c) the times and dates of visits.
- 6.3.5 The records required to be kept under section 6.3.4 must be kept for at least one year after the date of the last visit for the purpose of Marketing.

6.4 Marketing via Internet or e-mail

- 6.4.1 Where a Marketer engages in Marketing via Internet or e-mail, the Marketer must provide the following information to Customers:
- a) the Marketer's business name, company name Australian Business Number, address and the Marketer's Contact Number; and
 - b) the Marketer's e-mail address or other means of electronic contact.
- 6.4.2 If the Customer indicates, at any time, that the Customer does not wish to proceed, the Marketer must cease Marketing and must not contact that Customer in any way for the purposes of Marketing in accordance with section 6.6.1 or 6.6.2.
- 6.4.3 A Marketer must maintain the following records (where provided) in relation to all correspondence via Internet or e-mail with Customers for the purpose of Marketing:
- a) the Customers contact details (including e-mail address); and
 - b) the times and dates of such contacts.

6.4.4 The records required to be kept under section 6.4.3 must be kept for at least one year after the date of the last contact with that Customer for the purpose of Marketing.

6.4.5 For the purposes of the Code, Marketing conducted by means of Internet or e-mail is not to be taken as Marketing at the Customer's Premises.

6.5 Marketing by personal contact outside the Customer's Premises

6.5.1 Where a Marketer makes personal contact with a Customer and engages in Marketing at a place other than at the Customer's Premises, the Marketer must:

- a) display an identity card that shows his or her full name and photograph, and the business's name, address and Australian Business Number and the Marketer's Contact Number;
- b) advise the Customer of the purpose of the visit; and
- c) ask the Customer if the Customer wishes to proceed further.

6.5.2 If the Customer indicates, at any time during the contact, that the Customer does not wish to proceed, the Marketer must cease Marketing and must not contact that Customer in any way for the purposes of Marketing in accordance with section 6.6.1 or 6.6.2.

6.5.3 A Marketer must maintain the following records (where provided) of all personal contact made by the Marketer with Customers for the purpose of Marketing:

- (i) the names and addresses of Customers contacted;
- (ii) the addresses of the premises where Marketing was conducted; and
- (iii) the times and dates on which Marketing was conducted.

6.5.2 The records required to be kept under section 6.5.1 must be kept for at least one year after the date of the last contact for the purpose of Marketing.

6.6 Conduct when Customers do not wish to proceed or to be contacted

6.6.1 Where a Customer has indicated, in any way, to a Marketer that the Customer does not wish to proceed with the Marketing, the Customer must not be contacted in any way for the purpose of Marketing for at least the next 30 days, unless requested to do so by the Customer or unless the Customer otherwise agrees.

- 6.6.2 Where a Customer has indicated, in any way, to a Marketer that the Customer does not wish to be contacted again for the purpose of Marketing, the Marketer must take reasonable steps to ensure that the Marketer does not contact the Customer in any way for the purpose of Marketing unless requested to do so by the Customer.
- 6.6.3 A Marketer must keep a permanent record of all Customers who indicate that they do not wish to be contacted again ("not to be contacted list"). The not to be contacted list must include the name and address of relevant Customers and must be provided to the Ombudsman on its request and to the Code Administrator on its request.
- 6.6.4 A Marketer must abide by "Do Not Mail", "No Junk Mail", "Do Not Call" and "No Canvassing" or similar notices placed on or near a Customer's Premises.
- 6.6.5 Nothing in sections 6.6.1, 6.6.2, 6.6.3 and 6.6.4 preclude a Marketer from contacting a Customer on the not to be contacted list for purposes other than for the purpose of Marketing.

7. INFORMATION PROVISION

7.1 Minimum requirement

- 7.1.1 Before or at the time that a Customer enters into a Supply Arrangement that was arranged or facilitated by a Marketer, the Marketer must obtain the Customer's written acknowledgment that the Marketer has provided to the Customer all the information items outlined in section 7.1.7.
- 7.1.2 The Customer's written acknowledgement may be contained in the Supply Arrangement.
- 7.1.3 The Customer's written acknowledgement must be in accordance with either:
- a) Appendix 1; or
 - b) by incorporation of a statement in the place where the Customer's signature is required in the Supply Arrangement, to the effect that in signing the Supply Arrangement the Customer acknowledges that the Marketer has provided the Customer with all the information items outlined in 7.1.7.
- 7.1.4 Where the Customer's written acknowledgement is obtained in accordance with section 7.1.3(b), prior to the Customer signing the Supply Arrangement the Marketer must provide the Customer with a list of all the information items as set out in Appendix 1.
- 7.1.5 Marketers must keep a record of Customers' written acknowledgements for at least one year after they were obtained.

- 7.1.6 Sections 7.1.1 to 7.1.5 do not apply to Standard Form Contracts.
- 7.1.7 Before or at the time that the Customer enters into any Supply Arrangement, as a minimum and in addition to any other information or documents that may be required elsewhere in the Code to be supplied to a Customer, a Marketer must provide the following information to a Customer:
- a) the name, street address (PO Box number is not sufficient) and Contact Number and email address if the Supply arrangement is being entered into via email of the Marketer and, if different, the Supplier with whom the Supply Arrangement will be entered into;
 - b) the existence of any fee or commission that the Marketer is entitled to receive from a Supplier pursuant to the Marketer's role in arranging or facilitating the Supply Arrangement with the Customer;
 - c) the premises to which the Supply Arrangement is to apply;
 - d) the time period for which the acceptance of the offer to enter into the Supply Arrangement is valid;
 - e) the duration of the Supply Arrangement, including any available extension and the terms and conditions, including any fees applicable, of any such extension of the Supply Arrangement;
 - f) the extent to which the price offered is inclusive of all costs. If the price offer does not include all costs, then those costs that are not included, together with how they will be charged, must be disclosed;
 - g) the Customer's right to an applicable Standard Form Contract and how the terms of the offered Supply Arrangement (including all costs), differ from any applicable Standard Form Contract;
 - h) the Customer's rights and obligations as prescribed by the Regulations following the cooling-off period;
 - i) the name, street address and contact number of the person responsible for arranging Customer Connection Services, if not the Customer;
 - j) any requirements for security deposits to be paid by the Customer and when such deposits will be payable
 - k) any penalties or charges that may be imposed on the Customer for variation in load, early termination or otherwise (as applicable);
 - l) the Customer's right to bring complaints to the Ombudsman;
 - m) the existence of the Code and the fact that it is binding on Marketers;

- n) details of conditions relating to the Customer's entitlement to any cooling-off period;
 - o) the expected date of commencement of the supply of Energy under the Supply Arrangement;
 - p) notification that the Customer's signing of a Supply Arrangement constitutes the Customer's written consent to transfer to the Supplier of the Customer's choice;
 - q) any other information reasonably necessary for the Customer to make an informed decision about whether or not to enter into the Supply Arrangement offered by the Marketer;
 - r) if the Customer is applying for supply under a Standard Form Contract, the Customer's right to enter into a negotiated contract with a retail supplier of choice; and
 - s) if requested by a Customer, the information set out in section 7.2.
- 7.1.8 A Marketer must provide the Customer with a copy of the Supply Arrangements in accordance with the Regulations.

7.2 Additional information

- 7.2.1 A Marketer must, if requested to do so by a Customer, clearly explain to the Customer:
- a) all terms and conditions of any Supply Arrangement offered by that Marketer to the Customer;
 - b) the Customer's rights under the terms and conditions of any applicable Standard Form Contract;
 - c) the Customer's entitlements to any concessions or rebates;
 - d) the arrangements that are in place for competition in the supply of electricity and/or gas (if applicable) in the jurisdiction in which that Customer's premises is located; and
 - e) the Customer's rights and Marketer's obligations under the Code.

APPENDIX 1**CUSTOMER WRITTEN ACKNOWLEDGEMENT****Marketer:****Customer Name:****Supply Address:****Relationship to supply address (owner/occupier):****By signing this document I declare that I have been made aware of or received the following information:**

- a) the name, street address (PO Box number is not sufficient) and Contact Number of the Marketer and, if different, the Supplier with whom the Supply Arrangement will be entered into;
- b) the existence of any fee or commission that the Marketer is entitled to receive from a Supplier pursuant to the Marketer's role in arranging or facilitating the Supply Arrangement with the Customer;
- c) the premises to which the Supply Arrangement is to apply;
- d) the time period for which the acceptance of the offer to enter into the Supply Arrangement is valid;
- e) the duration of the Supply Arrangement, including any available extension and the terms and conditions, including any fees applicable, of any such extension of the Supply Arrangement;
- f) the extent to which the price offered is inclusive of all costs. If the price offer does not include all costs, then those costs that are not included, together with how they will be charged, must be disclosed;
- g) my right to an applicable Standard Form Contract and how the terms of the offered Supply Arrangement (including all costs), differ from any applicable Standard Form Contract;
- h) my rights and obligations as prescribed by the Regulations following the cooling-off period;
- i) the name, street address and contact number of the person responsible for arranging Customer Connection Services for electricity;
- j) any requirements for me to pay security deposits and when such deposits will be payable;
- k) any penalties or charges that may be imposed on me for variation in load, early termination or otherwise (as applicable);
- l) my right to bring complaints to the Ombudsman;
- m) the existence of the Code and the fact that it is binding on Marketers;
- n) details of conditions relating to my entitlement to any cooling-off period;
- o) the expected date of commencement of the supply of Energy under the Supply Arrangement;
- p) notification that by signing a Supply Arrangement, I am providing written consent to transfer to the Supplier of my choice;
- q) any other information reasonably necessary for me to make an informed decision about whether or not to enter into the Supply Arrangement offered by the Marketer;

- r) if the Supply Arrangement has been negotiated, the date on which I will receive a copy of the Supply Arrangement; and
- s) where requested, I have received the following information
 - i) all terms and conditions of any Supply Arrangement offered to me by the Marketer;
 - ii) my rights under the terms and conditions of any applicable Standard Form Contract;
 - iii) my entitlements to any concessions or rebates;
 - iv) the arrangements that are in place for competition in the supply of electricity and/or gas (if applicable) in the jurisdiction in which my premises are located; and
 - v) my rights and the Marketer's obligations under the Code.

Signature**Date**

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:

5 June 2002

025/7287 ACTUARIAL SERVICES. DOCUMENTS: \$110.00 PER SET

6 June 2002

S02/00063 (202) CLEANING OF DEPARTMENT OF JUVENILE JUSTICE-SURRY HILLS. CATEGORY D. INSPECTION DATE & TIME: 21/05/2002 @ 3:00 PM SHARP. AREA: 788 Appx. SQ. METERS. DOCUMENTS: \$27.50 PER SET

11 June 2002

035/918 RADIOPHARMACEUTICALS FOR NUCLEAR MEDICINE. DOCUMENTS: \$110.00 PER SET

19 June 2002

024/901 PHARMACEUTICALS. DOCUMENTS: \$110.00 PER SET

TENDER DOCUMENT FEE

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

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

Government Printing Service

TENDERS FOR PRINTING

TENDERS will be received up to 9.30 am on the date specified for the undermentioned printing. Envelopes containing tenders must be addressed to: Government Printer Unit 5 Block V 391 Park Road REGENTS PARK NSW 2143, and have legibly endorsed upon the face thereof the items and description of the printing for which the tender is submitted.

Advertised for 1 week closing 17th June 2002.

Tender No. 28159 Tenders are invited on behalf of the Department of Education and Training for the printing and binding of the Inform magazine. The tender is for 8 issues published in a period from July 2002 to June 2003. Each issue is 68,000 copies between 40pp and 48pp. Printed in 4 colour process throughout and saddle stitched. For further information contact Peter Sparks on 9743 8777.

Advertised for 1 week starting Monday 3rd June 2002

Job No. 28228 Tenders are invited on behalf of The Department of Education and Training for the production and printing of 90,000 copies of a "Child Protection" Booklet, A4 size, 28pp + Cover. The cover will be printed in 4 colour process and the text printed black only with an option for black and 1 PMS colour. Enquiries: Jeff Fauchon on 9743 8777.

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

BALLINA SHIRE COUNCIL

Local Government Act 1993, Section 50

Notice of Land Vested in Council as Public Reserve

NOTICE is hereby given by Ballina Shire Council that pursuant to section 50 (4) of the Local Government Act 1993, the land described in the Schedule below is vested in Council as public reserve. Dated at Ballina, 21st May, 2002. S. McPHERSON, General Manager, Ballina Shire Council, PO Box 450, Ballina, NSW 2478.

SCHEDULE

Lot 120, DP 29654. [0402]

BLACKTOWN CITY COUNCIL

Roads (General) Regulation 1994

Renaming of Public Road - Parkview Way

NOTICE is hereby given that the Blacktown City Council, in pursuance of Division 2 of the abovementioned Regulation, has changed the name of the street previously known as Pio Way to "Parkview Way". I. REYNOLDS, General Manager, Blacktown City Council, Administrative Centre, 62 Flushcombe Road, Blacktown, NSW 2148.

[0411]

BELLINGEN SHIRE COUNCIL

Roads Act 1993, Section 31

Fixing of Levels

NOTICE is hereby given that Council, pursuant to section 31 of the Roads Act 1993, has resolved the levels for the following street reconstructions, as exhibited by fixed: McNally Street (west of Braithwaite Avenue), Bellingen, Plan Number 881; Pacific Highway Services Road, Urunga, south of the highway between Pilot Street and Hillside Drive, Plan Number 880. P. J. DOYLE, General Manager, Bellingen Shire Council, PO Box 117, Bellingen, NSW 2454.

[0401]

BLAND SHIRE COUNCIL

THE Bland Shire Council advises that the following property which was originally included in its list for sale for unpaid rates, but later withdrawn, was inadvertently listed for sale in Council's advertisement of 17th May, 2002 (Issue 20/2002): 1816-10000-0 J. N. Trethowan, 8-10 Popes Esplanade, Weethalle. Council apologises to the owner for this oversight. The property is hereby withdrawn from the sale of land for unpaid rates. F. ZAKNICH, General Manager, Bland Shire Council, PO Box 21, West Wyalong, NSW 2671.

[0399]

GOULBURN RURAL LANDS PROTECTION BOARD

Sale of Land for Unpaid Rates and Charges

NOTICE is hereby given to the person named hereunder that Goulburn Rural Lands Protection Board has resolved in pursuance of the Rural Lands Protection Act No. 143, Schedule 5, section 2 (a) (b) to offer for sale at public auction the land described hereunder. The person named is known to be the owner of land on which the rates and charges as at 6th February, 2002 are due:

Owner's Name: Lawrence James BROWN
 Land Description: Lot 20, DP 718004
 Area: 80.63ha
 Address: 1279 Mountain Ash Road,
 Goulburn, NSW 2580
 Total amount owing: \$2,031.90

The Board has attempted to contact the owner whose name appears in Goulburn Rural Lands Protection Board's records as the rateable owner and any interested parties; the result of these efforts include the service of rate notices, title searches and electoral roll searches. Any intending purchasers should satisfy themselves to the exact location of the land and location/condition of power connection as well as the occupation of the property for vacant possession. Unless payment in full is made to Goulburn Rural Lands Protection Board of the amount stated as total amount owing together with any other rates and extra charges becoming due and payable after the publication of this notice before the time fixed for the sale by public auction. Jim Brewer Property Sales, Friday, 13th September, 2002 at 2.00 p.m., 57 Auburn Street, Goulburn, NSW. C. D. JOHNSTON, Senior Administrative Officer, Goulburn Rural Lands Protection Board, 181 Bourke Street, Goulburn, NSW 2580, tel.: (02) 4821 2522.

[0403]

LANE COVE COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that Lane Cove Council, having previously given notice on the 16th March, 2002 of its intention to do so, dedicates the land described hereunder as public road pursuant to section 10 of the Roads Act 1993. H. WONG, General Manager, Lane Cove Council, Longueville Road, Lane Cove, NSW 2066.

SCHEDULE

Being the land shown as The Esplanade in the seabright subdivision DP 985128 and as displayed edged black in the plan below. [0410]



PARRY SHIRE COUNCIL

Local Government Act 1993 - Section 713

Sale of Land for Overdue Rates and Charges

NOTICE is hereby given to the persons named hereunder, that the Council of the Shire of Parry 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 31st December, 2001 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)
Wendy EGAN	Lot 4, DP 246595, Parish Moonbi, County Inglis, 2 Susan Street, Kootingal NSW.	2,413.38	9,793.97	12,207.35
Christopher Robert DAVIES. Colonial State Bank, Writ 6193/97.	Lot 11, DP 263769, Parish Moonbi, County Inglis, 24 Robey Street, Kootingal NSW.	9,972.86	10,437.28	20,410.14
Christine FARR.	Lot 2, DP 758090, Parish Bendemeer, County Inglis, Home Street, Bendemeer NSW.	892.50	2,132.79	3,025.29
David WILLOTT.	Lot 27, DP 258805, Parish Moonbi, County Inglis, 26 Johns Drive, Kootingal NSW.	397.43	9,300.53	9,697.96
Late Kenneth Lyslie THOMPSON Estate.	Lot 8, DP 237852, Parish Calala, County Parry, Keronga Heights Road, Dungowan NSW.	2,782.77	2,867.77	5,650.54
Alexander George, Raymond John, Arthur Joseph BURR.	Lot 11, DP 759062, Parish Loftus, County Parry, Britten Street, Weabonga NSW.	2,335.36	1,438.78	3,774.14
Late Rasmus Andrew BRIGHT Estate.	Lot 69, DP 755336, Parish Ogunbil, County Parry, Nowendoc Road, Dungowan NSW.	2,356.67	1,455.06	3,811.73
Evelyn Grace JONES.	Lots 1 and 2, DP 8788, Parish Grenfell, County Buckland, Downton Street, Werris Creek NSW.	9,331.54	5,971.54	15,303.08
Bruce William and Shirley Loretta MULLINS.	Lot 8, DP 313306, Parish Grenfell, County Buckland, Fletcher Street, Werris Creek NSW.	895.73	1,731.52	2,627.25
Richard Malcolm SMITH.	Lot 12, section 9, DP 9988, Parish Grenfell, County Buckland, 116 Single Street, Werris Creek NSW.	1,478.20	5,953.30	7,431.50
Martin Ross HAUSFELD.	Lots 3, 4, 5, section 3, DP 758321, Parish Currabubula, County Buckland, Armidale Street, Currabubula NSW.	48.12	2,979.75	3,027.87

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 Council Chambers, Parry Shire Council Building, Peel Street, Tamworth, NSW 2340 on Thursday, 5th September, 2002 at 2.00 p.m. G. R. INGLIS, General Manager / Public Officer, Parry Shire Council, 468-472 Peel Street, Tamworth, NSW 2340.

[0412]

WOLLONDILLY SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Wollondilly Shire Council declares, with the approval of His 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 19th March, 2002. G. TAYLOR, General Manager, Wollondilly Shire Council, 62-64 Menangle Street, Picton, NSW 2571.

SCHEDULE

Lot 1 In DP 1000041.

[0400]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of BERYL IRENE DEVINE, late of Hornsby, in the State of New South Wales, who died on 25th January, 2002, must send particulars of his claim to the executors, Robyn Adrienne Bates, Brian John Devine and Stephen John Devine, c.o. Barton & Co., Solicitors, 128/121-133 Pacific Highway, Hornsby, 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 2nd May, 2002. BARTON & CO., Solicitors, 128/121-133 Pacific Highway (PO Box 344, Hornsby, NSW 1630), Hornsby, NSW 2077, tel.: (02) 9476 1744. [0404]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of DOREEN MAY ANTUNOVICH, late of Mona Vale, in the State of New South Wales, machinist, who died on 18th September, 2001, must send particulars of his claim to the executor, Steven Mark Antunovich, c.o. Marcus B. Karpin & Co., Solicitors, Suite 10 Macmillan Court, corner Barrenjoey Road and Avalon Parade, Avalon, 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 April, 2002. MARCUS B. KARPIN & CO., Solicitors, Suite 10 Macmillan Court, corner Barrenjoey Road and Avalon Parade (PO Box 300), Avalon, NSW 2107, tel.: (02) 9918 2228. [0405]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of LESLIE LEWIS, late of 82 Beechworth Road, Pymble, in the State of New South Wales, sales representative, who died on 20th December, 2001, must send particulars of his claim to the executors, Constance Lewis and Raymond Lewis, c.o. Low Doherty & Stratford, Solicitors, 9 Campbell Street, Blacktown, 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 13th May, 2002. LOW DOHERTY & STRATFORD, Solicitors, 9 Campbell Street, Blacktown, NSW 2148 (DX 8109, Blacktown), tel.: (02) 9622 4644. [0406]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of PHYLLIS MAUD RUSSELL, late of 46 Marsden Road, West Ryde, in the State of New South Wales, who died on 15th April, 2002, must send particulars of his claim to the executor, Peter Joseph Colquhoun, c.o. Colquhoun & Colquhoun, Solicitors, 588 Darling Street, Rozelle, 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 20th May, 2002. COLQUHOUN & COLQUHOUN, Solicitors, 588 Darling Street, Rozelle, NSW 2039 (DX 22402, Balmain), tel.: (02) 9818 2666. [0407]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of LAURENCE FRANCIS GEOGHEGAN, late of 5 Ross Street, Dulwich Hill, in the State of New South Wales, retired draughtsman, who died on 20th June, 2001, must send particulars of his claim to the executrix, Patricia Clare Geoghegan, c.o. Steve Masselos & Co., Solicitors, PO Box A988, Sydney South, NSW 1235, 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 6th May, 2002 as number 106563/02. STEVE MASSELOS & CO., a Solicitor Corporation, 2nd Floor, 114-120 Castlereagh Street (PO Box A988, Sydney South, NSW 1235), Sydney, NSW 2000 (DX 305, Sydney), tel.: (02) 9264 7022. [0408]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of DOUGLAS McMILLAN NICOL, late of Sans Souci, in the State of New South Wales, retired, who died on 6th March, 2000, must send particulars of his claim to the executors, Brendan McNally and Timothy Olliffe, c.o. Olliffe & Co., Solicitors, Suite 7, 1-5 Jacobs Street, Bankstown, 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 28th May, 2001. OLLIFFE & CO., Solicitors, Suite 7, 1-5 Jacobs Street, Bankstown, NSW 2200 (DX 11213, Bankstown), tel.: (02) 9790 3903. [0414]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ROBERT JOHN JARVIE, late of 4 Jopling Street, North Ryde, in the State of New South Wales, who died on 2nd February, 2002, must send particulars of his claim to the executor, 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 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 22nd May, 2002. JOHN S. FORDHAM, Solicitor, 12 Station Street, West Ryde, NSW 2114 (DX 27551, West Ryde), tel.: (02) 9858 1533. [0415]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of THELMA MARGARET HURD, late of 13 Flinders Street, Ermington, in the State of New South Wales, who died on 16th March, 2002, must send particulars of his claim to the executor, 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 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 22nd May, 2002. JOHN S. FORDHAM, Solicitor, 12 Station Street, West Ryde, NSW 2114 (DX 27551, West Ryde), tel.: (02) 9858 1533. [0416]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of HARRIE AUSTIN HIND, late of Lane Cove, in the State of New South Wales, retired Army Officer, who died on 4th March, 2002, must send particulars of his claim to the executrix, Edith Jean Grace Hind, c.o. Mervyn Finlay, Thorburn & Marshall, Solicitors, Level 2, 225 Macquarie Street, Sydney, within one (1) calendar month from publication of this notice. After that time the 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 24th May, 2002. MERVYN FINLAY, THORBURN & MARSHALL, Solicitors, Level 2, 225 Macquarie Street, Sydney, NSW 2000 (DX 796, Sydney), tel.: (02) 9223 6544. [0417]

COMPANY NOTICES

NOTICE convening final meeting of members.—GREENBUILT CONSTRUCTIONS PTY LIMITED (In liquidation), ACN 003 905 593.—Notice is hereby given pursuant to section 509 of the Corporations Law that a final meeting of members of the abovenamed company will be held at the offices of Graeme D. F. Baldwin, Chartered Accountant, 1st Floor, 152-156 Argyle Street, Camden on 30th June, 2002 at 9.00 a.m. for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of and of hearing any explanations that may be given by the liquidator. Dated 29th May, 2002. G. D. F. BALDWIN, Liquidator, c.o. Baldwin & Co., Chartered Accountants, 152-156 Argyle Street, Camden, NSW 2570, tel.: (02) 4655 7580. [0413]

OTHER NOTICES

THE Hungerford Society has made every reasonable effort to find literary executor for late Amy LEWIS. If no objection is received within thirty (30) days the Society intends to publish autobiographical account. BETTY CROWLEY, tel.: (02) 9949 7131. [0409]

