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LEGISLATION

Proclamations



New South Wales

Proclamation

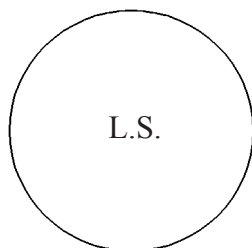
under the

Conveyancing Legislation Amendment (e-plan) Act 2002

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 *Conveyancing Legislation Amendment (e-plan) Act 2002*, do, by this my Proclamation, appoint 19 August 2002 as the day on which that Act commences. Signed and sealed at Sydney, this 14th day of August 2002.

By Her Excellency's Command,



L.S.

KIM YEADON, M.P.,
Minister for Information Technology

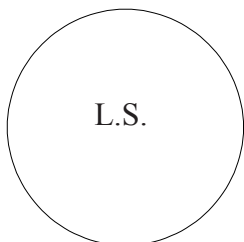
GOD SAVE THE QUEEN!

Witness Protection Amendment Act 2002 No 54—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 *Witness Protection Amendment Act 2002*, do, by this my Proclamation, appoint 19 August 2002 as the day on which that Act commences.

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



By Her Excellency's Command,

MICHAEL COSTA, M.L.C.,
Minister for Police

GOD SAVE THE QUEEN!

Regulations



New South Wales

Community Land Development Amendment (e-plan) Regulation 2002

under the

Community Land Development Act 1989

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

KIM YEADON, M.P.,
Minister for Information Technology

Explanatory note

The object of this Regulation is to amend the *Community Land Development Regulation 2000* to accommodate the electronic lodging of plans and other accompanying documents concerned with community, precinct and neighbourhood schemes. The Regulation allows certificates to be provided on a signatures form instead of on plans and modifies current requirements that assume plans and other documents will be lodged by hand.

This Regulation is made under the *Community Land Development Act 1989*, in particular, section 75 of that Act (the general regulation-making power).

Clause 1 Community Land Development Amendment (e-plan) Regulation 2002

Community Land Development Amendment (e-plan) Regulation 2002

under the

Community Land Development Act 1989

1 Name of Regulation

This Regulation is the *Community Land Development Amendment (e-plan) Regulation 2002*.

2 Commencement

This Regulation commences on 19 August 2002.

3 Amendment of Community Land Development Regulation 2000

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

Community Land Development Amendment (e-plan) Regulation 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 5 Application

Omit “and 4” from clause 5 (1) (a).

Insert instead “, 3A, 3B, 3C, 4 and 4A”.

[2] Clause 7 Detail plans: ss 5, 9, 13 and 18

Insert “, except where the evidence is provided on a signatures form that complies with the requirements set out in Schedule 3B to the *Conveyancing (General) Regulation 1998*” after “subdivision” in clause 7 (4) (a).

[3] Clause 9 Schedule of unit entitlements

Insert “, except where the certificate is provided on a signatures form that complies with the requirements set out in Schedule 3B to the *Conveyancing (General) Regulation 1998*” after “Act” in clause 9 (4) (b).

[4] Clause 13 Conversion to community property

Insert “, except where the certificate is provided on a signatures form that complies with the requirements as set out in Schedule 3B to the *Conveyancing (General) Regulation 1998*” after “case” in clause 13 (1) (a).

[5] Clause 13 (2) (b)

Insert “, except where the certificate is provided on a signatures form that complies with the requirements set out in Schedule 3B to the *Conveyancing (General) Regulation 1998* after “entitlements”.

[6] Clause 14 Boundary adjustment plan: s. 6

Insert “, except where the certificate is provided on a signatures form that complies with the requirements set out in Schedule 3B to the *Conveyancing (General) Regulation 1998*” after “surveyed” in clause 14 (3) (a).

[7] Clause 14 (3) (b)

Insert “, except where the certificate is provided on a signatures form that complies with the requirements set out in Schedule 3B to the *Conveyancing (General) Regulation 1998*” after “paragraph”.

Community Land Development Amendment (e-plan) Regulation 2002

Schedule 1 Amendments

[8] Clause 15 Acquisition plan: s. 34

Omit “accompanied by” from clause 15 (10).

Insert instead “lodged in conjunction with”.

[9] Clause 19 Conversion to precinct property: s. 14

Insert “, except where the certificate is provided on a signatures form that complies with the requirements set out in Schedule 3B to the *Conveyancing (General) Regulation 1998*” after “case” in clause 19 (1) (a).

[10] Clause 20 Boundary adjustment plan: s. 10

Insert “, except where the certificate is provided on a signatures form that complies with the requirements set out in Schedule 3B to the *Conveyancing (General) Regulation 1998*” after “surveyed” in clause 20 (3) (a).

[11] Clause 20 (3) (b)

Insert “, except where the certificate is provided on a signatures form that complies with the requirements set out in Schedule 3B to the *Conveyancing (General) Regulation 1998*” after “paragraph”.

[12] Clause 21 Acquisition plan: s. 34

Insert “, except where the certificate is provided on a signatures form that complies with the requirements set out in Schedule 3B to the *Conveyancing (General) Regulation 1998*” after “form” in clause 21 (9) (c).

[13] Clause 24 Conversion to neighbourhood property: s. 20

Insert “, except where the certificate is provided on a signatures form that complies with the requirements set out in Schedule 3B to the *Conveyancing (General) Regulation 1998*” after “case” in clause 24 (1) (a).

[14] Clause 25 Dedication of neighbourhood property by neighbourhood association: s. 21

Insert “, except where the certificate is provided on a signatures form that complies with the requirements set out in Schedule 3B to the *Conveyancing (General) Regulation 1998*” after “expired” in clause 25 (e).

Community Land Development Amendment (e-plan) Regulation 2002

Schedule 1 Amendments

[15] Clause 27 Acquisition plan: s. 34

Insert “, except where the certificate is provided on a signatures form that complies with the requirements set out in Schedule 3B to the *Conveyancing (General) Regulation 1998*” after “form” in clause 27 (9) (c).

[16] Clause 27 (10)

Omit “accompanied by”. Insert instead “lodged in conjunction with”.

Conveyancing (General) Amendment (e-plan) Regulation 2002

under the

Conveyancing Act 1919

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Conveyancing Act 1919*.

KIM YEADON, M.P.,
Minister for Information Technology

Explanatory note

The object of this Regulation is to amend the *Conveyancing (General) Regulation 1998* so as to provide for the electronic lodgment of plans and certain accompanying documents for registration or recording by the Registrar-General after commencement of the *Conveyancing Legislation Amendment (e-plan) Act 2002*.

The amendments:

- (a) make requirements for the content of plans and related instruments that will be lodged electronically (such as a signatures form on which signatures, seals and certificates are to be recorded) and make requirements for their electronic lodgment, and
- (b) prescribe the documents kept in electronic form of which the Registrar-General may issue a hard copy version as evidence, and
- (c) will require the retention of the originals of documents lodged in electronic form for at least 12 months unless the Registrar-General agrees to a shorter period.

Conveyancing (General) Amendment (e-plan) Regulation 2002

Explanatory note

The opportunity is also taken to update references to the *Surveyors (Practice) Regulation 2001*.

This Regulation is made under the *Conveyancing Act 1919*, including sections 6A, 195C, 196AB, 202 (the general regulation-making power) and 203A.

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Conveyancing (General) Amendment (e-plan) Regulation 2002

Clause 1

Conveyancing (General) Amendment (e-plan) Regulation 2002

1 Name of Regulation

This Regulation is the *Conveyancing (General) Amendment (e-plan) Regulation 2002*.

2 Commencement

This Regulation commences on 19 August 2002.

3 Amendment of Conveyancing (General) Regulation 1998

The *Conveyancing (General) Regulation 1998* is amended as set out in Schedule 1.

Conveyancing (General) Amendment (e-plan) Regulation 2002

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 3)

[1] Clause 3 Definitions

Insert in alphabetical order:

identified document means a document specified for the purposes of section 203A of the Act in clause 49B.

signatures form means an approved form for signatures used in connection with the lodging of a plan.

[2] Clause 17 Other information on plans

Insert “, except where they are provided on a signatures form that complies with the requirements set out in Schedule 3B” after “information” in clause 17 (1) (c).

[3] Clause 17 (2) and (3)

Insert “, except where the certificate is provided on a signatures form that complies with the requirements set out in Schedule 3B” after “purposes” where secondly occurring in each subclause.

[4] Clause 18

Omit the clause. Insert instead:

18 Plans lodged for registration as deposited plans to comply with Schedule 3 or 3A

- (1) A plan lodged by hand for registration at the office of the Registrar-General as a deposited plan must comply with the requirements set out in Schedule 3.
- (2) Where the Registrar-General permits a plan to be lodged electronically for registration as a deposited plan:
 - (a) the plan must comply with the requirements set out in Schedule 3A, and

Conveyancing (General) Amendment (e-plan) Regulation 2002

Amendments

Schedule 1

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- (b) if other documents are lodged with it, the other documents must also be lodged electronically and the requirements set out in Schedule 3D must be complied with, except in the case of any documents referred to in clause 21A (5).

[5] Clauses 19 (1) and 27 (1) (c)

Omit “1996”. Insert instead “2001”.

[6] Clause 20 Particulars on a deposited plan which is not a plan of survey

Insert “, except where it is provided on a signatures form that complies with the requirements set out in Schedule 3B” after “the surveyor” in clause 20 (c).

[7] Clause 21 Lodgment of plans by hand

Insert “by hand” after “a plan” in clause 21 (1).

[8] Clause 21 (2) (g)

Insert after clause 21 (2) (f):

, and

- (g) a signatures form, if adopted, that complies with the requirements set out in Schedule 3B.

[9] Clause 21 (3)

Omit the subclause. Insert instead:

- (3) The print of each sheet of the plan lodged must contain particulars of the subdivision certificate, where required, under an original signature of the person who gave that certificate.

Conveyancing (General) Amendment (e-plan) Regulation 2002

Schedule 1 Amendments

[10] Clause 21A

Insert after clause 21:

21A Lodgment of plans electronically

- (1) An authorised person lodging a plan electronically for registration in the office of the Registrar-General must lodge the plan in accordance with the e-plan system or otherwise with the consent of the Registrar-General.

Note. The e-plan system is explained in section 195AA of the Act.

- (2) Plan lodgment details must be provided in the manner required by the Registrar-General.
- (3) The electronic data file containing the plan in electronic form must be accompanied by electronic data files containing in electronic form:
 - (a) a completed signatures form and such other instruments and data as the Registrar-General may require, and
 - (b) a completed plan checklist in the approved form, if required by the Registrar-General.
- (4) The relevant fee as set out in Schedule 6 must be paid in the manner and by the time specified by the Registrar-General.
- (5) The following original documents must be produced and lodged by hand at the office of the Registrar-General, and may not be lodged electronically:
 - (a) such certificates of title, deeds, office copies of court orders, powers of attorney and statutory declarations as the Registrar-General may require,
 - (b) a completed statement of title particulars in the approved form, if required by the Registrar-General,
 - (c) a primary application and associated documents, if required by the Registrar-General,
 - (d) such consents in writing to the registration of the plan signed by a lessee, caveator, judgment creditor or other person, as may be required by the Registrar General,
 - (e) any other original documents that may be required by the Registrar-General.

Conveyancing (General) Amendment (e-plan) Regulation 2002

Amendments

Schedule 1

[11] Clause 22 Requirements for plan to record replacement of reference marks

Insert “or in Schedule 3A, depending on the manner in which the original plan was lodged” after “3” in clause 22 (1) (a).

[12] Clause 22 (1) (d)

Insert “in an approved manner” after “signed”.

[13] Clause 22 (2)

Omit “produced”. Insert instead “lodged”.

[14] Part 3, Division 1A

Insert after clause 24:

Division 1A Signatures form

Note. If a plan is lodged by hand but the signatures and consents required are not endorsed on the plan, or the plan is lodged electronically, the signatures and consents required must be endorsed on the form approved by the Registrar-General for signatures (the **signatures form**) and that form must be lodged in the same way as the plan (see section 195D (2A) of the Act).

24A Content of the signatures form

- (1) The signatures form must repeat the plan heading and the surveyor’s reference in the appropriate panels on each sheet of the approved form.
- (2) The signatures form must repeat any statement of intention to dedicate a public road (including a temporary public road) under the *Roads Act 1993* or to create a public reserve or drainage reserve under the *Local Government Act 1993*, as indicated on the plan, in the panel provided on the approved form.
- (3) The signatures form must contain all the certificates required by the Registrar-General, endorsed in the appropriate panels on the approved form.

Conveyancing (General) Amendment (e-plan) Regulation 2002

Schedule 1 Amendments

24B Signatures form to comply with Schedule 3B or Schedules 3B and 3C requirements

- (1) A signatures form that is lodged by hand at the office of the Registrar-General must comply with the requirements set out in Schedule 3B.
- (2) A signatures form can be lodged electronically only if:
 - (a) the plan to which it relates is also lodged electronically, and
 - (b) the signatures form complies with the requirements set out in Schedule 3B and is lodged in accordance with the requirements set out in Schedule 3C.

24C Refusal to accept a signatures form

The Registrar-General may refuse to accept a signatures form that, in the Registrar-General's opinion, does not comply with or is not lodged in accordance with this Division.

24D Registration of a signatures form

On registration of a deposited plan that is accompanied by a signatures form, the signatures form is to be registered in the register of plans.

[15] Clause 26 Indication of dedication of public roads or creation of reserves

Insert at the end of the clause:

- (2) The signatures form, if adopted, that accompanies the plan must repeat the statement of intention to dedicate in the panel provided on the signatures form.

[16] Clause 27 Indication of creation of easements

Omit "an instrument (a *section 88B instrument*)" from clause 27 (3).
Insert instead: "a section 88B instrument".

Conveyancing (General) Amendment (e-plan) Regulation 2002

Amendments

Schedule 1

[17] Clause 30 Section 88B instruments to comply with Schedule 4 or Schedule 4 and 4A requirements

Omit “such requirements as the Register-General specifies” from clause 30 (2).

Insert instead “the requirements set out in Schedule 4 and the requirements set out in Schedule 4A must also be complied with”.

[18] Clauses 49A and 49B

Insert after clause 49:

49A Periods for retention of documents (section 196AB of the Act)

For the purposes of section 196AB (2) (c) of the Act, the period prescribed is the period of 12 months commencing with the day on which the plan or other document was registered or recorded.

49B Identified documents (section 203A of the Act)

For the purposes of section 203A of the Act, each of the following is an identified document:

- (a) an instrument under section 88B of the Act,
- (b) a building management statement under Division 3B of Part 23 of the Act,
- (c) a statement of by-laws referred to in section 8 (4B) of the *Strata Schemes (Freehold Development) Act 1973*,
- (d) a strata development contract referred to in Division 2A of Part 2 of the *Strata Schemes (Freehold Development) Act 1973*,
- (e) a strata management statement referred to in Division 2B of Part 2 of the *Strata Schemes (Freehold Development) Act 1973*,
- (f) a statement of the by-laws referred to in section 7 (2CC) of the *Strata Schemes (Leasehold Development) Act 1986*,
- (g) a strata development contract referred to in Division 5 of Part 2 of the *Strata Schemes (Leasehold Development) Act 1986*,

Conveyancing (General) Amendment (e-plan) Regulation 2002

Schedule 1 Amendments

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- (h) a strata management statement referred to in Division 5A of Part 2 of the *Strata Schemes (Leasehold Development) Act 1986*,
 - (i) a development contract referred in sections 5, 9, 13, 18 and 26 of the *Community Land Development Act 1989*, and
 - (j) a community, precinct or neighbourhood management statement referred to in sections 5, 9, 13 and 18 of the *Community Land Development Act 1989*.

[19] Schedule 3 Requirements for deposited plans etc

Omit “etc” from the heading. Insert instead “**lodged by hand**”.

[20] Schedule 3, clause 2 (1)

Omit the subclause. Insert instead:

- (1) A plan intended to be lodged by hand for registration as a deposited plan must be in the approved form.

[21] Schedule 3, clause 4

Omit “words,”. Insert instead “words must be in the English language, and”.

[22] Schedule 3, clause 8 (1)

Omit the subclause. Insert instead:

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively as part of the series (for example, the first and second sheets in a plan that is made up of 4 sheets must be numbered “Sheet 1 of 4 sheets” and “Sheet 2 of 4 sheets”, respectively).

[23] Schedule 3, clause 8 (5)

Insert “, except where those signatures or seals are provided on a signatures form that complies with the requirements set out in Schedule 3B” after “sheet” where secondly occurring.

Conveyancing (General) Amendment (e-plan) Regulation 2002

Amendments

Schedule 1

[24] Schedule 3, clause 10 (2)

Omit the subclause. Insert instead:

- (2) The total area of a parcel:
 - (a) must be shown within or related to the most significant part of the parcel, and
 - (b) must be the exact mathematical total of all the areas shown on the plan as being within that parcel.

[25] Schedules 3A–3D

Insert after Schedule 3:

Schedule 3A Requirements for deposited plans lodged electronically for registration

(Clauses 18 (2) (a) and 22 (1) (a))

1 File type in which plan to be created

- (1) Each plan sheet must be created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A2 or A3),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.
- (3) A plan comprising more than one sheet must be created as a multipage file.

2 Use of approved forms

- (1) A plan intended to be lodged electronically for registration as a deposited plan must be in the approved form.
- (2) Any land that cannot satisfactorily be shown on one sheet may be shown on one or more (but not more than 3) additional sheets in the approved form.

Conveyancing (General) Amendment (e-plan) Regulation 2002

Schedule 1 Amendments

3 Margins

- (1) A margin of at least 10 millimetres must be left around the plan drawing area of each plan sheet.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

4 Lettering

Unless the Registrar-General otherwise approves, all words must be in the English language, and all letters, figures and symbols appearing on a plan must be in a font that is:

- (a) dense and black in colour,
- (b) in upper case only (except as otherwise provided by this Schedule),
- (c) open in formation and construction, and
- (d) in an upright style.

5 Use of colouring and edging prohibited

Neither colouring nor edging are to be used on a plan sheet.

6 Clarity of detail

- (1) The plan must be drawn to a scale and the image created in a manner that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.
- (2) The Registrar-General may require a plan file to be resubmitted if, in the opinion of the Registrar-General, the plan image does not comply with subclause (1).

7 Alterations

- (1) A plan image must not be altered.
- (2) Any alterations must be made to the Computer Aided Drafting (CAD) software plan file and a new image created.

Conveyancing (General) Amendment (e-plan) Regulation 2002

Amendments

Schedule 1

8 Information to be included on plan sheets

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively as part of the series (for example, the first and second sheets in a plan that is made up of 4 sheets must be numbered "Sheet 1 of 4 sheets" and "Sheet 2 of 4 sheets", respectively).
- (2) Each plan sheet must contain a north point (directed upwards) and must also specify the orientation to which the north point relates.
- (3) Any separate diagrams or tabulations of dimensions or marks used in an additional sheet must be shown on the sheet.
- (4) No information (other than the plan and any separate diagrams and tabulations of dimensions and marks relating to the plan) is to appear within the plan drawing area of a plan sheet.

9 Linear dimensions

- (1) Linear measurements must be expressed in metres, correct to 3 decimal places, without any accompanying symbol.
- (2) If a length of less than one metre is shown, the decimal point must be preceded by the numeral "0".

10 Area dimensions

- (1) Area measurements must be expressed as follows:
 - (a) areas of less than one hectare must be expressed in square metres, accompanied by the symbol "m²",
 - (b) areas of one hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol "ha",
 - (c) areas of 10,000 hectares or more must be expressed in square kilometres, accompanied by the symbol "km²".
- (2) The total area of a parcel:
 - (a) must be shown within or related to the most significant part of the parcel, and
 - (b) must be the exact mathematical total of all the areas shown on the plan as being within that parcel.

Conveyancing (General) Amendment (e-plan) Regulation 2002

Schedule 1 Amendments

11 Reduction ratio

There must be a statement on each sheet of the reduction ratio at which the plan is drawn.

12 Identification of adjoining land

The identity of all adjoining land must be shown.

13 Identification of easements

- (1) A plan must contain sufficient information to define the site of:
 - (a) any easement intended to be created as a consequence of the registration of the plan, and
 - (b) any easement intended to be partially released as a consequence of the registration of the plan, and
 - (c) any proposed easement, or proposed variation or partial release of an easement, other than an easement referred to in paragraph (a) or (b), and, where necessary, must also contain sufficient information to indicate the relationship of any such easement to the boundaries of any affected parcel or lot.
- (2) The site, nature and origin of any existing easement affecting a parcel or lot in a plan, and its relationship to the boundaries of that parcel or lot, must be shown wherever possible. *Origin*, in relation to an existing easement, means the Gazette reference or registration number of the instrument or plan by which the easement was granted, reserved, notified or otherwise created.
- (3) If an easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the plan the approximate position of the easement.

14 Signatures not to appear

No signatures or seals will appear on the plan drawing sheets.

Note. All signatures and seals must be shown on the signatures form.

Conveyancing (General) Amendment (e-plan) Regulation 2002

Amendments

Schedule 1

Schedule 3B Requirements for signatures form

(Clauses 17, 20 (c), 21 and 24B)

Note. When a signatures form is adopted, all signatures and seals must be shown on the form. No signatures or seals will appear on the plan drawing sheets, except as provided by clause 21 (3). The completed signatures form must be lodged with and in the same manner as the plan.

1 Use of approved form

- (1) A signatures form must be in the approved form.
- (2) Any signatures, seals or certificates that cannot satisfactorily be shown on one sheet may be shown on one or more additional sheets in the approved form.

2 Paper

The paper used must be:

- (a) white and free from discolouration and blemishes, and
- (b) not less than 80 grams per square metre, and
- (c) 297mm in length by 210mm in width (standard A4),
or such other paper as may be approved by the Registrar-General.

3 Margins

- (1) The sheets used must have clear margins of not less than 10mm on each side and top and bottom.
- (2) Typewriting, printing, writing or seals (other than directions or notations authorised by the Registrar-General) must not extend into a margin.

4 Lettering

- (1) The text of a signatures form must be clearly printed or written:
 - (a) across the width of each panel on the sheet of paper used, and
 - (b) on one side only of each sheet.

Conveyancing (General) Amendment (e-plan) Regulation 2002

Schedule 1 Amendments

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- (2) All text must be clear and legible and in dense black ink or dense dark blue ink. The lines must not overlap. A carbon copy, or a copy in which the typewritten characters blur or spread or are liable to mark or damage an adjacent sheet, will not be accepted.
 - (3) Handwriting and any imprint of a seal must be clear and legible and in dense black ink or dense dark blue ink.

5 Alterations

- (1) Alterations must be made by striking through the matter intended to be altered and not by rubbing, scraping or cutting the surface of the paper or by using correction fluid.
- (2) Signatures or initials noticing alterations by interlineation or the striking through of matter must be placed in the margin as near as practicable to the alteration.

6 Information to be included on multiple sheets

If the signatures form comprises more than one sheet:

- (a) each sheet other than the first sheet must repeat the heading on the first sheet, the subdivision certificate number and date of endorsement and the surveyor's reference, and
- (b) each sheet must be numbered sequentially in the top right hand corner of each sheet as "Sheet . . . of . . . sheets".

Schedule 3C Requirements for lodging signatures form electronically

(Clause 24B (2) (b))

1 File type in which image of document to be created

- (1) Each sheet of the completed paper signatures form complying with Schedule 3B that bears original signatures and seals will be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.

Conveyancing (General) Amendment (e-plan) Regulation 2002

Amendments

Schedule 1

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- (2) Each image must be created to the following specifications:
- (a) **Size**—true to the approved form size (standard A4),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.

2 Multiple sheets

An image of a signatures form comprising more than one sheet must be created as a multipage file.

3 Lodging procedure

- (1) The TIFF image of the completed signatures form will be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper signatures form, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan (see clause 49A).

Schedule 3D Requirements for lodging other documents electronically

(Clause 18 (2) (b))

1 File type in which image of document to be created

- (1) Where a document other than a signatures form is required to be lodged electronically with a plan, such as:
 - (a) a building management statement, or
 - (b) a development contract or management statement as required by the *Community Land Development Act 1989*, or
 - (c) any other documents required by the Registrar-General,each sheet of the completed paper document will be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.

Conveyancing (General) Amendment (e-plan) Regulation 2002

Schedule 1 Amendments

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- (2) Each image must be created to the following specifications:
- (a) **Size**—true to the approved form size (standard A4),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.

2 Multiple sheets

An image of a document comprising more than one sheet must be created as a multipage file.

3 Lodging procedure

- (1) The TIFF image of the completed document will be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper document, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan (see clause 49A).

[26] Schedule 4 Requirements for section 88B instruments

Renumber items (1)–(10) as clauses 1–10, respectively, and insert the following headings to those clauses:

Text

Margins

Paper

Size of lettering

Legibility

Margins

Form of alterations

Acknowledgement of alterations

Signatures

Numbering of sheets

Conveyancing (General) Amendment (e-plan) Regulation 2002

Amendments

Schedule 1

[27] **Schedule 4A**

Insert after Schedule 4:

Schedule 4A Requirements for lodging section 88B instruments electronically

(Clause 30 (2))

1 File type in which image of instrument to be created

- (1) Each sheet of the completed paper instrument complying with Schedule 4 that bears original signatures and seals will be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A4),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.

2 Multiple sheets

An image of an instrument comprising more than one sheet must be created as a multipage file.

3 Lodging procedure

- (1) The TIFF image of the instrument will be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper section 88B instrument, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan (see clause 49A).



New South Wales

Firearms (General) Amendment (Miscellaneous) Regulation 2002

under the

Firearms Act 1996

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

MICHAEL COSTA, M.L.C.,
Minister for Police

Explanatory note

The objects of this Regulation are:

- (a) to update the list of approved shooting associations in clause 78 of the *Firearms (General) Regulation 1997*, and
- (b) to update references in clause 99 of that Regulation to provisions of the *Firearms Act 1996* that have been amended by the *Firearms Amendment (Public Safety) Act 2002*.

This Regulation is made under the *Firearms Act 1966*, including section 88 (the general regulation-making power).

Clause 1 Firearms (General) Amendment (Miscellaneous) Regulation 2002

Firearms (General) Amendment (Miscellaneous) Regulation 2002

under the

Firearms Act 1996

1 Name of Regulation

This Regulation is the *Firearms (General) Amendment (Miscellaneous) Regulation 2002*.

2 Amendment of Firearms (General) Regulation 1997

The *Firearms (General) Regulation 1997* is amended as set out in Schedule 1.

Firearms (General) Amendment (Miscellaneous) Regulation 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 78 Approval of club

Omit “Safari Club International (South Pacific Chapter) from clause 78 (3) (d).

Insert instead “Australian Hunters International Inc”.

[2] Clause 99 Restrictions on sale and purchase of firearms

Insert “and (2A) (a)” after “51 (2) (a)” in clause 99 (1).

[3] Clause 99 (2)

Insert “and (2A) (b)” after “51 (2) (b)”.



Gaming Machines Amendment (Hardship Applications) Regulation 2002

under the

Gaming Machines Act 2001

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Gaming Machines Act 2001*.

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

Explanatory note

Sections 26 and 27 of the *Gaming Machines Act 2001* provide that certain hoteliers and prospective hoteliers were able to apply on or before 2 July 2002 for the approval of the Liquor Administration Board to keep an additional number of gaming machines (referred to in the Act as a *hardship application*). The object of this Regulation is to enable the Board to proceed to deal with hardship applications that were inadvertently made by persons other than hoteliers and prospective hoteliers.

This Regulation is made under the *Gaming Machines Act 2001*, including section 210 (the general regulation making power) and clause 1 of Schedule 1.

Clause 1 Gaming Machines Amendment (Hardship Applications) Regulation 2002

Gaming Machines Amendment (Hardship Applications) Regulation 2002

under the

Gaming Machines Act 2001

1 Name of Regulation

This Regulation is the *Gaming Machines Amendment (Hardship Applications) Regulation 2002*.

2 Amendment of Gaming Machines Regulation 2002

The *Gaming Machines Regulation 2002* is amended as set out in Schedule 1.

Gaming Machines Amendment (Hardship Applications) Regulation 2002

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Clause 136A

Insert after clause 136:

136A Transitional provision—hardship applications (hotels)

The Board may proceed to deal with a hardship application (as referred to in section 26 of the Act) that has been made by a person other than a hotelier or prospective hotelier if the Board is satisfied that:

- (a) the person:
 - (i) has a financial interest in the hotel to which the application relates, or
 - (ii) made the application on behalf of a hotelier or prospective hotelier, and
- (b) the application would, had it been made by a hotelier or prospective hotelier, have been an application made in accordance with sections 26 and 27 of the Act.

Lotteries and Art Unions Regulation 2002

under the

Lotteries and Art Unions Act 1901

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Lotteries and Art Unions Act 1901*.

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

Explanatory note

This Regulation replaces the *Lotteries and Art Unions Regulation 1997* (which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*) and is remade without any changes in substance.

This Regulation deals with the following matters under the *Lotteries and Art Unions Act 1901*:

- (a) lotteries and games of chance generally,
- (b) lotteries conducted by art unions,
- (c) the conduct of draw lotteries, no-draw lotteries and mini-numbers lotteries conducted by charitable and non-profit organisations,
- (d) the conduct of games of housie,
- (e) the conduct of progressive lotteries (including tipping competitions) and gratuitous (free entry) lotteries,
- (f) the keeping of records in relation to lotteries and games of chance.

This Regulation also contains new provisions that restrict advertising in relation to lottery activities.

Lotteries and Art Unions Regulation 2002

Explanatory note

This Regulation is made under the *Lotteries and Art Unions Act 1901*, in particular section 23 (the general regulation-making power) and the sections specifically referred to in the Regulation.

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Lotteries and Art Unions Regulation 2002

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Lotteries and Art Unions Regulation 2002

Clause 1

Preliminary

Part 1

Lotteries and Art Unions Regulation 2002

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Lotteries and Art Unions Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

Note. This Regulation replaces the *Lotteries and Art Unions Regulation 1997* which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

benefiting organisation, in relation to a lottery or game of chance, means the organisation for whose benefit the lottery or game of chance is conducted.

draw lottery means a lottery (other than a mini-numbers lottery) in which:

- (a) numbered tickets are sold to entrants in the lottery, and
- (b) a draw is held in which one or more numbers (corresponding to the numbers on the tickets) are selected at random, and
- (c) prizes are distributed to the persons holding the tickets corresponding to the numbers selected.

draw lottery ticket means a lottery ticket used or prepared for use in a draw lottery.

mini-numbers lottery means a lottery (such as those commonly known as mini-lotto, lion-ball, kick-a-ball, make-a-mark and pick-the-pack) in which participants choose or attempt to forecast, from designated numbers, fewer numbers to be drawn on a random basis.

Clause 3 Lotteries and Art Unions Regulation 2002

Part 1 Preliminary

no-draw lottery means a lottery in which:

- (a) tickets, or rights to participate in the lottery, are sold to entrants in the lottery, and
- (b) the tickets, or the cards or boards conferring the rights to participate, each contain a hidden symbol (or a set of hidden symbols) that can be exposed by removing a covering of paper or other opaque material, and
- (c) the hidden symbols (or sets of hidden symbols) include prizewinning symbols (or sets of prizewinning symbols) that are randomly distributed among the tickets or cards, and
- (d) a participant, on exposing a hidden symbol (or set of hidden symbols) that accords with another symbol (or set of symbols) specified in the rules of the lottery (whether or not displayed on the ticket or card), has a right under those rules to receive a specified prize.

no-draw lottery card means a card or board, produced for a no-draw lottery, that contains hidden symbols (or sets of hidden symbols) that may, when exposed, confer the right to a prize on participants in the lottery.

no-draw lottery ticket means a ticket, produced for a no-draw lottery, that contains hidden symbols (or sets of hidden symbols) that may confer on participants in the lottery the right to a prize when the symbol (or symbols) are exposed.

official approval for the purposes of any provision of this Regulation in which the expression occurs, means approval in writing given by the Minister or by an officer of the Public Service authorised by the Minister to give the approval.

organiser means:

- (a) in relation to a lottery (other than a lottery conducted by an art union) or game of chance, any person concerned in the management of the lottery or game of chance, and
- (b) in relation to a lottery conducted by an art union, any person identified on the application form for the permit for the art union as the promoter of the art union, as a manager of the art union or as a member of the committee of the art union.

progressive lottery has the same meaning as it has in section 4F of the Act.

Lotteries and Art Unions Regulation 2002

Clause 3

Preliminary

Part 1

symbol includes amount, word or picture.

the Act means the *Lotteries and Art Unions Act 1901*.

- (2) In this clause, a reference to a number is a reference to:
- (a) one or more numbers or symbols (or numbers and symbols), or
 - (b) one or more groups of numbers or symbols (or numbers and symbols), or
 - (c) one or more distributions of numbers or symbols (or numbers and symbols).

4 Notes

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

5 Savings provision

Any act, matter or thing that, immediately before the repeal of the *Lotteries and Art Unions Regulation 1997*, had effect under that Regulation is taken to have effect under this Regulation.

Clause 6	Lotteries and Art Unions Regulation 2002
Part 2	Lotteries and games of chance generally
Division 1	Preliminary

Part 2 Lotteries and games of chance generally

Division 1 Preliminary

6 Application of Part

This Part applies to lotteries and games of chance conducted under the following provisions of the Act:

- (a) section 4 (Certain charitable and non-profit organisations authorised to conduct lotteries),
- (b) section 4A (Certain organisations authorised to conduct games of chance),
- (c) section 4B (Lotteries and games of chance for the promotion of trade),
- (d) section 4C (Games of chance in registered clubs),
- (e) section 4D (Sweepstakes in relation to Melbourne Cup and other events),
- (f) section 4E (Conduct of certain games of housie authorised),
- (g) section 4F (Conduct of progressive lotteries authorised),
- (h) section 4G (Conduct of gratuitous (free entry) lotteries authorised),
- (i) section 5 (Art unions),

except as otherwise provided by this Part.

Division 2 Lottery tickets and cards

7 Division not to apply to certain lotteries and games of chance

This Division does not apply to:

- (a) a mini-numbers lottery conducted under section 4 of the Act, or
- (b) a lottery or game of chance conducted under section 4A, 4B, 4C, 4E or 4G of the Act.

Lotteries and Art Unions Regulation 2002

Clause 8

Lotteries and games of chance generally

Part 2

Lottery tickets and cards

Division 2

8 Entry to lottery

- (1) Entry in a lottery is to be by the purchase of a lottery ticket.
- (2) A person must not issue a lottery ticket to any other person otherwise than:
 - (a) for money to the amount of the value of the ticket, or
 - (b) for other consideration equivalent to the value of the ticket, being a value that is displayed on the face of the ticket or is otherwise specified.Maximum penalty: 20 penalty units.
- (3) However, lottery tickets may be sold at a discount if the fact that they may be so sold is disclosed in all information and publicity relating to the lottery concerned.
- (4) The charge for a no-draw lottery ticket, or for the right to participate in a no-draw lottery conducted by means of no-draw lottery cards, must not exceed \$2.
- (5) In the case of a no-draw lottery conducted by means of no-draw lottery cards:
 - (a) a reference in this clause to a lottery ticket is a reference to a right to participate in the lottery, and
 - (b) a reference in this clause to the face of the ticket is a reference to the face of the relevant no-draw lottery card.
- (6) In the case of a progressive lottery, a reference in this clause to a lottery ticket includes a reference to a right to participate in the lottery.

9 Distribution of lottery tickets

- (1) A person must not send a lottery ticket or a no-draw lottery card to any other person (whether for purchase by that other person or for sale by that other person as agent for the organisers of the lottery) except with the prior consent of that other person.
Maximum penalty: 20 penalty units.
- (2) In the case of a progressive lottery, a reference in this clause to a lottery ticket includes a reference to a right to participate in the lottery.

Clause 10	Lotteries and Art Unions Regulation 2002
Part 2	Lotteries and games of chance generally
Division 2	Lottery tickets and cards

10 Retention of unsold tickets and no-draw lottery cards

- (1) The organisers of a lottery or game of chance must retain:
 - (a) all unsold lottery tickets and other tickets, and
 - (b) all no-draw lottery cards (whether the participatory rights in those cards are sold or unsold),

for at least 3 years (or such shorter period as is given official approval either generally or in a particular case) after the date of the draw or the completion of the game.

Maximum penalty: 20 penalty units.
- (2) This clause does not apply:
 - (a) to a draw lottery conducted under section 4 of the Act, or
 - (b) to a game of chance conducted under section 4D of the Act,

if the total value of the tickets sold in the draw lottery or game is less than \$5,000.
- (3) This clause does not apply to a progressive lottery conducted under section 4F of the Act.

Division 3 Prizes

11 Liquor prizes

For the purposes of section 18B (3) of the Act, the liquor component of all the prizes in any lottery or game of chance must not exceed 20 litres.

12 Purchase of prizes for disposal by lottery or game of chance

- (1) Any person who, on behalf of an organisation conducting a lottery or game of chance, purchases an item to be offered as a prize must (unless given official approval to do otherwise) purchase the item directly from a person whose business comprises the production or sale of items of that kind.

Maximum penalty: 20 penalty units.
- (2) Any discount, rebate, commission or other allowance provided in relation to the purchase of such an item is taken to be a donation received on behalf of the benefiting organisation.

Lotteries and Art Unions Regulation 2002	Clause 13
Lotteries and games of chance generally	Part 2
Prizes	Division 3

13 Prizes to be preserved

The organisers of a lottery or game of chance must carefully preserve all prizes in the lottery or game of chance until the prizewinners have taken possession of them or until they have been sold under section 15 of the Act.

Maximum penalty: 20 penalty units.

14 Prizes to be received by prizewinners

- (1) Each prizewinner in a lottery or game of chance is to receive only the prize which the prizewinner has won.
- (2) This clause does not apply to a lottery or game of chance conducted under section 4B of the Act.

15 Payment of prize money by cheque

- (1) If in a lottery or game of chance the prize money payable to a person exceeds \$1,000, the organisers of the lottery or game must pay so much of the prize money as exceeds \$1,000:
 - (a) by means of a crossed cheque payable to the person (unless paragraph (b) applies), or
 - (b) if the person so requests, by means of electronic funds transfer to an account nominated by the person.

Maximum penalty: 20 penalty units.

- (2) In this clause:

crossed cheque means a cheque crossed as referred to in section 53 of the *Cheques Act 1986* of the Commonwealth.

Division 4 Commission and other expenses

16 Division not to apply to certain lotteries and games of chance

This Division does not apply to:

- (a) a mini-numbers lottery conducted under section 4 of the Act, or
- (b) a lottery or game of chance conducted under section 4B, 4E or 4G of the Act.

Clause 17	Lotteries and Art Unions Regulation 2002
Part 2	Lotteries and games of chance generally
Division 4	Commission and other expenses

17 Commission

- (1) A person must not allow another person any remuneration from the funds received by an organisation conducting a lottery or game of chance, other than commission or remuneration for services rendered in connection with the lottery or game of chance under a written agreement between that other person and the organisation concerned.

Maximum penalty: 20 penalty units.

- (2) An agreement referred to in subclause (1) must specify:
- the service to be rendered, and
 - the remuneration to be provided for that service, and
 - the period for which the agreement is to be in force.
- (3) A person must not pay commission in respect of:
- a lottery (other than a no-draw lottery) in which the total value of the prizes is \$5,000 or less, or
 - the sale of a lottery ticket in a lottery conducted by an art union, unless the name and address of the purchaser of the ticket (or the name and address of the purchaser's nominee) have been recorded in accordance with clause 31.

Maximum penalty: 20 penalty units.

- (4) This clause does not apply to a progressive lottery conducted under section 4F of the Act.

18 Deduction of expenses of conduct of lottery or game of chance

- (1) The following amounts may be deducted from money received in connection with a lottery or game of chance:
- the cost of producing or obtaining the tickets, or the no-draw lottery cards, for the lottery, or the tickets for the game of chance,
 - the reasonable cost of advertising and promoting the lottery or game of chance,
 - the reasonable cost of hiring or operating any device, or renting any premises, for use in the conduct of the lottery or game of chance,
 - the cost of any prizes to be awarded, and the amount of any prize money to be paid, to winners in the lottery or game of chance,

Lotteries and Art Unions Regulation 2002

Clause 18

Lotteries and games of chance generally
Commission and other expenses

Part 2
Division 4

- (e) the amount of any reasonable salaries, wages and commission paid to persons assisting in the conduct of the lottery or game of chance,
 - (f) the cost of auditing the accounts relating to the lottery or game of chance,
 - (g) any other amount that, under a permit under the Act, an organisation is permitted to deduct from money received in connection with the lottery or game of chance to which the permit relates.
- (2) The organisers must not deduct any other amounts.
Maximum penalty: 20 penalty units.
- (3) In the case of a progressive lottery, a reference in this clause to a lottery ticket includes a reference to a right to participate in the lottery.

Division 5 Restrictions on advertising

19 Restrictions on advertising lottery activities

- (1) On and from 1 March 2003, a person must not publish, or cause to be published, any lottery advertising that:
- (a) encourages a breach of the law, or
 - (b) depicts children participating in a lottery activity, or
 - (c) is false, misleading or deceptive, or
 - (d) suggests that winning will be a definite outcome of entering or participating in the lottery activity, or
 - (e) suggests that entering or participating in the lottery activity will definitely improve a person's financial prospects, or
 - (f) is not conducted in accordance with decency, dignity and good taste and in accordance with the relevant industry Code of Practice (if any) as in force at the time the lottery advertising is published.

Maximum penalty: 20 penalty units.

Clause 19	Lotteries and Art Unions Regulation 2002
Part 2	Lotteries and games of chance generally
Division 5	Restrictions on advertising

- (2) On or after 1 September 2002, a person must not enter into or extend the duration of a contract or arrangement for the publication of any lottery advertising that does any of the things referred to in subclause (1).

Maximum penalty: 20 penalty units.

- (3) In this clause:

lottery advertising means advertising that is directly related to the conduct of a lottery activity.

publish includes disseminate in any way, whether by oral, visual, written or other means (for example, dissemination by means of cinema, video, radio, television or the Internet).

20 Unauthorised advertisements or promotions

- (1) A person must not advertise or promote any lottery or game of chance:
- on the basis that it is similar to a lottery known as lotto or keno, or to any other lottery or game conducted under the authority of a licence under the *Public Lotteries Act 1996*, or
 - in any way that suggests that the lottery or game of chance is approved or authorised by the Government or by any Government agency.

Maximum penalty: 20 penalty units.

- (2) This clause does not operate so as to prevent the publication of:
- the permit number of an art union conducting a lottery, or
 - the permit number relating to a lottery or game of chance conducted by any other organisation.

Division 6 Miscellaneous

21 Money to be banked

As soon as practicable (and in any case no later than 2 business days) after receiving money in relation to a lottery, the organisers of the lottery must pay the money into an account at an authorised deposit-taking institution, being an account belonging to the benefiting organisation.

Maximum penalty: 20 penalty units.

Lotteries and Art Unions Regulation 2002	Clause 22
Lotteries and games of chance generally	Part 2
Miscellaneous	Division 6

22 Duties of organisers of lotteries and games of chance

Any duty imposed by this Regulation on the organisers of a lottery or game of chance:

- (a) is imposed jointly and severally on each of them, and
- (b) may be performed by any one of them.

23 Police authorised to act as inspectors

For the purposes of section 21A (3) of the Act, every police officer of or above the rank of sergeant is authorised to exercise the functions of an authorised inspector under Part 5 of the Act.

24 Remedial orders

For the purposes of section 22D (1) of the Act:

- (a) an offence under clause 19 (1) is a prescribed offence if it relates to the publication of any lottery advertising (within the meaning of that clause) that is false, misleading or deceptive, and
- (b) the prescribed action that a court may order to be taken by a person found guilty of such an offence is the publication, in accordance with such directions as the court thinks fit as to the time, form, extent and manner of the publication, of an advertisement that corrects the information contained in the lottery advertising that was the subject of the offence.

Clause 25	Lotteries and Art Unions Regulation 2002
Part 3	Lotteries conducted by art unions
Division 1	Preliminary

Part 3 Lotteries conducted by art unions

Division 1 Preliminary

25 Application

This Part applies to a draw lottery conducted by an art union for the purpose of allotting or distributing among the members of the art union the prizes purchased by the art union.

26 Definitions

In this Part:

lottery means a lottery to which this Part applies.

lottery ticket means a ticket used or prepared for use in a lottery.

promoter means the person identified, on the application form for a permit for an art union, as the promoter of the art union.

Division 2 Permits and tickets

27 Application for permit

- (1) An application under section 6 of the Act for a permit for the formation of an art union is to give the names and addresses of the promoter, manager and members of the committee of the proposed art union and is to be in a form approved by the Minister.
- (2) The Minister may refuse to consider any application which does not comply with the requirements of this clause.

28 Lottery tickets not to be printed before permit obtained

The organisers of a lottery must not authorise the printing of lottery tickets for the lottery until a permit for the formation of the art union proposing to conduct the lottery has been issued under section 6 of the Act.

Maximum penalty: 20 penalty units.

Lotteries and Art Unions Regulation 2002

Clause 29

Lotteries conducted by art unions

Part 3

Permits and tickets

Division 2

29 Form of lottery tickets

- (1) Lottery tickets must be numbered consecutively.
- (2) Each lottery ticket, other than a computer-generated ticket, must consist of a purchaser's portion, a ticket-butt and a drawing-docket, each of which complies with the requirements of clause 30.
- (3) Each computer-generated lottery ticket must include a purchaser's portion (complying with the requirements of clause 30) and may include a ticket-butt or a drawing-docket or both.
- (4) If a computer-generated lottery ticket (whether partly pre-printed or not) does not contain a ticket-butt or a drawing-docket:
 - (a) the computer records for the ticket must contain the information required by this Division to be shown on a ticket-butt, and
 - (b) any document generated for inclusion in the draw must contain the information required by this Division to be shown on a drawing-docket,as appropriate.
- (5) The organisers of the lottery must ensure compliance with the requirements of this clause.
Maximum penalty: 20 penalty units.

30 Information to be available to purchasers

- (1) The purchaser's portion of a lottery ticket must contain the following information:
 - (a) the name of the art union conducting the lottery,
 - (b) the name of the benefiting organisation,
 - (c) the price of each lottery ticket,
 - (d) details of the prizes and their value,
 - (e) the place, date and time of the draw,
 - (f) details of how the results of the draw will be publicised,
 - (g) the number of tickets in the lottery,
 - (h) the name and address of the promoter of the art union,
 - (i) the number of the permit issued in respect of the art union,
 - (j) the serial number of the lottery ticket.

Clause 30 Lotteries and Art Unions Regulation 2002

Part 3 Lotteries conducted by art unions

Division 2 Permits and tickets

- (2) The ticket-butt must show the name of the art union and the serial number of the lottery ticket and must contain provision for the name and address of the purchaser.
- (3) The drawing-docket must show the serial number of the lottery ticket, and must not contain any provision for the name or address of the purchaser.

31 Particulars to be recorded

At the time a person sells a lottery ticket, the person:

- (a) must cause the name and address of the purchaser or purchaser's nominee to be written legibly on the ticket-butt, or
- (b) in the case of a computer-generated ticket, must cause the name and address of the purchaser or purchaser's nominee to be entered into the computer records in relation to the ticket.

Maximum penalty: 20 penalty units.

Division 3 Draw for prizes

32 Draw for prizes to take place as advertised

- (1) The organisers of a lottery must use their best endeavours to ensure that the draw for the prizes in the lottery takes place:
 - (a) in accordance with the information specified on the tickets for the lottery, or
 - (b) if a change to the place, date or time of the draw is given official approval under this clause—in accordance with that approval.

Maximum penalty: 20 penalty units.

- (2) A person must not change the place, date or time of the draw for the prizes in a lottery, as specified on the tickets for the lottery, unless the change is given official approval.

Maximum penalty: 20 penalty units.

- (3) If such a change is given official approval, the person who obtained the approval must advertise the change in accordance with the directions of the person by whom the approval was given.

Maximum penalty: 20 penalty units.

Lotteries and Art Unions Regulation 2002

Clause 33

Lotteries conducted by art unions

Part 3

Draw for prizes

Division 3

33 Return of butts and drawing-dockets

Any person who has agreed to sell lottery tickets must, before the draw, return to the organisers of the lottery:

- (a) all ticket-butts and drawing-dockets (or appropriate computer-generated documents) relating to lottery tickets sold by the person, and
- (b) all money received from the sale of lottery tickets, and
- (c) all unsold tickets held by the person.

Maximum penalty: 20 penalty units.

34 All lottery tickets sold to be included in draw

- (1) All lottery tickets sold are to be represented in the draw for prizes.
- (2) In the case of a lottery to be determined by drawing a drawing-docket, computer-generated document or other object, the docket, document or objects are to be placed in a single container and thoroughly mixed so as to give each holder of a lottery ticket an equal chance of winning a prize in respect of each lottery ticket that he or she holds.
- (3) If a lottery ticket sold in the lottery is not represented in the draw, the organisers of the lottery must use their best endeavours to ensure that any money received from the sale of the ticket is refunded to the holder of the ticket within 7 days after the draw is held.

Maximum penalty: 20 penalty units.

35 Conduct of draw

- (1) The prize-winning tickets are to be determined by drawing, at random, from:
 - (a) the drawing-dockets, computer-generated documents or other objects representing the lottery tickets sold in the lottery, or
 - (b) numbers corresponding to the numbers of the lottery tickets sold in the lottery.
- (2) A mechanical or electronic device must not be used for the purpose of the draw unless the device has official approval.
- (3) The draw is to be made:
 - (a) by a person who has official approval, other than a person who is an organiser of the lottery, and

Clause 35 Lotteries and Art Unions Regulation 2002

Part 3 Lotteries conducted by art unions

Division 3 Draw for prizes

(b) in the presence and under the supervision of one or more members of the committee of the art union conducting the lottery.

(4) Any person who wishes to attend the draw may do so.

(5) The organisers of the lottery must ensure compliance with this clause.

Maximum penalty: 20 penalty units.

36 Notification of prizewinners

The organisers of a lottery must use their best endeavours:

(a) to advise each prizewinner (within 2 days after the draw) of the prize that the prizewinner has won, and

(b) to ensure that particulars of the result of the draw are published (within 7 days after the draw) in a newspaper circulating throughout New South Wales.

Maximum penalty: 20 penalty units.

Division 4 Prizes

37 Maintenance of prizes comprising real property

(1) The organisers of a lottery in which a prize includes real property must maintain any improvements erected on the property and must keep the property and improvements insured for their full market value against loss or damage until the date when the prize is transferred or conveyed to the prizewinner.

Maximum penalty: 20 penalty units.

(2) Until that date, the art union conducting the lottery concerned is liable for all outgoings on the property and is entitled to receive all rents and profits from the property.

(3) The prizewinner is liable for all outgoings on the property and is entitled to receive all rents and profits from the property on and from the date of the transfer or conveyance.

(4) Any necessary apportionment of outgoings, rents or profits is to be made as at the time of the transfer or conveyance.

(5) All rents and profits received by the art union (less any outgoings on the property) are taken to form part of the payments to the art union.

Lotteries and Art Unions Regulation 2002

Clause 38

Lotteries conducted by art unions

Part 3

Prizes

Division 4

38 Substitution of prizes

- (1) An application under section 6B (2) of the Act for the Minister's approval to the substitution of a prize in a lottery is to be signed by the promoter of the art union conducting the lottery.
- (2) The application is to contain the following information:
 - (a) a description (including the retail value) of the prize that was to have been awarded,
 - (b) a description (including the retail value) of the new prize,
 - (c) the reason for the proposed substitution.
- (3) The application is to be accompanied by documentary evidence of the cost to the art union, and the retail value, of the new prize.
- (4) If the application relates to a major prize, it must also contain details of:
 - (a) the measures to be taken to inform purchasers of tickets in the lottery concerned of the proposed substitution of the prize, and
 - (b) the opportunity to be given to those purchasers to obtain refunds.
- (5) The Minister may refuse to consider any application which does not comply with the requirements of this clause.
- (6) For the purposes of the definition of *major prize* in section 6B (1) of the Act, the prescribed amount is \$75,000.

39 Maximum prizes

For the purposes of section 6 (1) (g) of the Act, the prescribed amount of money that a prize given to any one member may not exceed is \$5,000.

40 Money component of travel prizes

For the purposes of section 6 (1) (g1) of the Act, the money component of a prize that is offered in conjunction with tickets for tours or journeys must not exceed 20% of the total value of the prize.

Clause 41	Lotteries and Art Unions Regulation 2002
Part 3	Lotteries conducted by art unions
Division 5	Miscellaneous

Division 5 Miscellaneous

41 Information and publicity generally

The organisers of a lottery must use their best endeavours to ensure that any information or publicity in connection with the lottery includes the following:

- (a) the name of the art union conducting the lottery,
- (b) the name of the benefiting organisation,
- (c) the date of the draw,
- (d) the number of lottery tickets in the lottery,
- (e) the name and address of the promoter of the art union,
- (f) the number of the permit issued in respect of the art union.

Maximum penalty: 20 penalty units.

42 Persons under 18 not to be involved in art union

A person must not sell a lottery ticket to any person who is under the age of 18 years or permit such a person to take any part in the management of an art union.

Maximum penalty: 20 penalty units.

43 Proceeds to be devoted to fundraising object

For the purposes of section 6 (1) (f) of the Act, the prescribed proportion is 40% of the gross proceeds of any lottery conducted by the art union.

Lotteries and Art Unions Regulation 2002

Clause 44

Draw lotteries conducted by charitable and non-profit organisations
Preliminary

Part 4
Division 1

Part 4 Draw lotteries conducted by charitable and non-profit organisations

Division 1 Preliminary

44 Application

This Part applies to draw lotteries conducted under section 4 of the Act.

Division 2 Draw lottery tickets

45 Form of draw lottery tickets

- (1) Each series of draw lottery tickets must be distinguished (by colour, serial number or otherwise) from each other series of draw lottery tickets, and the draw lottery tickets in each series must be numbered consecutively.
- (2) Each draw lottery ticket, other than a computer-generated draw lottery ticket, must consist of a purchaser's portion and a ticket-butt, each of which complies with the requirements of clause 46.
- (3) Each computer-generated draw lottery ticket must include a purchaser's portion (complying with the requirements of clause 46), and may include a ticket-butt.
- (4) If a computer-generated draw lottery ticket (whether partly pre-printed or not) does not contain a ticket-butt, the computer records for the ticket must contain the information required by this Division to be shown on a ticket-butt.
- (5) The organisers of the draw lottery must ensure compliance with the requirements of this clause.

Maximum penalty: 20 penalty units.

46 Information to be available to purchasers

- (1) The purchaser's portion of a draw lottery ticket must include the serial number of the ticket and, if the total value of the prizes in the lottery exceeds \$5,000, must also include:

Clause 46	Lotteries and Art Unions Regulation 2002
Part 4	Draw lotteries conducted by charitable and non-profit organisations
Division 2	Draw lottery tickets

- (a) the price of the ticket, and
 - (b) the name of the benefiting organisation.
- (2) A ticket-butt must show the serial number of the ticket and, if the total value of the prizes in the lottery exceeds \$5,000, must contain provision for the name and address of the purchaser.
- (3) The organisers of a draw lottery must use their best endeavours to ensure that the following additional information is available to purchasers of draw lottery tickets:
- (a) details of the prizes and their value,
 - (b) the place, time and date of the draw,
 - (c) details of how the prizewinners will be notified,
 - (d) if the total value of the prizes in the lottery is \$5,000 or less:
 - (i) the price of a ticket, and
 - (ii) the name of the benefiting organisation,
 - (e) details of the way in which the results of the draw will be publicised.
- Maximum penalty: 20 penalty units.
- (4) It is sufficient compliance with the requirements of subclause (3) if the information is printed on the draw lottery ticket.

47 Particulars to be recorded

At the time a person sells a draw lottery ticket in a draw lottery in which the total value of the prizes exceeds \$5,000, the person:

- (a) must cause the name and address of the purchaser or purchaser's nominee to be written legibly on the ticket-butt, or
- (b) in the case of a computer-generated ticket, must cause the name and address of the purchaser or purchaser's nominee to be entered into the computer records in relation to the ticket.

Maximum penalty: 20 penalty units.

48 Return of butts

Any person who has agreed to sell draw lottery tickets must, before the draw, return to the organisers of the lottery:

- (a) all ticket-butts (or appropriate computer-generated documents) relating to draw lottery tickets sold by the person, and

Lotteries and Art Unions Regulation 2002

Clause 48

Draw lotteries conducted by charitable and non-profit organisations

Part 4

Draw lottery tickets

Division 2

- (b) all money received from the sale of draw lottery tickets, and
- (c) all unsold draw lottery tickets held by the person.

Maximum penalty: 20 penalty units.

Division 3 Draw for prizes

49 Draw for prizes to take place as advertised

The organisers of a lottery must use their best endeavours to ensure that the draw for the prizes in the lottery takes place:

- (a) in accordance with the information specified on the tickets for the lottery (or otherwise provided to the purchasers of the tickets), or
- (b) if a change to the place, date or time of the draw is advertised—as so advertised.

Maximum penalty: 20 penalty units.

50 All draw lottery tickets sold to be included in draw

- (1) All draw lottery tickets sold are to be represented in the draw for prizes.
- (2) In the case of a lottery to be determined by drawing a ticket-butt, computer-generated document or other object, the butts, documents or objects are to be placed in a single container and thoroughly mixed so as to give each holder of a draw lottery ticket an equal chance of winning a prize in respect of each ticket that he or she holds.
- (3) If a draw lottery ticket sold in the lottery is not represented in the draw, the organisers of the draw lottery must use their best endeavours to ensure that any money received from the sale of the ticket is refunded to the holder of the ticket within 7 days after the draw is held.

Maximum penalty: 20 penalty units.

51 Conduct of draw

- (1) The prize-winning tickets are to be determined by drawing, at random, from:
 - (a) the ticket-butts, computer-generated documents or other objects representing the lottery tickets sold in the lottery, or

Clause 51	Lotteries and Art Unions Regulation 2002
Part 4	Draw lotteries conducted by charitable and non-profit organisations
Division 3	Draw for prizes

(b) numbers corresponding to the numbers of the lottery tickets sold in the lottery.

- (2) A mechanical or electronic device must not be used for the purposes of the draw unless the device has official approval.
- (3) Any person who wishes to attend the draw may do so.
- (4) The organisers of the draw lottery must ensure compliance with this clause.

Maximum penalty: 20 penalty units.

52 Notification of prizewinners

- (1) The organisers of a draw lottery must use their best endeavours:
 - (a) to advise each prizewinner (within 2 days after the draw) of the prize that the prizewinner has won, and
 - (b) in the case of a draw lottery in which the total value of the prizes exceeds \$5,000, to ensure that particulars of the result of the draw are published (within 7 days after the draw) in a newspaper circulating in the region in which the lottery was conducted.

Maximum penalty: 20 penalty units.

- (2) This clause does not apply if the organisers have obtained official approval to act otherwise than in accordance with it.

Division 4 Miscellaneous

53 Maximum value of prizes

- (1) For the purposes of section 4 (3) (a) of the Act, the prescribed amount for a draw lottery is \$25,000.
- (2) For the purposes of section 4 (3) (c) of the Act, the prescribed amount of money that a prize in any one draw lottery must not exceed is \$5,000.

54 Money component of travel prizes in draw lotteries

For the purposes of section 4 (3) (cl) of the Act, the money component of a prize for a draw lottery that is offered in conjunction with tickets for tours or journeys must not exceed 20% of the total value of the prize.

Lotteries and Art Unions Regulation 2002	Clause 55
Draw lotteries conducted by charitable and non-profit organisations	Part 4
Miscellaneous	Division 4

55 Proceeds to be devoted to fundraising object in draw lotteries

For the purposes of section 4 (3) (e) of the Act, the prescribed proportion is 40% of the gross proceeds of any draw lottery.

56 Application for reduction in percentage of takings to be paid to organisation

An application under section 4 (4) of the Act in relation to a draw lottery is to be made to the Minister in writing by the organisers of the lottery and is to specify the circumstances of an unusual nature which arose in connection with the conduct of the lottery.

Clause 57	Lotteries and Art Unions Regulation 2002
Part 5	No-draw lotteries
Division 1	Preliminary

Part 5 No-draw lotteries

Division 1 Preliminary

57 Application

This Part applies to no-draw lotteries conducted under section 4 of the Act.

Division 2 No-draw lottery tickets and cards

58 Form of no-draw lottery tickets

- (1) Each series of no-draw lottery tickets or no-draw lottery cards must be distinguished (by colour, serial number or otherwise) from each other series of no-draw lottery tickets or no-draw lottery cards, and the tickets or cards in each series must be numbered consecutively.
- (2) No-draw lottery tickets and no-draw lottery cards must be produced in such a way as to ensure that the symbol or symbols that may confer a right to a prize on participants cannot be determined without removing the opaque material that covers the symbol or symbols.
- (3) In addition to complying with subclause (1), each no-draw lottery ticket or no-draw lottery card:
 - (a) must specify the price to be paid for the ticket or for the right to participate in the lottery, and
 - (b) must specify the name of the benefiting organisation.
- (4) No-draw lottery cards must make provision for the names of the participants, and their addresses or telephone numbers, to be recorded on the cards.
- (5) In the case of a no-draw lottery conducted by means of no-draw lottery tickets, no more than 3,000 lottery tickets are to be produced or obtained for sale for the lottery.
- (6) The organisers of the no-draw lottery must ensure compliance with the requirements of this clause.

Maximum penalty: 20 penalty units.

Lotteries and Art Unions Regulation 2002

Clause 59

No-draw lotteries

Part 5

No-draw lottery tickets and cards

Division 2

59 Information to be available to purchasers of no-draw lottery tickets

- (1) The organisers of a no-draw lottery must use their best endeavours to ensure that the following additional information is available to participants in a no-draw lottery:
 - (a) details of the prizes and their value,
 - (b) details of how prizes may be claimed by the winners or, in the case of a no-draw lottery where participants are not able to determine whether they have won a prize (either immediately or by reference to the outcome of some subsequent event which the public may reasonably be expected to know about), details of how the prizewinners will be notified and of the way in which the results will be publicised,
 - (c) the rules under which persons may participate in the lottery.

Maximum penalty: 20 penalty units.

- (2) It is sufficient compliance with the requirements of subclause (1) if the information is printed on the no-draw lottery tickets or no-draw lottery cards concerned.

60 Return of unsold no-draw lottery tickets

- (1) When requested by the organisers of the lottery to do so and, in any event, as soon as the lottery is concluded, any person who has agreed to sell tickets or rights to participate in a no-draw lottery must return to the organisers of the lottery:
 - (a) all money received from the sale of those tickets or rights, and
 - (b) in the case of a no-draw lottery conducted by means of no-draw lottery tickets, all unsold tickets held by the person, and
 - (c) in the case of a no-draw lottery conducted by means of no-draw lottery cards, all no-draw lottery cards issued to the person.

Maximum penalty: 20 penalty units.

- (2) For the purposes of subclause (1), a no-draw lottery is concluded when all the tickets or rights to participate in the lottery:
 - (a) are sold, or
 - (b) are withdrawn from sale, or
 - (c) are partly sold with the remainder having been withdrawn from sale.

Clause 61	Lotteries and Art Unions Regulation 2002
Part 5	No-draw lotteries
Division 3	Prizes and prizewinners

Division 3 Prizes and prizewinners

61 Maximum value of prizes

- (1) For the purposes of section 4 (3) (a) of the Act, the prescribed amount for a no-draw lottery is \$5,000.
- (2) For the purposes of section 4 (3) (c) of the Act, the prescribed amount of money that a prize in any one no-draw lottery must not exceed is \$5,000.

62 Money component of travel prizes in no-draw lotteries

For the purposes of section 4 (3) (cl) of the Act, the money component of a prize for a no-draw lottery that is offered in conjunction with tickets for tours or journeys must not exceed 20% of the total value of the prize.

63 Errors not to affect availability of prizes

- (1) A participant in a no-draw lottery is not to be deprived of a right to a prize in the lottery merely because of a mistake (such as the inclusion of the wrong number of prize-winning symbols) in the production of the relevant no-draw lottery tickets or no-draw lottery cards.
- (2) Subclause (1) applies even though the pool of prizes or money set aside for the purchase of prizes has been exhausted or is insufficient to provide the relevant prize, but does not apply if:
 - (a) the mistake is in the prizewinning symbol or symbols on the relevant no-draw lottery ticket or no-draw lottery card, and
 - (b) the purchaser of the ticket or right to participate in the lottery, at or before the time of purchase, was provided with information as to, or could reasonably be expected to be otherwise aware of, the prizes being offered by the organisers.
- (3) The cost of supplying additional prizes as a result of the operation of this clause:
 - (a) is to be met by the organisers of the no-draw lottery, and
 - (b) is not to be met from the gross proceeds of the no-draw lottery unless the lottery is conducted by the organisation concerned as principal.

Lotteries and Art Unions Regulation 2002

Clause 64

No-draw lotteries

Part 5

Prizes and prizewinners

Division 3

64 Notification of prizewinners in certain cases

In the case of a no-draw lottery where participants are not able to determine whether they have won a prize (either immediately or by reference to the outcome of some subsequent event which the public may reasonably be expected to know about), the organisers of the lottery must use their best endeavours to advise each prizewinner, within 2 days after the result of the lottery is determined, of the prize that the prizewinner has won.

Maximum penalty: 20 penalty units.

Division 4 Miscellaneous

65 Not more than one no-draw lottery to be conducted for non-profit organisation at any one time

- (1) A non-profit organisation that conducts a no-draw lottery must not conduct another no-draw lottery until the first-mentioned lottery is concluded.

Maximum penalty: 20 penalty units.

- (2) A non-profit organisation on behalf of which a no-draw lottery is conducted must use its best endeavours to ensure that no other no-draw lottery is conducted on behalf of the organisation until the first-mentioned lottery is concluded.

Maximum penalty: 20 penalty units.

- (3) For the purposes of subclauses (1) and (2), a no-draw lottery is concluded when all the tickets or rights to participate in the lottery:

- (a) are sold, or
- (b) are withdrawn from sale, or
- (c) are partly sold with the remainder having been withdrawn from sale.

- (4) If a no-draw lottery is conducted in contravention of this clause by or on behalf of a non-profit organisation that is not a body corporate, the person who is guilty of the offence is:

- (a) the person who gave the instructions for the conduct of the lottery, or

Clause 65 Lotteries and Art Unions Regulation 2002

Part 5 No-draw lotteries

Division 4 Miscellaneous

(b) if no such instructions were given—the person who conducted the lottery.

(5) A person is not guilty of the offence referred to in subclause (4) if the person did not know, and could not reasonably be expected to have known, that the conduct of the lottery concerned contravened this clause.

66 Dispensing machines not to be used for sale of no-draw lottery tickets

A person who sells no-draw lottery tickets by means of a coin-operated ticket dispensing machine is guilty of an offence.

Maximum penalty: 20 penalty units.

67 Proceeds to be devoted to fundraising object in no-draw lotteries

For the purposes of section 4 (3) (e) of the Act, the prescribed proportion is 40% of the gross proceeds of any no-draw lottery.

68 Application for reduction in percentage of takings to be paid to organisation

An application under section 4 (4) of the Act in relation to a no-draw lottery is to be made to the Minister in writing by the organisers of the lottery and is to specify the circumstances of an unusual nature which arose in connection with the conduct of the lottery.

Lotteries and Art Unions Regulation 2002

Clause 69

Mini-numbers lotteries

Part 6

Preliminary

Division 1

Part 6 Mini-numbers lotteries

Division 1 Preliminary

69 Application

This Part applies to and in respect of mini-numbers lotteries conducted under section 4 of the Act.

70 Definitions

In this Part:

authorised selling agent, in relation to a mini-numbers lottery, means a person appointed, with the person's consent, by the organisers of the lottery or the benefiting organisation as an agent for the sale of tickets in the lottery.

continuing lottery means a mini-numbers lottery that is conducted so that any undistributed prizes are carried over to a subsequent mini-numbers lottery.

mini-numbers ticket means a ticket produced for use in a mini-numbers lottery.

prize pool means the amount of money available to purchase the prizes in a mini-numbers lottery.

terminating lottery means a mini-numbers lottery that is conducted so as to ensure that all prizes in the lottery are distributed as a result of the lottery.

Division 2 Limit on conduct of mini-numbers lotteries

71 Only one lottery to be conducted at a time

- (1) A benefiting organisation that conducts a mini-numbers lottery must not:
 - (a) conduct more than one draw for prizes in the lottery during any period of 7 consecutive days, or

Clause 71 Lotteries and Art Unions Regulation 2002

Part 6 Mini-numbers lotteries

Division 2 Limit on conduct of mini-numbers lotteries

- (b) conduct another mini-numbers lottery until the first-mentioned lottery is concluded.

Maximum penalty: 20 penalty units.

- (2) A benefiting organisation on behalf of which a mini-numbers lottery is conducted must use its best endeavours to ensure that:
- (a) not more than one draw for prizes in the lottery is conducted during any period of 7 consecutive days, and
- (b) no other mini-numbers lottery is conducted on behalf of the organisation until the first-mentioned lottery is concluded.

Maximum penalty: 20 penalty units.

- (3) For the purposes of subclauses (1) and (2), a mini-numbers lottery is concluded at the end of the draw (or, in the case of a terminating lottery, the final draw) for the prizes in the lottery.
- (4) If a mini-numbers lottery, or a draw for prizes in a mini-numbers lottery, is conducted in contravention of this clause by or on behalf of a benefiting organisation that is not a body corporate, the person who is guilty of the offence is:
- (a) the person who gave the instructions for the conduct of the lottery or draw, or
- (b) if no such instructions were given—the person who conducted the lottery or draw.
- (5) A person is not guilty of the offence referred to in subclause (4) if the person did not know, and could not reasonably be expected to have known, that the conduct of the lottery or draw concerned contravened this clause.

72 Only one lottery at a time to be conducted on any one premises

A registered club, licensee of a hotel or person in charge of premises other than a registered club or hotel must not permit or suffer more than one mini-numbers lottery to be conducted on the premises at any one time.

Maximum penalty: 20 penalty units.

73 Value of prizes in mini-numbers lotteries

- (1) The prize pool for a mini-numbers lottery must contain at least 50% of the money received from the sale of mini-numbers tickets for the lottery.

Lotteries and Art Unions Regulation 2002

Clause 73

Mini-numbers lotteries

Part 6

Limit on conduct of mini-numbers lotteries

Division 2

- (2) For the purposes of section 4 (3) (c) of the Act, the prescribed amount of money that a prize in any one mini-numbers lottery must not exceed is \$5,000.
- (3) For the purposes of section 4 (3) (cl) of the Act, the money component of a prize for a mini-numbers lottery that is offered in conjunction with tickets for tours or journeys must not exceed 20% of the total value of the prize.
- (4) Despite subclauses (1) and (3), the prize pool for a mini-numbers lottery is not to exceed \$10,000.
- (5) If the amount in a prize pool would otherwise exceed \$10,000:
 - (a) the organisers of the lottery concerned must conduct the lottery as a terminating lottery with a prize pool of \$10,000, and
 - (b) the organisers must, at their discretion, either:
 - (i) pay the amount of any excess to the benefiting organisation, or
 - (ii) carry that excess over to another mini-numbers lottery conducted (whether as a continuing lottery or as a terminating lottery) by the organisers for the benefit of that benefiting organisation, or
 - (iii) pay part of the amount of that excess to the benefiting organisation and carry the balance over to the lottery referred to in subparagraph (ii).

Maximum penalty: 20 penalty units.

- (6) The organisers must use their best endeavours to ensure that any new mini-numbers lottery referred to in subclause (5) (b) (ii) is conducted no later than 28 days after the date of the conduct of the lottery referred to in subclause (5) (a).

Maximum penalty: 20 penalty units.

Division 3 Mini-numbers lottery tickets

74 Entry to lottery

- (1) Entry to a mini-numbers lottery is to be by the purchase of a mini-numbers ticket.

Clause 74 Lotteries and Art Unions Regulation 2002

Part 6 Mini-numbers lotteries

Division 3 Mini-numbers lottery tickets

(2) A person must not issue a mini-numbers ticket to any other person otherwise than:

- (a) for money to the amount of the face value of the ticket, or
- (b) for other consideration equivalent to the face value of the ticket.

Maximum penalty: 20 penalty units.

(3) The face value of a mini-numbers ticket must not exceed \$2.

75 Distribution of tickets

The organiser of a mini-numbers lottery must not send, or otherwise distribute, mini-numbers tickets to any other person (whether for purchase by that other person or for sale by that other person as an agent for the organisers of the mini-numbers lottery) unless the person is an authorised selling agent.

Maximum penalty: 20 penalty units.

76 Form of tickets

(1) Each series of mini-numbers tickets must be distinguished (by serial number or unique symbol) from each other series of such tickets, and the tickets in each series must be numbered consecutively.

(2) A mini-numbers ticket must not provide for more than 2 entries to the lottery concerned.

(3) Each mini-numbers ticket must consist of:

- (a) an official entry portion complying with the requirements of clause 77, and
- (b) a purchaser's portion, containing a copy of the official entry portion.

(4) The organisers of the mini-numbers lottery must ensure compliance with the requirements of this clause.

Maximum penalty: 20 penalty units.

77 Requirements of official entry portion of ticket

(1) The official entry portion of a mini-numbers ticket must include 20 boxes, numbered from 1 to 20, for each entry on the ticket.

(2) The official entry portion of the ticket:

Lotteries and Art Unions Regulation 2002

Clause 77

Mini-numbers lotteries

Part 6

Mini-numbers lottery tickets

Division 3

- (a) must indicate whether the lottery is a continuing lottery or a terminating lottery, and
 - (b) must specify that the purchaser is to choose 6 numbers from the numbered boxes, for each entry on the ticket, and
 - (c) must indicate which of the numbers (if any) have been excluded from the draw and should therefore not be chosen.
- (3) The official entry portion of the ticket must also specify the following:
- (a) the identifying serial number or unique symbol distinguishing the series of tickets to which the ticket belongs,
 - (b) the number of the ticket,
 - (c) the price of the ticket,
 - (d) the name of the benefiting organisation,
 - (e) the amount (or the percentage of the total amount received from the sale of tickets in the lottery) that is to be returned to that organisation,
 - (f) the way in which the prize pool is to be determined.
- (4) The official entry portion of the ticket must contain the following:
- (a) provision for the purchaser to record his or her choice of numbers,
 - (b) provision for recording the purchaser's name, address and telephone number,
 - (c) provision for the name of the authorised selling agent.

78 Additional information to be made available to purchaser

- (1) The organisers of a mini-numbers lottery must use their best endeavours to ensure that the following additional information is made available to purchasers of tickets in the lottery:
- (a) instructions as to the way in which the purchaser is to mark his or her choice of numbers,
 - (b) the closing date and time for the receipt of entries in the lottery,
 - (c) the place, date and time of the draw,
 - (d) details of how the results of the draw will be publicised,
 - (e) what is to happen if there is more than one winner in the lottery,

Clause 78 Lotteries and Art Unions Regulation 2002

Part 6 Mini-numbers lotteries

Division 3 Mini-numbers lottery tickets

- (f) the way in which winners are to be notified and are to collect their prizes.

Maximum penalty: 20 penalty units.

- (2) It is sufficient compliance with subclause (1) if the information is printed on the back of the purchaser's portion of the ticket.

Division 4 Marking of tickets in mini-numbers lotteries

79 Selling agent to supervise marking of ticket

- (1) The purchaser of a ticket in a mini-numbers lottery is to mark the ticket in the presence of the authorised selling agent and immediately hand the marked ticket back to the agent.

- (2) The agent is to check both the official entry portion and the purchaser's portion of the ticket.

Maximum penalty: 20 penalty units.

- (3) If the ticket has not been completed, the agent must immediately return the ticket to the purchaser for completion.

Maximum penalty: 20 penalty units.

- (4) If the purchaser's choice of numbers has been altered in any way (for example, by the crossing out of a chosen number and the choice of an alternative number), the agent must:

- (a) cancel both the official entry portion and the purchaser's portion of the ticket, and
(b) provide the purchaser with a fresh ticket.

Maximum penalty: 20 penalty units.

- (5) Subclauses (1)–(4) apply in respect of the fresh ticket in the same way as they apply in respect of the original ticket.

80 Marked tickets

- (1) An authorised selling agent must signify his or her acceptance of a properly marked ticket:

- (a) by initialling both the official entry portion and the purchaser's portion of the ticket, and

Lotteries and Art Unions Regulation 2002

Clause 80

Mini-numbers lotteries

Part 6

Marking of tickets in mini-numbers lotteries

Division 4

- (b) by returning the initialled purchaser's portion to the purchaser.
Maximum penalty: 20 penalty units.
- (2) The agent must retain both portions of a cancelled ticket together.
Maximum penalty: 20 penalty units.

Division 5 Draw for prizes

81 Draw for prizes to take place as advertised

- (1) The organisers of a mini-numbers lottery must use their best endeavours to ensure that the draw for the prizes in the lottery takes place:
 - (a) in accordance with the information specified on the tickets for the lottery (or otherwise provided to the purchasers of the tickets), or
 - (b) if notice of a change to the place, date or time of the draw is displayed in accordance with this clause—as specified in that notice.
Maximum penalty: 20 penalty units.
- (2) In particular, the organisers of a series of continuing lotteries must use their best endeavours to ensure that the draw for prizes in each lottery takes place on the same day, and at the same time, each week.
Maximum penalty: 20 penalty units.
- (3) However, the time or day of the draw for prizes in any mini-numbers lottery (or both the time and the day) may be changed if notice of the change is prominently displayed in accordance with subclause (4) for the 24 hours immediately before the new time of the draw.
- (4) The organisers of a series of continuing lotteries must cause the time and place of the draw to be prominently displayed:
 - (a) at the main premises of the benefiting organisation, and
 - (b) if the draw is to take place at any other premises—at those other premises.
Maximum penalty: 20 penalty units.

Clause 82 Lotteries and Art Unions Regulation 2002

Part 6 Mini-numbers lotteries

Division 5 Draw for prizes

82 Return of mini-numbers tickets

- (1) An authorised selling agent must return the following to the organisers of a mini-numbers lottery:
 - (a) all official entry portions of the mini-numbers tickets sold by the agent,
 - (b) all money received by the agent from the sale of the tickets,
 - (c) all unsold tickets held by the agent,
 - (d) all cancelled tickets held by the agent.

Maximum penalty: 20 penalty units.

- (2) The agent must not sell any tickets in the lottery after the closing time for the receipt of entries in the lottery.

Maximum penalty: 20 penalty units.

- (3) The items referred to in subclause (1) are to be returned in accordance with any instructions of the organisers.

83 Tickets to be kept safe

The organisers of a mini-numbers lottery are to keep all returned tickets safe until the draw for prizewinners has taken place.

Maximum penalty: 20 penalty units.

84 Reconciliation of mini-numbers tickets sold

- (1) The organisers of a mini-numbers lottery must, before the draw in the lottery takes place, prepare a statement in accordance with this clause.

Maximum penalty: 20 penalty units.
- (2) The statement is to reconcile the mini-numbers tickets distributed for sale with all material returned.
- (3) Any tickets that have been distributed for sale but not returned must be noted in the statement.
- (4) The reconciliation must, as far as practicable, be carried out in sufficient time to allow the draw to take place as advertised.
- (5) The statement must be signed by the organisers of the mini-numbers lottery and is to form part of the records relating to the conduct of the lottery.

Lotteries and Art Unions Regulation 2002

Clause 85

Mini-numbers lotteries

Part 6

Draw for prizes

Division 5

85 Missing mini-numbers tickets

- (1) If a mini-numbers ticket was distributed for sale and not returned, the organisers of the lottery concerned must cause a notice specifying the number of the missing ticket to be displayed:
 - (a) at the main premises of the benefiting organisation, and
 - (b) if the draw is to take place at any other premises, at those other premises,

for the 24 hours immediately before the time of the draw.

Maximum penalty: 20 penalty units.

- (2) The purchaser of a missing ticket who, before the time of the draw, produces to the organisers the purchaser's portion of the ticket, duly initialled by the authorised selling agent, is entitled to have a copy of that portion regarded as the official entry portion for the purposes of determining the winner of the lottery.

86 All tickets sold to be included in determination of winner

- (1) All mini-numbers tickets sold are to be included in the determination of the winner of the lottery concerned.
- (2) If a mini-numbers ticket is not included in the determination of the winner, the organisers of the lottery concerned must use their best endeavours to ensure that any money received from the sale of the ticket is refunded to the holder of the ticket within 7 days after the winner is determined.

Maximum penalty: 20 penalty units.

87 Attendance at draw

- (1) The draw must be conducted in a place at which the public may attend.
- (2) The draw is to be made in the presence and under the supervision of 2 or more persons engaged in the management of the benefiting organisation.
- (3) Any other person who wishes to attend the draw may do so.
- (4) The organisers must not impose, as a condition of entitlement to a prize, a requirement that the holder of a prizewinning ticket be present at the draw.
- (5) The results of the draw are to be certified in writing by at least 2 of the persons referred to in subclause (2).

Clause 87 Lotteries and Art Unions Regulation 2002

Part 6 Mini-numbers lotteries

Division 5 Draw for prizes

- (6) The organisers of the lottery must use their best endeavours to ensure compliance with this clause.

Maximum penalty: 20 penalty units.

88 Conduct of draw

- (1) The prizewinner in a mini-numbers lottery is to be determined by the drawing of 6 numbers at random.
- (2) A mechanical or electronic device must not be used for the purpose of the draw unless the device has official approval.
- (3) The draw is to be from the numbers 1–20.
- (4) However, if any part of a prize is carried over from a previous lottery, the draw is to be from the following numbers:
 - (a) 1–19, for the first lottery to which the prize is carried over,
 - (b) 1–18, for the second lottery to which the prize is carried over,
 - (c) 1–17, for the third lottery to which the prize is carried over,
 - (d) 1–16, for the fourth lottery to which the prize is carried over,
 - (e) 1–15, for the fifth lottery to which the prize is carried over,
 - (f) 1–14, for the sixth lottery to which the prize is carried over,
 - (g) 1–13, for the seventh or subsequent lottery to which the prize is carried over.
- (5) The prizewinner is the person whose mini-numbers ticket indicates that the person chose the 6 numbers drawn.

89 Terminating lotteries

- (1) This clause applies to terminating lotteries only.
- (2) If there is no prizewinner under clause 88, the prizewinner is to be:
 - (a) the person whose mini-numbers ticket indicates that the person has chosen 5 of the numbers drawn, or
 - (b) if there is still no prizewinner, the person whose mini-numbers ticket indicates that the person has chosen 4 of the numbers drawn, or
 - (c) if there is still no prizewinner, the person whose mini-numbers ticket indicates that the person has chosen 3 of the numbers drawn, or

Lotteries and Art Unions Regulation 2002

Clause 89

Mini-numbers lotteries

Part 6

Draw for prizes

Division 5

- (d) if there is still no prizewinner, the person whose mini-numbers ticket indicates that the person has chosen 2 of the numbers drawn, or
 - (e) if there is still no prizewinner, the person whose mini-numbers ticket indicates that the person has chosen 1 of the numbers drawn.
- (3) If there is still no prizewinner, a further draw is to be conducted in accordance with clause 88 (from the same numbers as those for the first draw in the current lottery), and the provisions of clause 88 and this clause are to apply to that further draw.
- (4) The procedures specified in subclauses (2) and (3) are to be repeated until a prizewinner is obtained.
- (5) The provisions of clause 71 (1) (a) and (2) (a) do not apply to a terminating lottery.

90 Multiple prizewinners

If the mini-numbers tickets of 2 or more persons indicate that they are each a prizewinner, the prizes are to be shared equally among them.

91 Notification of prizewinners

The organisers of a mini-numbers lottery must use their best endeavours:

- (a) to advise each prizewinner (within 2 days after the draw) of the prize that the prizewinner has won, and
- (b) to cause the results of the draw to be prominently displayed:
 - (i) at the main premises of the benefiting organisation, and
 - (ii) if the draw took place at any other premises, at those other premises, and
- (c) to ensure that particulars of the result of the draw are published (within 7 days after the draw) in a newspaper circulating in the region in which the lottery was conducted.

Maximum penalty: 20 penalty units.

Clause 92 Lotteries and Art Unions Regulation 2002

Part 6 Mini-numbers lotteries

Division 5 Draw for prizes

92 Awarding of prizes

- (1) The organisers of a mini-numbers lottery must use their best endeavours to arrange for the relevant prize to be given to each prizewinner within 7 days after the determination of the prizewinners in the lottery.

Maximum penalty: 20 penalty units.

- (2) The prizewinner does not have to claim the prize.

Division 6 Money received

93 Money to be banked

As soon as practicable (and in any case not later than 2 business days) after receiving money in relation to a mini-numbers lottery, the organisers of the lottery must pay the money into an account at an authorised deposit-taking institution, being an account belonging to the benefiting organisation.

Maximum penalty: 20 penalty units.

94 Deduction of expenses of conduct of mini-numbers lottery

- (1) The following amounts may be deducted from money received in connection with a mini-numbers lottery:
- (a) the cost of producing or obtaining the tickets for the lottery,
 - (b) the reasonable cost of advertising and promoting the lottery,
 - (c) the reasonable cost of hiring or operating any device, or renting any premises, for use in the conduct of the lottery,
 - (d) the cost of the prizes to be awarded to winners in the lottery,
 - (e) the cost of auditing the accounts relating to the lottery.
- (2) However, the amounts deducted (other than the amounts deducted to purchase the prizes) must not exceed 10% of the money received.
- (3) The organisers must not make any deduction from money received in connection with a mini-numbers lottery unless the deduction is authorised by this clause.

Maximum penalty: 20 penalty units.

Lotteries and Art Unions Regulation 2002

Clause 95

Mini-numbers lotteries

Part 6

Money received

Division 6

95 Proceeds to be devoted to fundraising object in mini-numbers lotteries

For the purposes of section 4 (3) (e) of the Act, the prescribed proportion is 40% of the gross proceeds of any mini-numbers lottery.

96 Application for reduction in percentage of takings to be paid to organisation

An application under section 4 (4) of the Act in relation to a mini-numbers lottery is to be made to the Minister in writing by the organisers of the lottery and is to specify the circumstances of an unusual nature which arose in connection with the conduct of the lottery.

Division 7 Miscellaneous

97 No commission payable

Despite the other provisions of this Regulation, no commission, fee or other benefit is payable to an organiser of a mini-numbers lottery or to an authorised selling agent of tickets in the lottery.

98 Retention of tickets

The organisers of a mini-numbers lottery:

- (a) must retain all unsold mini-numbers tickets for at least 3 years (or such shorter period as is given official approval either generally or in a particular case) after the prizewinner in the lottery concerned is determined, and
- (b) must retain all sold and cancelled mini-numbers tickets for 6 months after the determination of the prizewinner.

Maximum penalty: 20 penalty units.

99 Certain persons not to be involved in mini-numbers lottery

- (1) A person who is under the age of 18 years must not take any part in a mini-numbers lottery.
- (2) The following persons must not play a mini-numbers lottery:
 - (a) the benefiting organisation,
 - (b) a person involved in the management of the benefiting organisation,

Clause 99 Lotteries and Art Unions Regulation 2002

Part 6 Mini-numbers lotteries

Division 7 Miscellaneous

- (c) the organisers of the lottery,
- (d) a person conducting the draw in the lottery,
- (e) the spouse, de facto spouse or other family member of a person referred to in paragraph (b)–(d), if the spouse or family member lives at the same address as that person.

Maximum penalty: 20 penalty units.

Lotteries and Art Unions Regulation 2002

Clause 100

Progressive lotteries

Part 7

Preliminary

Division 1

Part 7 Progressive lotteries

Division 1 Preliminary

100 Definitions

In this Part:

ticket includes a right to participate in a progressive lottery.

tipping competition means a progressive lottery consisting of a competition (or other lottery or game of chance conducted along substantially similar lines) in which:

- (a) the participants predict the outcome or results of a sporting or other contingency, and
- (b) points are awarded for successful predictions, and
- (c) the prize pool is distributed to the participant who accumulates the most points over a stipulated period, and
- (d) periodical prizes may be awarded (in accordance with the rules of the competition).

101 Permit required

For the purposes of section 4F (2) (a) of the Act, the prescribed amount in relation to a progressive lottery is \$20,000.

102 Application for permit

An application under section 4F for a permit to conduct a progressive lottery is to be in a form approved by the Minister.

Division 2 Prizes and prizewinners

103 Maximum value of prizes

For the purposes of section 4F (2) (d) of the Act, the prescribed amount of money that a prize in a progressive lottery must not exceed is \$5,000.

Clause 104 Lotteries and Art Unions Regulation 2002

Part 7 Progressive lotteries
Division 2 Prizes and prizewinners

104 Money component of travel prizes

For the purposes of section 4F (2) (e) of the Act, the money component of a prize that is offered in conjunction with tickets for tours or journeys must not exceed 20% of the total value of the prize.

105 Notification of prize winners

- (1) The organisers of a progressive lottery must use their best endeavours:
 - (a) to advise each prize winner (within 2 days after the result of each draw is determined) of the prize that the prize winner has won, and
 - (b) in the case of a progressive lottery in which the total value of prizes exceeds \$5,000, to ensure that particulars of the results of a draw are published (within 7 days after the draw) in a newspaper circulating in the region in which the progressive lottery was conducted, and
 - (c) to arrange for the relevant prize to be given to each prize winner within 7 days after the determination of the prize winners, whether or not the prize winner has claimed the prize.

Maximum penalty: 20 penalty units.

- (2) This clause does not apply if the organisers have obtained official approval to act otherwise than in accordance with it.

Division 3 Miscellaneous

106 Maximum cost of telephone call

- (1) For the purposes of section 4F (2) (h) of the Act, the cost of a telephone call to a number having the prefix 1900 may not exceed \$0.50, plus the amount of any GST payable in respect of the call.
- (2) In this clause:

GST has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth.

107 Information to be made available to lottery participants

- (1) The organisers of a progressive lottery must use their best endeavours to ensure that the following information is made available to participants in the lottery:

Lotteries and Art Unions Regulation 2002

Clause 107

Progressive lotteries

Part 7

Miscellaneous

Division 3

- (a) the rules under which persons may participate in the lottery,
- (b) the price to be paid for the right to participate in the lottery,
- (c) if the lottery is conducted by, or on behalf of, an organisation not formed for private gain, the name of that organisation,
- (d) the closing date and time for receipt of entries in the lottery,
- (e) in the case of a tipping competition, the closing dates and times for receipt of predictions,
- (f) the name, address and telephone number of the organiser of the lottery.

Maximum penalty: 20 penalty units.

- (2) It is sufficient compliance with the requirements of subclause (1) if the information is printed on the ticket.

108 Formulation and display of rules

- (1) The organisers of a progressive lottery must formulate rules under which a person may participate in the lottery. The rules must make provision for the following matters:
 - (a) the conditions of entry (including the minimum age of participants),
 - (b) the charge to be made for participating in the lottery and the method, if any, for discounting the charge,
 - (c) the manner in which any prizes are to be calculated, determined and awarded,
 - (d) the manner in which participants are required to enter and participate in the lottery,
 - (e) the closing date and time for receipt of entries in the lottery,
 - (f) in the case of a tipping competition, the closing dates and times for receipt of predictions,
 - (g) the place, time and date of the draw or draws or, in the case of a tipping competition, of the determination of the result or results,
 - (h) the method for claiming prizes (including the course of action to be adopted in the case of unclaimed prizes),
 - (i) the manner in which prize winners are to be notified,

Clause 108 Lotteries and Art Unions Regulation 2002

Part 7 Progressive lotteries

Division 3 Miscellaneous

- (j) in the case of a tipping competition, details of what is to happen if 2 or more persons accumulate the highest number of points,
- (k) the manner in which disputes concerning the conduct of a lottery or the claiming of a prize are to be resolved.

Maximum penalty: 20 penalty units.

- (2) The rules as to the closing time for receipt of entries in the lottery must provide for a closing time that is before the first draw, or determination of results, in the progressive lottery, unless official approval to provide otherwise is obtained.
- (3) Nothing in subclause (2) prevents the rules of a tipping competition from providing for later times for the receipt of predictions.
- (4) The rules must be displayed prominently at the place where the lottery is being conducted.
- (5) The rules must be consistent with the provisions of the Act and this Regulation.

109 Limits on rights to purchase tickets

The organisers of a progressive lottery must not sell tickets in a progressive lottery after the closing time for receipt of entries in the lottery or, in the case of a tipping competition, after the closing time for entry in the competition.

Maximum penalty: 20 penalty units.

110 Tickets to be kept safe

The organisers of a progressive lottery are to keep all returned tickets safe until the draw has taken place or, in the case of a tipping competition, results have been determined.

Maximum penalty: 20 penalty units.

111 Attendance at draw

- (1) This clause applies to the conduct of a draw for a progressive lottery (other than a tipping competition).
- (2) The draw must be conducted in a place at which the public may attend.
- (3) Any person who wishes to attend the draw may do so.

Lotteries and Art Unions Regulation 2002

Clause 111

Progressive lotteries

Part 7

Miscellaneous

Division 3

- (4) The organisers must not impose, as a condition of an entitlement to a prize, a requirement that the holder of a prize-winning ticket be present at the draw.
- (5) The organisers of the lottery must use their best endeavours to ensure compliance with this clause.

Maximum penalty: 20 penalty units.

112 Conduct of draw

- (1) The organisers of a progressive lottery must use their best endeavours to ensure that any draw for prizes in the lottery takes place:
 - (a) in accordance with the rules and the information provided to the purchasers of the tickets, or
 - (b) if a change to the place, date or time of the draw is advertised or communicated to the participants, as advertised or communicated.

Maximum penalty: 20 penalty units.

- (2) The organisers of a progressive lottery must include all tickets sold in the progressive lottery in a draw for prizes, irrespective of how many times a participant has won.

Maximum penalty: 20 penalty units.

Clause 113 Lotteries and Art Unions Regulation 2002

Part 8 Other lotteries and games of chance

Division 1 Games of chance conducted by charities

Part 8 Other lotteries and games of chance

Division 1 Games of chance conducted by charities

113 Application for permit

An application under section 4A of the Act for a permit to conduct a game of chance is to be in a form approved by the Minister.

114 Maximum value of prizes

- (1) For the purposes of section 4A (3) (b) of the Act, the prescribed amount is \$4,000.
- (2) For the purposes of section 4A (3) (e) of the Act, the prescribed amount of money that a prize must not exceed is \$4,000.

115 Money component of travel prizes

For the purposes of section 4A (3) (e1) of the Act, the money component of a prize that is offered in conjunction with tickets for tours or journeys must not exceed 20% of the total value of the prize.

116 Proceeds to be devoted to fundraising object

For the purposes of section 4A (3) (g) of the Act, the following proportions are prescribed:

- (a) in the case of games of chance known as “Housie”—12.5% of the gross proceeds of any such game,
- (b) in the case of games of chance conducted by the St Patrick’s Club Broken Hill Inc. at any Games Night described in the permit issued by the Minister for the event concerned—12.5% of the gross proceeds of any such game,
- (c) in the case of other games of chance—40% of the gross proceeds of any such game.

Lotteries and Art Unions Regulation 2002

Clause 117

Other lotteries and games of chance

Part 8

Games of chance conducted by charities

Division 1

117 Application for reduction in percentage of takings to be paid to organisation

An application under section 4A (6) of the Act is to be made to the Minister in writing by the organisers of the game of chance and is to specify the circumstances of an unusual nature which arose in connection with the conduct of the game of chance.

Division 2 Lotteries and games of chance conducted for promotion of trade

118 Application for permit

An application under section 4B of the Act for a permit to conduct a lottery or a game of chance is to be in a form approved by the Minister.

119 Application fee

For the purposes of section 4B (4) of the Act, the prescribed fee to accompany an application for a permit is:

- (a) \$50, if the total prize value of the proposed lottery or game of chance is \$10,000 or less, or
- (b) \$250, if the total prize value of the proposed lottery or game of chance exceeds \$10,000 but does not exceed \$50,000, or
- (c) \$500, if the total prize value of the proposed lottery or game of chance exceeds \$50,000 but does not exceed \$100,000, or
- (d) \$1,000, if the total prize value of the proposed lottery or game of chance exceeds \$100,000 but does not exceed \$200,000, or
- (e) \$2,000, if the total prize value of the proposed lottery or game of chance exceeds \$200,000.

Division 3 Games of chance conducted by registered clubs

120 Application for permit

An application under section 4C of the Act for a permit to conduct a game of chance is to be in a form approved by the Minister.

Clause 121	Lotteries and Art Unions Regulation 2002
Part 8	Other lotteries and games of chance
Division 3	Games of chance conducted by registered clubs

121 Promotional raffles conducted by registered clubs not lotteries

- (1) For the purposes of the definition of *Lottery* in section 4 of the Act, a not-for-profit promotional raffle conducted on the premises of a registered club is prescribed as a game or method of disposing of prizes that is not a lottery within the meaning of that section.
- (2) In this clause, *not-for-profit promotional raffle* means a raffle conducted by a registered club:
 - (a) for the purpose of attracting patronage to the club's facilities, and
 - (b) the profits of which are wholly or substantially used to meet the cost of prizes in such raffles.

122 Maximum value of prizes

For the purposes of section 4C (3) (b) of the Act, the prescribed amount is \$300.

Division 4 Sweeps and calcuttas

123 Application for permit

An application under section 4D of the Act for a permit to conduct a sweep or calcutta is to be made in a form approved by the Minister.

Division 5 Games of housie

124 Maximum charge for participating

For the purposes of section 4E (2) (b) of the Act, a charge may be made for each ticket or card conferring the right to participate in a game of housie so long as the charge does not exceed 40 cents.

125 Maximum amount or value of prizes

For the purposes of section 4E (2) (e) of the Act, the prescribed amount is \$30.

126 Maximum amount or value of jackpot prizes

For the purposes of section 4E (2) (f) of the Act, the prescribed amount is \$150.

Lotteries and Art Unions Regulation 2002

Clause 127

Other lotteries and games of chance

Part 8

Games of housie

Division 5

127 Formulation and display of house rules

- (1) A person or organisation that intends to conduct a game of housie as authorised by section 4E of the Act must formulate rules under which a person may participate in the game. The rules must include provision for the following matters:
 - (a) the conditions of entry into the game (including the minimum age of participants),
 - (b) the charge to be made for participating in the game and the method, if any, for discounting the charge,
 - (c) the manner in which any prizes, including jackpot prizes, are to be calculated, determined and awarded,
 - (d) a description of the particular arrangement of numbers or symbols that is required to win the game,
 - (e) the course of action to be adopted by the organiser of the game if an incorrect call is made by the caller,
 - (f) the method for claiming prizes (including the course of action to be adopted in the case of unclaimed prizes),
 - (g) the manner in which disputes concerning the conduct of a game or the claiming of a prize are to be resolved,
 - (h) the manner in which numbers or symbols appearing in a winning ticket or card are to be verified by an independent person and called back to the players of the game.
- (2) The rules must be displayed prominently at the place where the game is being conducted.
- (3) The rules must be consistent with the provisions of the Act and this Regulation.

Division 6 Gratuitous lotteries

128 Definition

In this Division:

gratuitous lottery has the same meaning as it has in section 4G of the Act.

Clause 129	Lotteries and Art Unions Regulation 2002
Part 8	Other lotteries and games of chance
Division 6	Gratuitous lotteries

129 Maximum value of prizes

For the purposes of section 4G (2) (d) of the Act, the prescribed amount that the total value of prizes in a gratuitous lottery must not exceed is \$5,000.

130 Exemption from record-keeping requirements

For the purposes of section 17B (1) of the Act, a person or organisation that conducts or has conducted a gratuitous lottery is exempt from the operation of section 17B of the Act.

Lotteries and Art Unions Regulation 2002

Clause 131

Keeping of records

Part 9

Lotteries generally

Division 1

Part 9 Keeping of records

Division 1 Lotteries generally

131 Application

This Division applies to a person or organisation that:

- (a) conducts or has conducted a lottery (other than a mini-numbers lottery) under section 4 of the Act, and
- (b) is required to keep, in accordance with section 17B of the Act, records of income and expenditure in relation to each such lottery.

132 Records for lotteries

- (1) For the purposes of section 17B (2) (b) of the Act, the following particulars must be included in the records of income and expenditure required to be kept by a person or organisation that conducts or has conducted a lottery:
 - (a) the total amount of money received from the sale of tickets in the lottery (or, if the lottery is conducted by means of no-draw lottery cards, the total amount of money received from the sale of rights to participate in the lottery),
 - (b) the total value of the prizes in the lottery.
- (2) In the case of a draw lottery in which the total value of the prizes is more than \$5,000, the following particulars must also be included in the records of income and expenditure:
 - (a) the number of draw lottery tickets produced or obtained for the lottery, together with their serial numbers,
 - (b) the number of draw lottery tickets sold or distributed for sale, together with their serial numbers,
 - (c) the name and address of each agent of the person or organisation to which draw lottery tickets have been distributed, together with the number of tickets distributed and the serial numbers of those tickets,

Clause 132 Lotteries and Art Unions Regulation 2002

Part 9 Keeping of records

Division 1 Lotteries generally

- (d) the names and addresses of all persons who have bought draw lottery tickets (as shown on the relevant ticket-butts or corresponding computer records),
 - (e) the names and addresses of all prizewinners, together with details of their prizes,
 - (f) the number of draw lottery tickets unsold and their serial numbers.
- (3) In the case of a no-draw lottery, the following particulars must also be included in the records of income and expenditure:
- (a) the number of no-draw lottery tickets or no-draw lottery cards produced or obtained for the lottery, together with the relevant serial numbers and the relevant unique identifying series number or symbols,
 - (b) the number of no-draw lottery tickets or no-draw lottery cards distributed and the total number of lottery tickets or rights to participate in the lottery that were sold, together with the relevant serial numbers and the relevant unique identifying series number or symbols,
 - (c) the name and address of each agent of the person or organisation to whom or to which no-draw lottery tickets or no-draw lottery cards have been distributed, together with the number of tickets or cards issued and the relevant serial numbers and the relevant unique identifying series number or symbols, the names and addresses of all prizewinners, together with details of their prizes,
 - (d) the number of tickets or rights to participate in the lottery remaining unsold, and the serial numbers of those tickets or the relevant no-draw lottery cards.
- (4) In the case of records comprising ticket-butts or corresponding computer-generated documents in relation to a lottery, the prescribed period for the purposes of section 17B (2) (c) of the Act is at least 3 months after the date the prizewinner or prizewinners are determined.

Lotteries and Art Unions Regulation 2002

Clause 133

Keeping of records

Part 9

Mini-numbers lotteries

Division 2

Division 2 Mini-numbers lotteries

133 Application

This Division applies to a person or organisation that conducts or has conducted a mini-numbers lottery under section 4 of the Act.

134 Records for mini-numbers lotteries

The following particulars must, in accordance with section 17B (2) (b) of the Act, be included in the records of income and expenditure to be kept in relation to a mini-numbers lottery:

- (a) the total amount of money received from the sale of mini-number tickets relating to the lottery,
- (b) the amount of the prize pool,
- (c) any deductions from the prize pool, documented by receipts,
- (d) the distribution of proceeds from the lottery, itemised as to payee and amount and date of payment,
- (e) the number of tickets produced for the lottery, together with the serial number of the series to which they belong and their individual numbers or symbols,
- (f) the number of tickets distributed for sale, together with their individual numbers or symbols,
- (g) the name and address of the authorised selling agent, together with the number of tickets distributed and the individual numbers or symbols of those tickets,
- (h) the number of tickets unsold, and their individual numbers or symbols,
- (i) the number of tickets cancelled, and their individual numbers or symbols,
- (j) the names and addresses of all prizewinners in the lottery together with details of their prizes.

Division 3 Sweeps and calcuttas

135 Application

This Division applies to a person or organisation that:

Clause 135 Lotteries and Art Unions Regulation 2002

Part 9 Keeping of records
Division 3 Sweeps and calcuttas

- (a) conducts or has conducted a game of chance under section 4D of the Act, and
- (b) is required to keep, in accordance with section 17B of the Act, records of income and expenditure in relation to each such game of chance.

136 Exemption from record-keeping requirement

For the purposes of section 17B (1) of the Act, a person or organisation that conducts or has conducted a game of chance under section 4D of the Act with ticket sales to the value of up to \$5,000 is exempt from the operation of section 17B.

137 Records for sweeps and calcuttas

- (1) For the purposes of section 17B (2) (b) of the Act, the following particulars must be included in the records of income and expenditure to be kept by a person or organisation to which this Division applies that conducts or has conducted a sweep or calcutta under section 4D of the Act with ticket sales to the value of \$5,000 or more:
 - (a) the gross proceeds from ticket sales and, in the case of a calcutta, the gross proceeds from the auction,
 - (b) the total prize pool,
 - (c) any deductions from gross proceeds, documented by receipts and invoices,
 - (d) the distribution of any money invested, itemised as to payee, amount and date of payment,
 - (e) the names and addresses of all persons successful in the draw and, in the case of a calcutta, the names and addresses of all persons who purchased a participant in the calcutta at the auction,
 - (f) the names and addresses of all prizewinners, together with details of their prizes,
 - (g) details of all ticket-butts, and the number of unsold tickets together with the serial numbers of those tickets,
 - (h) if the sweep or calcutta was conducted on behalf of a prescribed organisation within the meaning of section 4D of the Act—the total amount given to the prescribed organisation, and the details of any receipts from that organisation.

Lotteries and Art Unions Regulation 2002

Clause 137

Keeping of records

Part 9

Sweeps and calcuttas

Division 3

- (2) For the purposes of section 17B (2) (c) of the Act, the prescribed period for keeping records in relation to a sweep or calcutta is at least 3 months after the conduct of the sweep or calcutta.
- (3) However, if the sweep or calcutta was conducted on behalf of a prescribed organisation within the meaning of section 4D of the Act, the records are to be kept by that organisation for the period specified in section 17B (2) (c) of the Act.

Division 4 Lotteries conducted by art unions

138 Application

This Division applies to lotteries conducted by an art union under section 5 of the Act.

139 Records for lotteries

- (1) The following particulars must, in accordance with section 17B (2) (b) of the Act, be included in the records of income and expenditure to be kept in relation to a lottery:
 - (a) the total amount of money received from the sale of lottery tickets,
 - (b) the total value of the prizes in the lottery,
 - (c) the number of lottery tickets printed, obtained or generated for the lottery, together with their serial numbers,
 - (d) the number of lottery tickets sold or distributed for sale, together with their serial numbers,
 - (e) the name and address of each person to whom lottery tickets have been distributed for sale, together with the number of tickets distributed and the serial numbers of those tickets,
 - (f) the names and addresses of all persons who have applied to the art union for lottery tickets,
 - (g) the names and addresses of all persons who have bought lottery tickets (as shown on the relevant ticket-butts or computer records),
 - (h) the names and addresses of all prizewinners, together with details of their prizes,
 - (i) the number of lottery tickets unsold, and their serial numbers,

Clause 139 Lotteries and Art Unions Regulation 2002

Part 9 Keeping of records

Division 4 Lotteries conducted by art unions

- (j) details of all donations and payments received by the art union.
- (2) In the case of records comprising ticket-butts, drawing docketts or corresponding computer-generated documents, the prescribed period for the purposes of section 17B (2) (c) of the Act is at least 3 months after the date the prizewinner or prizewinners are determined.

Division 5 Games of housie

140 Application

This Division applies to a person or organisation that conducts or has conducted a game of housie as authorised by section 4E of the Act.

141 Exemption from record-keeping requirements

- (1) For the purposes of section 17B (1) of the Act, a person or organisation that conducts or has conducted a game of housie as authorised by section 4E of the Act is exempt from the operation of section 17B of the Act if:
 - (a) no charge is made for the right to participate in the game, or
 - (b) the gross proceeds of the game, less costs and expenses properly incurred in connection with the conduct of the game, are wholly applied towards prizes in the game or are otherwise returned to the players of the game in accordance with the rules of the game.
- (2) However, subclause (1) does not operate to exempt a person or organisation if the Minister notifies the person or organisation in writing that records are required to be kept under section 17B.

142 Records for games of housie

- (1) For the purposes of section 17B (2) (b) of the Act, the following particulars must be included in the records of income and expenditure required to be kept by a person or organisation that conducts or has conducted a game of housie as authorised by section 4E of the Act:
 - (a) the gross proceeds of the game,
 - (b) details of any prizes,
 - (c) any costs and expenses (itemised as to payee, amount and date of payment, and documented by receipts and invoices),

Lotteries and Art Unions Regulation 2002

Clause 142

Keeping of records

Part 9

Games of housie

Division 5

- (d) if the game is conducted on behalf of an organisation not formed or conducted for private gain—the total amount of the proceeds of the game paid to that organisation, and the details of any receipts from that organisation in respect of that amount.
- (2) If a person or organisation conducts or has conducted a session of games of housie as authorised by section 4E of the Act, the records of income and expenditure required to be kept under section 17B of the Act (including the particulars referred to in subclause (1)) may relate to the session of games rather than to each of the games that are part of the session.
- (3) For the purposes of subclause (1) (a), if the charge that is made for each ticket or card conferring the right to participate in a game of housie is not more than 5 cents and the game is conducted on behalf of an organisation not formed or conducted for private gain, the gross proceeds of the game may be calculated by adding together:
 - (a) the total value of the prizes awarded in the game, and
 - (b) any costs and expenses properly incurred in connection with the conduct of the game, and
 - (c) the total amount of the proceeds of the game that are paid to that organisation.
- (4) In the case of records comprising unsold tickets or cards, the prescribed period for the purposes of section 17B (2) (c) of the Act is:
 - (a) for unsold tickets or cards belonging to a series of tickets or cards—at least 3 months after the date that the series of tickets or cards was last used, or
 - (b) for all other unsold tickets or cards—at least 3 months after the conclusion of the game for which the unsold tickets or cards were produced.

Division 6 Progressive lotteries

143 Application

This Division applies to a person or organisation that conducts or has conducted a progressive lottery under section 4F of the Act.

Clause 144 Lotteries and Art Unions Regulation 2002

Part 9 Keeping of records
Division 6 Progressive lotteries

144 Exemption from record-keeping requirements

- (1) For the purposes of section 17B (1) of the Act, a person or organisation that conducts a progressive lottery under section 4F of the Act is exempt from the operation of section 17B of the Act if:
 - (a) the total amount of money received from the sale of tickets in the lottery is less than \$5,000, and
 - (b) the gross proceeds of the lottery, less costs and expenses properly incurred in connection with the conduct of the lottery, are wholly applied towards prizes in the game or are otherwise returned to participants in the lottery.
- (2) However, this clause does not operate to exempt a person or organisation if the Minister notifies the person or organisation in writing that records are required to be kept under section 17B of the Act.
- (3) In this clause, a reference to a ticket includes a reference to a participatory right.

145 Records for progressive lotteries

- (1) For the purposes of section 17B (2) (b) of the Act, the following particulars must be included in the records of income and expenditure required to be kept by a person or organisation that conducts a progressive lottery under section 4F of the Act:
 - (a) the total amount of money received from the sale of tickets in the lottery,
 - (b) details of the prizes in the lottery.
- (2) In the case of a progressive lottery in which the total value of the prizes is more than \$5,000, the following particulars must also be included in the records of income and expenditure:
 - (a) any costs and expenses (itemised as to payee, amount and date of payment, and documented by receipts and invoices),
 - (b) the number of tickets in the progressive lottery available for sale and, if applicable, details of the serial number, unique number or symbol of those tickets,
 - (c) the number of tickets in the progressive lottery not sold and, if applicable, details of the serial number, unique number or symbol of those tickets,

Lotteries and Art Unions Regulation 2002

Clause 145

Keeping of records

Part 9

Progressive lotteries

Division 6

-
- (d) the names and addresses of all persons who have bought tickets and, if applicable, details of the serial number, unique number or symbol of those tickets,
 - (e) the names and addresses of all prize winners, together with details of their prizes,
 - (f) if the progressive lottery is conducted on behalf of an organisation not formed or conducted for private gain—the total amount of the proceeds of the lottery paid to that organisation, and the details of any receipts from that organisation in respect of that amount.
- (3) For the purposes of section 17B (2) (c) of the Act, the prescribed period for the keeping of records is at least 3 months after the conduct of the progressive lottery, if the gross proceeds of the lottery, less costs and expenses properly incurred in connection with the conduct of the lottery, are wholly applied towards prizes in the game or are otherwise returned to participants in the lottery.
- (4) In this clause, a reference to a ticket includes a reference to a participatory right.



New South Wales

Real Property Amendment (e-plan) Regulation 2002

under the

Real Property Act 1900

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Real Property Act 1900*.

KIM YEADON, M.P.,
Minister for Information Technology

Explanatory note

The object of this Regulation is to amend the *Real Property Act 1900* to set a minimum period of 12 months for which delimitation plans must be kept by a person who lodges such a plan electronically and for which supporting instruments lodged electronically must be kept. Delimitation plans are lodged to remove any uncertainty about the location of boundaries of land brought under that Act.

Clause 1 Real Property Amendment (e-plan) Regulation 2002

Real Property Amendment (e-plan) Regulation 2002

under the

Real Property Act 1900

1 Name of Regulation

This Regulation is the *Real Property Amendment (e-plan) Regulation 2002*.

2 Commencement

This Regulation commences on 19 August 2002.

3 Amendment of Real Property Regulation 1998

The *Real Property Regulation 1998* is amended by inserting after clause 13 the following clause:

13A Period for retention of documents

For the purposes of section 12AA (2) (b) and (c) of the Act, the period prescribed:

- (a) for a plan or other document that has been lodged otherwise than for the purpose of its being registered or recorded, is the period of 12 months commencing with the day on which it was lodged, or
- (b) for a plan or other document that has been registered or recorded, is the period of 12 months commencing with the day on which it was registered or recorded.

Royal Botanic Gardens and Domain Trust Regulation 2002

under the

Royal Botanic Gardens and Domain Trust Act 1980

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Royal Botanic Gardens and Domain Trust Act 1980*.

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

Explanatory note

The object of this Regulation is to replace the *Royal Botanic Gardens and Domain Trust Regulation 1997 (the old Regulation)*. The old Regulation will be repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation contains the provisions of the old Regulation without substantial alteration, except for the omission of Part 3 of that Regulation. That Part deals with parking on **Trust lands** (as defined in the *Royal Botanic Gardens and Domain Trust Act 1980 (the Act)*). It is proposed that the Royal Botanic Gardens and Domain Trust (**the Trust**) become a **declared organisation** under the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* (as are a number of similar bodies). The Trust will then be empowered under that Regulation generally to engage in the activities authorised by Part 3 of the old Regulation (for example, to set up metered parking schemes for its lands).

This Regulation deals with the following matters:

- (a) the use of the Trust lands generally (Part 2),
- (b) the use of the Royal Botanic Gardens, the Mount Annan Botanic Garden, the Mount Tomah Botanic Garden and the Mount Tomah Conservation Area (Part 3),

Royal Botanic Gardens and Domain Trust Regulation 2002

Explanatory note

- (c) the use of the Domain (Part 4),
- (d) penalty notices (“on-the-spot” fines) (clause 23 in Part 5 and Schedule 1),
- (e) ancillary and formal matters (Part 1 and the remainder of Part 5).

This Regulation is made under the *Royal Botanic Gardens and Domain Trust Act 1980* and, in particular, under section 22 (the general regulation-making power).

Royal Botanic Gardens and Domain Trust Regulation 2002

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Royal Botanic Gardens and Domain Trust Regulation 2002

Clause 1

Preliminary

Part 1

Royal Botanic Gardens and Domain Trust Regulation 2002

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Royal Botanic Gardens and Domain Trust Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

Note. This Regulation replaces the *Royal Botanic Gardens and Domain Trust Regulation 1997* which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

In this Regulation:

animal means any non-human mammal or any bird, fish, reptile, amphibian, crustacean, arthropod or mollusc.

assistance animal means an animal referred to in section 9 (Disability discrimination—guide dogs, hearing assistance dogs and trained animals) of the *Disability Discrimination Act 1992* of the Commonwealth.

ranger means a person appointed by the Trust to be a ranger for the purposes of this Regulation, and includes any trustee and the Director.

reserved land means such part of the Trust lands as is for the time being reserved for an organised activity under clause 5.

sea wall means the part of the stone wall bordering Farm Cove (and separating Sydney Harbour from the Royal Botanic Gardens and part of the Domain) that runs from the Queen Elizabeth II Gate entrance to the Royal Botanic Gardens to the rocks on Mrs Macquarie's Point.

sign includes a board, post, banner, notice or painted marking.

the Act means the *Royal Botanic Gardens and Domain Trust Act 1980*.

Clause 3	Royal Botanic Gardens and Domain Trust Regulation 2002
Part 1	Preliminary

the Domain means that part of the Trust lands known as the Domain.

the Gardens means that part of the Trust lands known as the Royal Botanic Gardens, the Mount Annan Botanic Garden, the Mount Tomah Botanic Garden or the Mount Tomah Conservation Area.

the Mount Tomah Conservation Area means that part of the Trust lands being Lot 35 in DP 232476 and being approximately 189 hectares located north of the Bells Line of Road opposite the Mount Tomah Botanic Gardens.

vehicle includes the following:

- (a) a motor vehicle,
- (b) a trailer or caravan, whether or not it is in the course of being towed,
- (c) an apparatus (other than a wheelchair, pram or stroller) that is propelled by human, animal or mechanical power, or by the wind, and is used wholly or partly for the conveyance of persons or things,
- (d) a boat, raft, canoe, ski, barge or other vessel.

4 Notes

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

Royal Botanic Gardens and Domain Trust Regulation 2002

Clause 5

Regulation of use of Trust lands generally

Part 2

Part 2 Regulation of use of Trust lands generally

5 Reserved land

The Trust may from time to time reserve any part of the Trust lands for any one or more of the following:

- (a) organised sporting activities,
- (b) organised entertainment,
- (c) organised ceremonies,
- (d) any other organised activity.

6 Fees and charges

- (1) The Trust may from time to time determine the fees and charges payable for the use of any reserved land or (subject to the *Road Transport (Safety and Traffic Management) Regulation 1999*) for the parking of vehicles on any part of the Trust lands.
- (2) Fees and charges may differ according to such factors as the Trust may determine.
- (3) The Trust may exempt any person from paying any fee or charge.

7 Entry to Trust lands

- (1) The Trust may give any one or more of the following directions:
 - (a) a direction limiting the number of persons who may enter any part of the Trust lands,
 - (b) a direction closing to the public any part of the Trust lands (including any reserved land and any road, path or building),
 - (c) a direction charging admission to any part of the Trust lands,
 - (d) a direction imposing conditions (such as conditions prohibiting the possession or consumption of alcohol) subject to which the public may enter any part of the Trust lands.
- (2) A direction under this clause may be given:
 - (a) in any case—by means of a sign displayed on or adjacent to the part of the Trust lands concerned, or
 - (b) in the case of a direction referred to in subclause (1) (a) or (b)—by means of an instruction given orally by a ranger or by a police officer.

Clause 7 Royal Botanic Gardens and Domain Trust Regulation 2002

Part 2 Regulation of use of Trust lands generally

- (3) A person must not enter any part of the Trust lands in contravention of a direction under this clause.

Maximum penalty: 5 penalty units.

8 Camping, erection or occupation of tents and similar activities on Trust lands

- (1) A person must not:
- (a) camp or reside, or
 - (b) erect or use, or cause to be erected or used, a building, tent, screen, awning, enclosure or other structure or thing,

on the Trust lands.

Maximum penalty: 5 penalty units.

- (2) A person who has erected or occupied, or caused to be erected or occupied, a building, tent, screen, awning, enclosure or other structure or thing contrary to subclause (1) (b) must, when required to do so by a ranger or a police officer, remove the building, tent, screen, awning, enclosure, structure or thing.
- (3) If a person fails to comply with a direction given under subclause (2), a ranger or a police officer:
- (a) may remove, or cause to be removed, the building, tent, screen, awning, enclosure, structure or thing to the care of the person to whom the direction was given, or
 - (b) may impound the building, tent, screen, awning, enclosure, structure or thing.
- (4) Property that is impounded under this clause is taken to be impounded under the *Impounding Act 1993*, and is to be dealt with accordingly.

9 Disposal of waste

- (1) A person must not do any of the following:
- (a) bring any waste onto the Trust lands,
 - (b) abandon a vehicle on the Trust lands,
 - (c) leave any litter otherwise than in a receptacle provided and designated for the receipt of litter of that kind,
 - (d) deposit any oil or similar product, or any hot liquid, or allow such a product or liquid to escape, on the Trust lands,

Royal Botanic Gardens and Domain Trust Regulation 2002

Clause 9

Regulation of use of Trust lands generally

Part 2

- (e) deposit any ice on the Trust lands,
- (f) empty any coals or embers from any cooking apparatus onto the Trust land.

Maximum penalty: 5 penalty units.

- (2) In this clause:

litter includes bottles, broken glass, china, pottery, plastic, foam, paper and cardboard.

waste includes refuse, rubbish and industrial waste.

10 Protection of Trust lands

- (1) A person must not do any of the following on the Trust lands:

- (a) damage any lawn, playing field or green, otherwise than in the course of, and as a normal incident of, an organised recreational or sporting activity on reserved land,
- (b) remove, uproot, climb on or cause damage to, or remove any part from, any tree or other vegetation,
- (c) remove any dead timber, log or stump, whether standing or fallen,
- (d) deface any rock or dig up any soil, sand, stone or similar substance,
- (e) damage, deface or interfere with:
 - (i) any part of the Trust lands (including any road, path, fence, barrier, gate, fence post, railing, step, stair, wall or building), or
 - (ii) any thing situated on any part of the Trust lands (including any seat, furniture, play equipment, fountain, statue, ornament, vase, monument, sign, notice, descriptive plate, label, machinery or equipment),
- (f) destroy, capture, injure or interfere with any animal,
- (g) destroy or interfere with the habitat of any animal.

Maximum penalty: 5 penalty units.

- (2) A person does not commit an offence under subclause (1) (f) or (g) merely because the person fishes in the waters of Sydney Harbour from any part of the Domain where fishing is permitted.

Clause 11 Royal Botanic Gardens and Domain Trust Regulation 2002

Part 2 Regulation of use of Trust lands generally

11 Recreational activities

A person must not do any of the following on the Trust lands:

- (a) operate any mechanically-propelled model aircraft, boat or similar thing,
- (b) land any aircraft, hang-glider, hot air balloon or parachute,
- (c) ride on or use any skateboard, roller skates, inline skates or similar apparatus,
- (d) fly any kite,
- (e) operate any radio, cassette player, record player, compact disc player or any instrument at a volume likely to cause a nuisance or annoyance to any person,
- (f) operate or use a loudspeaker or public address system or apparatus,
- (g) play or practise golf,
- (h) practise or demonstrate (using a fishing rod or line) the casting of a fishing line,
- (i) bathe, wade, wash or swim in any lake, pond, stream or ornamental water,
- (j) use any drinking fountain otherwise than for drinking,
- (k) light any fire otherwise than in fixed cooking apparatus provided by the Trust,
- (l) discharge any fireworks.

Maximum penalty: 5 penalty units.

12 Commercial activities

A person must not do any of the following on the Trust lands:

- (a) collect or attempt to collect money,
- (b) sell or attempt to sell or hire, expose for sale or hire or solicit for sale or hire papers, printed matter, food, or other goods or services,
- (c) conduct, or cause or assist the operation of, an amusement, entertainment, instruction or performance for money or other consideration,
- (d) use television, video, cinematographic or photographic equipment for commercial purposes,

Royal Botanic Gardens and Domain Trust Regulation 2002

Clause 12

Regulation of use of Trust lands generally

Part 2

-
- (e) display or distribute any advertising matter, sign, bill, poster or other printed matter.

Maximum penalty: 5 penalty units.

13 Driving vehicles

A person must not drive or ride any vehicle on the Trust lands:

- (a) otherwise than on a road laid out for the purpose, or
- (b) contrary to a sign erected by or on behalf of the Trust.

Maximum penalty: 5 penalty units.

14 Prohibited non-meter parking

A person must not cause or permit any vehicle to stand or be parked on the Trust lands:

- (a) on any lawn, grass, parkland, garden or path, or
- (b) contrary to a sign erected by or on behalf of the Trust.

Maximum penalty: 5 penalty units.

15 Obstruction

A person must not do any of the following on the Trust lands:

- (a) obstruct another person in the performance of the person's work or duties,
- (b) fail to comply with any reasonable direction given for the purpose of securing good order and management and enjoyment of the Trust lands by a ranger, a member of staff of the Trust or a police officer.

Maximum penalty: 5 penalty units.

16 Persons to leave on request

(1) A person who:

- (a) enters the Trust lands unlawfully, or
- (b) causes any annoyance or inconvenience to other persons on the Trust lands,

must leave the Trust lands if directed to do so by a ranger or by a police officer.

Maximum penalty: 5 penalty units.

Clause 16 Royal Botanic Gardens and Domain Trust Regulation 2002

Part 2 Regulation of use of Trust lands generally

- (2) A person who fails to comply with such a direction may be removed from the Trust lands by a ranger or by a police officer.

17 Requirement to state name and address

- (1) A ranger or a police officer who suspects on reasonable grounds that a person on the Trust lands has committed an offence against the Act or this Regulation may require the person to state his or her full name and residential address.
- (2) A person must not:
- (a) fail without reasonable cause to comply with a requirement under this clause, or
 - (b) in purported compliance with such a requirement, furnish information that the person knows to be false or misleading in a material particular.

Maximum penalty: 2 penalty units.

- (3) A person is not guilty of an offence under this clause unless it is established that the ranger or police officer:
- (a) identified himself or herself as a ranger or police officer (as appropriate), and
 - (b) warned the person that failure to comply with the requirement is an offence.

Royal Botanic Gardens and Domain Trust Regulation 2002

Clause 18

Regulation of use of the Gardens

Part 3

Part 3 Regulation of use of the Gardens

18 Entry to the Gardens

- (1) The Gardens are open to the public daily at times specified by the Trust and indicated on signs displayed adjacent to the entrances to the Gardens.
- (2) A person must not:
 - (a) without the consent of the Trust, enter or remain in the Gardens at any time when they are not open to the public, or
 - (b) enter or leave the Royal Botanic Gardens by means of the sea wall.

Maximum penalty: 5 penalty units.

19 Offences relating to the Gardens

- (1) A person must not do any of the following:
 - (a) bring into the Gardens any animal or permit any animal under the person's control to remain in the Gardens,
 - (b) address a public function, public meeting, public demonstration or public gathering in the Gardens,
 - (c) fish in the ponds of the Gardens,
 - (d) fish in the waters of Sydney Harbour from the Royal Botanic Gardens,
 - (e) moor a boat to the sea wall,
 - (f) ride a bicycle or tricycle in the Royal Botanic Gardens, Mount Tomah Botanic Garden or the Mount Tomah Conservation Area otherwise than in an area designated for that purpose,
 - (g) jog or run in the Gardens otherwise than on a road, path or specially designated circuit,
 - (h) throw, kick or hit any object in the Gardens.

Maximum penalty: 5 penalty units.

Clause 19 Royal Botanic Gardens and Domain Trust Regulation 2002

Part 3 Regulation of use of the Gardens

- (2) Subclause (1) (a) does not prohibit a person from bringing into the Gardens or from permitting to remain in the Gardens:
- (a) an assistance animal that is in harness, or
 - (b) a dog or horse that is being used in connection with police duty.

Royal Botanic Gardens and Domain Trust Regulation 2002

Clause 20

Regulation of use of the Domain

Part 4

Part 4 Regulation of use of the Domain

20 Offences relating to the Domain

- (1) A person must not do any of the following:
- (a) bring any animal into the Domain, or permit any animal under the person's control to remain in the Domain,
 - (b) address a public function, public meeting, public demonstration or public gathering in the Domain after sunset or before sunrise on any day,
 - (c) throw, kick or hit any object in the Domain, otherwise than in the course of, and as a normal incident of, an organised activity on reserved land,
 - (d) fish in the waters of Sydney Harbour from any part of the Domain in or adjacent to which there is erected a sign indicating that fishing from that area is prohibited.

Maximum penalty: 5 penalty units.

- (2) Subclause (1) (a) does not prohibit a person from bringing into the Domain or from permitting to remain in the Domain:
- (a) an assistance animal that is in harness, or
 - (b) a dog or horse that is being used in connection with police duty, or
 - (c) a dog that is held on a leash.
- (3) Subclause (1) (c) does not prohibit a person from throwing or kicking a ball or other object in the Domain in the course of an informal game or sporting activity that is not likely to endanger the safety of other persons.

Clause 21 Royal Botanic Gardens and Domain Trust Regulation 2002

Part 5 General

Part 5 General

21 No offence in certain circumstances

- (1) An act or omission does not constitute an offence against this Regulation if it is authorised expressly or impliedly by the terms or conditions of a lease, licence or occupancy granted by the Trust.
- (2) A person is not guilty of an offence against this Regulation if the person establishes that the act giving rise to the offence was done with the written consent of the Trust.
- (3) Nothing in this Regulation prevents members of staff of the Trust from doing any act or thing in the course of their employment.

22 Prescribed officer: section 22A (2)

For the purposes of section 22A (2) (a) of the Act, the Director is a prescribed officer to whom a statutory declaration referred to in that paragraph may be supplied.

23 Penalty notice offences: section 22B

For the purposes of section 22B of the Act:

- (a) the Director, police officers and rangers are prescribed as officers who may serve notices under that section, and
- (b) the prescribed penalty for an offence created by a provision specified in Column 1 of Schedule 1 is the amount specified in Column 2 of that Schedule.

24 Saving

Any act, matter or thing that, immediately before the repeal of the *Royal Botanic Gardens and Domain Trust Regulation 1997*, had effect under (or was done for the purposes of) that Regulation continues to have effect under (or is taken to have been done for the purposes of) this Regulation.

Royal Botanic Gardens and Domain Trust Regulation 2002

Penalty notice offences

Schedule 1

Schedule 1 Penalty notice offences

(Clause 23)

Column 1	Column 2
Clause 7 (3)	\$55
Clause 8 (1) (a)	\$82
Clause 8 (1) (b)	\$110
Clause 9 (1) (a)	\$220
Clause 9 (1) (b)	\$220
Clause 9 (1) (c)	\$220
Clause 9 (1) (d)	\$220
Clause 9 (1) (e)	\$220
Clause 9 (1) (f)	\$220
Clause 10 (1) (a)	\$82
Clause 10 (1) (b)	\$82
Clause 10 (1) (c)	\$82
Clause 10 (1) (d)	\$82
Clause 10 (1) (e) (i)	\$82
Clause 10 (1) (e) (ii)	\$82
Clause 10 (1) (f)	\$82
Clause 10 (1) (g)	\$82
Clause 11 (a)	\$55
Clause 11 (b)	\$110
Clause 11 (c)	\$55

Royal Botanic Gardens and Domain Trust Regulation 2002

Schedule 1 Penalty notice offences

Column 1	Column 2
Clause 11 (d)	\$55
Clause 11 (e)	\$55
Clause 11 (f)	\$82
Clause 11 (g)	\$55
Clause 11 (h)	\$55
Clause 11 (i)	\$55
Clause 11 (j)	\$55
Clause 11 (k)	\$55
Clause 11 (l)	\$82
Clause 12 (a)	\$82
Clause 12 (b)	\$82
Clause 12 (c)	\$82
Clause 12 (d)	\$110
Clause 12 (e)	\$55
Clause 13 (a)	\$110
Clause 13 (b)	\$110
Clause 14 (a)	\$82
Clause 14 (b)	\$82
Clause 15 (a)	\$110
Clause 15 (b)	\$110
Clause 16 (1)	\$82
Clause 17 (2) (a)	\$110
Clause 17 (2) (b)	\$110
Clause 18 (2)	\$55

Royal Botanic Gardens and Domain Trust Regulation 2002

Penalty notice offences

Schedule 1

Column 1	Column 2
Clause 19 (1) (a)	\$110
Clause 19 (1) (b)	\$82
Clause 19 (1) (c)	\$55
Clause 19 (1) (d)	\$55
Clause 19 (1) (e)	\$55
Clause 19 (1) (f)	\$82
Clause 19 (1) (g)	\$55
Clause 19 (1) (h)	\$55
Clause 20 (1) (a)	\$110
Clause 20 (1) (b)	\$82
Clause 20 (1) (c)	\$55
Clause 20(1) (d)	\$55

Rural Lands Protection (General) Amendment (Elections) Regulation 2002

under the

Rural Lands Protection Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Rural Lands Protection Act 1998*.

RICHARD AMERY, M.P.,
Minister for Agriculture

Explanatory note

The object of this Regulation is to make special provision in respect of a directors election held under the *Rural Lands Protection Act 1998* before 1 January 2003. The Regulation shortens:

- (a) the minimum notice period required to be given by the State Council to the returning officer in respect of the date fixed for the election, and
- (b) the minimum period that must be allowed between the close of nominations for the election and the close of the ballot.

This Regulation is made under the *Rural Lands Protection Act 1998*, including clause 18 of Schedule 2 and section 243 (the general regulation-making power).

Clause 1 Rural Lands Protection (General) Amendment (Elections) Regulation 2002

Rural Lands Protection (General) Amendment (Elections) Regulation 2002

1 Name of Regulation

This Regulation is the *Rural Lands Protection (General) Amendment (Elections) Regulation 2002*.

2 Amendment of Rural Lands Protection (General) Regulation 2001

The *Rural Lands Protection (General) Regulation 2001* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Rural Lands Protection (General) Amendment (Elections) Regulation 2002

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Schedule 2 Elections

Insert after clause 42:

43 Transitional—directors election held before 1 January 2003

- (1) This clause applies in respect of a directors election held before 1 January 2003.
- (2) The notice required to be given by the State Council under clause 4 (1) of this Schedule in respect of an election to which this clause applies:
 - (a) is to specify the date on which the ballot for the election is to be held, and
 - (b) is to be given to the returning officer at least 30 days before that date.
- (3) The close of nominations for the election must not be less than 20 days before the close of the ballot for the election.
- (4) Clause 4 (2) and (6) of this Schedule do not apply to an election to which this clause applies.



New South Wales

Strata Schemes (Freehold Development) Amendment (e-plan) Regulation 2002

under the

Strata Schemes (Freehold Development) Act 1973

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Strata Schemes (Freehold Development) Act 1973*.

KIM YEADON, M.P.,
Minister for Information Technology

Explanatory note

The object of this Regulation is to amend the *Strata Schemes (Freehold Development) Regulation 1997* to accommodate the electronic lodging of plans and other accompanying documents concerned with freehold strata schemes. The Regulation allows certificates and signatures to be provided on a signatures form instead of on plans and modifies current requirements that assume plans and accompanying documents will be lodged by hand.

The originals of documents lodged in electronic form will be required to be retained for at least 12 months unless the Registrar-General agrees to a shorter period.

This regulation is made under the *Strata Schemes (Freehold Development) Act 1973*, in particular, sections 49 (2) and 158 of that Act (the general regulation-making power).

Clause 1 Strata Schemes (Freehold Development) Amendment (e-plan) Regulation
2002

Strata Schemes (Freehold Development) Amendment (e-plan) Regulation 2002

under the

Strata Schemes (Freehold Development) Act 1973

1 Name of Regulation

This Regulation is the *Strata Schemes (Freehold Development) Amendment (e-plan) Regulation 2002*.

2 Commencement

This Regulation commences on 19 August 2002.

3 Amendment of Strata Schemes (Freehold Development) Regulation 1997

The *Strata Schemes (Freehold Development) Regulation 1997* is amended as set out in Schedule 1.

Strata Schemes (Freehold Development) Amendment (e-plan) Regulation
2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 3 Definitions

Insert in alphabetical order:

signatures form means an approved form for signatures used in connection with the lodging of a plan.

[2] Clause 5 Application of other instruments

Omit “Schedule 5 to, the *Conveyancing (General) Regulation 1992*” from clause 5 (1) (a).

Insert instead “Schedules 4 and 4A to, the *Conveyancing (General) Regulation 1998*”.

[3] Clauses 6 (3) and 8 (5)

Insert “or Schedule 1A” after “Schedule 1” wherever occurring.

[4] Clause 9 Strata plans: section 8

Insert after clause 9 (3):

(3A) However, certificates and signatures are not required to appear on a strata plan if they are provided on a signatures form that complies with the requirements set out in Schedule 1B.

[5] Clause 10 Strata plans of subdivision: sections 8A and 9

Insert after clause 10 (3):

(3A) However, certificates and signatures are not required to appear on a strata plan of subdivision if they are provided on a signatures form that complies with the requirements set out in Schedule 1B.

[6] Clause 11 Strata plans of consolidation: section 12

Insert after clause 11 (3):

(3A) However, certificates and signatures are not required to appear on a strata plan of consolidation if they are provided on a signatures form that complies with the requirements set out in Schedule 1B.

Strata Schemes (Freehold Development) Amendment (e-plan) Regulation
2002

Schedule 1 Amendments

[7] Clause 12 Building alteration plans: section 14

Insert after clause 12 (3):

- (3A) However, certificates and signatures are not required to appear on a building alteration plan if they are provided on a signatures form that complies with the requirements set out in Schedule 1B.

[8] Clause 13 Alteration of plans lodged by hand

Insert “lodged by hand” after “a plan” wherever occurring.

[9] Clause 13 (2)

Insert at the end of clause 13:

- (2) If an alteration to a plan lodged by hand is to be made before registration of the plan and the alteration is not made by the Registrar-General under subclause (1), the alteration is to be authenticated by the plan or original signatures form being signed and dated:
- (a) by the surveyor by whom the plan has been prepared, and
 - (b) if the alteration concerns the definition of a lot boundary or affects the proportional unit entitlement of any lot in the strata scheme, by a duly authorised officer of the local council or by the accredited certifier (as appropriate).

[10] Clause 13A

Insert after clause 13:

13A Alteration of plans lodged electronically

- (1) The Registrar-General may, at his or her discretion and after giving notice to such persons as he or she may think fit:
- (a) before or after registration of a plan lodged electronically, direct that any lots in the plan be numbered or renumbered, and
 - (b) before registration of a plan lodged electronically, direct that anything omitted from the plan be added to the plan or that any obvious error in the plan be corrected, and

Strata Schemes (Freehold Development) Amendment (e-plan) Regulation
2002

Amendments

Schedule 1

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- (c) require a replacement plan in a Tagged Image File Format (TIFF) approved by the Registrar-General be submitted showing alterations in accordance with any directions given under paragraph (a) or (b).
 - (2) If the alteration is to be made before registration of the plan and either concerns the definition of a lot boundary or affects the proportional unit entitlement of any lot in the strata scheme:
 - (a) the original signatures form is to be endorsed with a statement identifying the alteration, and
 - (b) the endorsed signatures form is to be re-signed by a duly authorised officer of the local council or by an accredited certifier (as appropriate), and
 - (c) a new image of the endorsed and re-signed signatures form is to be created and lodged with the Registrar-General.

[11] Clause 15 Execution by developer on behalf of body corporate

Omit clause 15 (b). Insert instead:

- (b) a statutory declaration in the approved form must be lodged by hand in conjunction with the dealing, plan or other instrument, whether or not any of those instruments is lodged electronically.

[12] Part 4A

Insert after clause 17:

Part 4A Signatures form

Note. If a plan is lodged by hand but the signatures and consents required are not endorsed on the plan, or a plan is lodged electronically, the signatures and consents required must be endorsed on the form approved by the Registrar-General for signatures (the **signatures form**) and that form must be lodged in the same way as the plan. (See sections 16 (2A) and 27 (3A) of the Act.)

17A Content of the signatures form

- (1) The signatures form must repeat the plan heading and the surveyor's reference in the appropriate panels on each sheet of the approved form.

Strata Schemes (Freehold Development) Amendment (e-plan) Regulation
2002

Schedule 1 Amendments

- (2) The signatures form must contain all certificates required by the Registrar-General, endorsed in the appropriate panels on the approved form.

17B Signatures form to comply with Schedule 1B or Schedules 1B and 1C requirements

- (1) A signatures form that is lodged by hand at the office of the Registrar-General must comply with the requirements set out in Schedule 1B.
- (2) A signatures form can be lodged electronically only if:
- (a) the plan to which it relates is also lodged electronically, and
 - (b) the signatures form complies with the requirements set out in Schedule 1B and the requirements set out in Schedule 1C are complied with.

17C Refusal to accept a signatures form

The Registrar-General may refuse to accept a signatures form that, in the opinion of the Registrar-General, does not comply with or is not lodged in accordance with this Part.

17D Registration of a signatures form

On registration of a plan that is accompanied by a signatures form, the signatures form is to be registered in the register of plans referred to in the *Conveyancing (General) Regulation 1998*.

[13] Clause 19 Indication of creation of easement

Omit clause 19 (3). Insert instead:

- (3) The plan must be accompanied by a section 88B instrument in the approved form that complies with Division 3 of Part 3 of, and the requirements set out in Schedule 4 to, the *Conveyancing (General) Regulation 1998* and is lodged in the same manner as the plan. If the instrument is lodged electronically, the requirements set out in Schedule 4A to that Regulation must also be complied with.

Strata Schemes (Freehold Development) Amendment (e-plan) Regulation
2002

Amendments

Schedule 1

[14] Clause 20 Indication of release of easement

Omit clause 20 (2). Insert instead:

- (2) The plan must be accompanied by a section 88B instrument in the approved form that complies with Division 3 of Part 3 of, and the requirements set out in Schedule 4 to, the *Conveyancing (General) Regulation 1998* and is lodged in the same manner as the plan. If the instrument is lodged electronically, the requirements set out in Schedule 4A to that Regulation must also be complied with.

[15] Clauses 21, 21A and 21B

Omit clause 21. Insert instead:

21 Lodgment of plans by hand

- (1) A person lodging a plan by hand for registration at the office of the Registrar-General must produce the plan at that office in such manner as may be approved by the Registrar-General.
- (2) The original plan must be accompanied by:
 - (a) a completed plan lodgment form in the approved form, and
 - (b) one print of each sheet of the plan (each sheet being a positive reproduction on a light background), and
 - (c) completed plan checklists in the approved form, if required by the Registrar-General, and
 - (d) a signatures form, if adopted, as set out in Schedule 1B.
- (3) If the Registrar-General so requires, a plan must also be accompanied by:
 - (a) in the case of a strata plan, the certificate of title or Crown grant for the land comprising the parcel, and
 - (b) in the case of a strata plan of subdivision or a strata plan of consolidation, the certificates of title for the land comprised in the plan and for the common property comprised in the strata scheme, and
 - (c) in the case of a building alteration plan, the certificate of title for the common property comprised in the strata scheme.

Strata Schemes (Freehold Development) Amendment (e-plan) Regulation
2002

Schedule 1 Amendments

- (4) The Registrar-General will not require a plan to be accompanied by a certificate of title or Crown grant if evidence is furnished to his or her satisfaction that the certificate of title or Crown grant is in his or her custody, and that he or she has authority to use that instrument in connection with registration of the plan, or that notice has been served under section 15 (1) (d) of the Act.
- (5) If an original of a plan bears evidence of a strata certificate, the print of each sheet of the plan referred to in subclause (2) (b) must contain particulars of that certificate under the original signature of the duly authorised officer of the council or of the accredited certifier (as appropriate) who gave that certificate.

21A Lodgment of plans electronically

- (1) An authorised person lodging a plan electronically for registration in the office of the Registrar-General must lodge the plan in accordance with the e-plan system or otherwise with the consent of the Registrar-General.
- (2) Plan lodgment details must be provided in the manner required by the Registrar-General. The plan must comply with the requirements set out in Schedule 1A and be lodged in accordance with the relevant requirements of that Schedule.
- (3) The plan file must be accompanied by files comprising:
 - (a) a completed approved form for signatures and such instruments and data files as the Registrar-General may require, and
 - (b) completed plan checklists in the approved form, if required by the Registrar-General.
- (4) The following original documents must be lodged by hand at the office of the Registrar-General, and may not be lodged electronically:
 - (a) in the case of a strata plan, the certificate of title or Crown grant for the land comprising the parcel,
 - (b) in the case of a strata plan of subdivision or a strata plan of consolidation, the certificates of title for the land comprised in the plan and for the common property comprised in the strata scheme,

Strata Schemes (Freehold Development) Amendment (e-plan) Regulation
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- (c) in the case of a building alteration plan, the certificate of title for the common property comprised in the strata scheme,
 - (d) such consents in writing to the registration of the plan signed by a lessee, caveator, judgment creditor or other person, as may be required by the Registrar General,
 - (e) such other certificates of title, office copies of court orders, powers of attorney, statutory declarations and other original documents as may be required by the Registrar-General.
- (5) The Registrar-General will not require a certificate of title or Crown grant to be lodged if evidence is furnished to his or her satisfaction that the certificate of title or Crown grant is in his or her custody, and that he or she has authority to use that instrument in connection with registration of the plan, or that notice has been served under section 15 (1) (d) of the Act.

21B Lodgment of other documents electronically

Where a strata plan, a strata plan of subdivision, a strata plan of consolidation or a building alteration plan that the Registrar-General permits to be lodged electronically is accompanied by other documents, those documents must also be lodged electronically and comply with the requirements as set out in Schedule 1D except those documents referred to in clause 21A (4).

[16] Clause 25A

Insert after clause 25:

25A Periods for retention of documents: section 49

For the purposes of section 49 (2) (c) of the Act, the period prescribed is the period of 12 months commencing with the day on which the plan or other document was registered or recorded.

Strata Schemes (Freehold Development) Amendment (e-plan) Regulation
2002

Schedule 1 Amendments

[17] Schedule 1

Omit the heading. Insert instead:

Schedule 1 Requirements for plans lodged by hand

(Clauses 6, 8 and 21)

[18] Schedule 1, clause 8 (5)

Insert “, except where the signature or seal is provided on a signatures form that complies with the requirements set out in Schedule 1B” at the end of the subclause.

[19] Schedules 1A, 1B, 1C and 1D

Insert after Schedule 1:

Schedule 1A Requirements for plans lodged electronically

(Clauses 6, 8 and 21A)

1 File type in which plan to be created

- (1) Each plan sheet must be created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A3),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.
- (3) A plan comprising more than one sheet must be created as a multipage file.

2 Plan sheet dimensions

Each plan sheet must have external dimensions of 420 millimetres in width by 297 millimetres in length (standard A3 size).

Strata Schemes (Freehold Development) Amendment (e-plan) Regulation
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Amendments

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3 Margins

- (1) A margin of at least 10 millimetres must be left around the plan drawing area of each plan sheet.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

4 Lettering

- (1) Unless the Registrar-General otherwise approves, all words must be in the English language, and all letters, figures and symbols appearing on a plan must be in a font style that is:
 - (a) dense and black in colour, and
 - (b) in upper case only (except as otherwise provided by this Schedule), and
 - (c) open in formation and construction, and
 - (d) in an upright style.
- (2) Unless the Registrar-General otherwise approves or this Schedule otherwise allows, all symbols must be letters.

5 Use of colouring and edging prohibited

Neither colouring nor edging are to be used on a plan sheet.

6 Clarity of detail

- (1) The plan must be drawn to a scale and the image created in a manner that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.
- (2) The Registrar-General may require a plan file to be resubmitted if, in the opinion of the Registrar-General, the plan image does not comply with subclause (1).

7 Alterations

- (1) A plan image must not be altered.
- (2) Any alterations must be made to the Computer Aided Drafting (CAD) software plan file and a new image created.

Strata Schemes (Freehold Development) Amendment (e-plan) Regulation
2002

Schedule 1 Amendments

8 Information to be included on plan sheets

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively as part of the series (for example, the first and second sheets in a plan that is made up of 5 sheets must be numbered "Sheet 1 of 5 sheets" and "Sheet 2 of 5 sheets", respectively).
- (2) Each sheet of a location plan or floor plan must contain a north point (directed upwards).
- (3) No information (other than the plan and any separate diagrams and tabulations of dimensions relating to the plan) is to appear within the plan drawing area of a plan sheet.

9 Linear dimensions

- (1) Linear measurements must be expressed in metres, without rounding or any accompanying symbol.
- (2) If a length of less than one metre is shown, the decimal point must be preceded by the numeral "0".

10 Area dimensions

- (1) Area measurements must be expressed as follows:
 - (a) areas of less than one hectare must be expressed in square metres, accompanied by the symbol "m²",
 - (b) areas of one hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol "ha",
 - (c) areas of 10,000 hectares or more must be expressed in square kilometres, accompanied by the symbol "km²".
- (2) The total area of a lot:
 - (a) must be shown within or related to the most significant part of the lot, and
 - (b) must be the exact mathematical total of all areas shown on the plan as within that lot.

11 Bearings and angles

- (1) Bearings must not be shown on any plan sheet unless they form part of permitted survey information.

Strata Schemes (Freehold Development) Amendment (e-plan) Regulation
2002

Amendments

Schedule 1

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- (2) Angular relationships must be established by linear dimensions and rectangular offsets only, and not by use of angular dimensions, except in the case of an angular dimension of 90°, which may be shown as such on a floor plan.

12 Reduction ratio

There must be a statement on each sheet of the reduction ratio at which the plan is drawn.

13 Identification of new or proposed easements, profits à prendre, restrictions and positive covenants

- (1) A location plan must contain sufficient information to define the site of:
- (a) any easement, profit à prendre, restriction or positive covenant that is intended to be created as a consequence of the registration of the plan and that affects common property not within a building, and
 - (b) any easement or profit à prendre intended to be partially released as a consequence of the registration of the plan, and
 - (c) any proposed easement (other than an easement referred to in paragraph (a) or (b)), profit à prendre, restriction or positive covenant, or proposed variation or partial release of an easement or profit à prendre, that affects common property not within a building,
- and, where necessary, contain sufficient information to indicate the relationship of any such easement, profit à prendre, restriction or positive covenant to the boundaries of any affected parcel or lot.
- (2) A floor plan must contain sufficient information to define the site of:
- (a) any easement, profit à prendre, restriction or positive covenant intended to be created as a consequence of the registration of the plan that affects a lot in the plan or common property within a building, and
 - (b) any proposed easement over a lot in the plan or common property within a building.

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- (3) If a proposed easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan or floor plan (as the case may be) the approximate position of the easement.

14 Identification of existing easements, profits à prendre, restrictions and positive covenants on location plans

- (1) A location plan must:
- (a) contain sufficient information to define the site, nature and origin of any existing easement, profit à prendre, restriction or positive covenant affecting a parcel, and
 - (b) wherever possible, show the relationship of the easement, profit à prendre, restriction or positive covenant to the boundaries of the parcel.
- (2) If an easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan the approximate position of the easement.
- (3) A floor plan may show sufficient information to define the site of an existing easement that is located within a building if the Registrar-General agrees that the enjoyment of the easement would be reliant on its position being shown in such a manner.
- (4) In this clause:
- origin*, in relation to an existing easement, means the Gazette reference or registration number of the instrument or plan by which the easement was granted, reserved, notified or otherwise created.

15 Signatures not to appear

No signatures or seals will appear on the plan drawing sheets.

Note. All signatures and seals must be shown on the signatures form.

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Schedule 1B Requirements for signatures form

(Clause 17B (1))

Note. When a signatures form is adopted, all signatures and seals must be shown on the form. No signatures or seals will appear on the plan drawing sheets, except as provided in clause 21 (5). The completed signatures form must be lodged with and in the same manner as the plan.

1 Use of approved form

- (1) A signature form must be in the approved form.
- (2) Any signatures, seals or certificates that cannot satisfactorily be shown on one sheet may be shown on one or more additional sheets in the approved form.

2 Paper

The paper used must be:

- (a) white and free from discolouration and blemishes, and
- (b) not less than 80 grams per square metre, and
- (c) 297 millimetres in length by 210 millimetres in width (standard A4), or such other paper as may be approved by the Registrar-General.

3 Margins

- (1) The sheets used must have clear margins of not less than 10 millimetres on each side and top and bottom.
- (2) Typewriting, printing, writing or seals (other than directions or notations authorised by the Registrar-General) must not extend into a margin.

4 Lettering

- (1) The text of a signatures form must be clearly printed or written:
 - (a) across the width of each panel on the sheet of paper used, and
 - (b) on one side only of each sheet.
- (2) All text must be clear and legible and in dense black ink or dense dark blue ink. The lines must not overlap. A carbon copy, or a copy in which the typewritten characters blur or

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spread or are liable to mark or damage an adjacent sheet, will not be accepted.

- (3) Handwriting and any imprint of a seal must be clear and legible and in dense black ink or dense dark blue ink.

5 Alterations

- (1) Alterations must be made by striking through the matter intended to be altered and not by rubbing, scraping or cutting the surface of the paper or by using correction fluid.
- (2) Signatures or initials noticing alterations by interlineation or the striking through of matter must be placed in the margin as near as practicable to the alteration.

6 Information to be included on multiple sheets

If the signatures form comprises more than one sheet:

- (a) each sheet other than the first sheet must repeat the heading on the first sheet, the strata certificate number and date of endorsement and the surveyors reference, and
- (b) each sheet must be numbered sequentially in the top right hand corner of each sheet as "Sheet of sheets".

Schedule 1C Requirements for lodging signatures form electronically

(Clause 17B (2))

1 File type in which image of document to be created

- (1) Each sheet of the completed paper signatures form complying with Schedule 1B that bears original signatures and seals will be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
- (a) **Size**—true to the approved form size (standard A4),
- (b) **Colour**—must be black and white (monochrome),
- (c) **Resolution**—200 dots per inch (dpi),
- (d) **Compression**—CCITT Group 4.

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2 Multiple sheets

An image of a signatures form comprising more than one sheet must be created as a multipage file.

3 Lodging procedure

- (1) The TIFF image of the completed signatures form will be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper signatures form, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan.

Schedule 1D Requirements for lodging other documents electronically

(Clause 21B)

1 File type in which image of document to be created

- (1) Where a document other than a signatures form is required to be lodged electronically with a plan, such as:
 - (a) a strata development contract, or
 - (b) a strata management statement, or
 - (c) by-laws, or
 - (d) any other documents required by the Registrar-General,each sheet of the completed paper document will be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A4),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.

2 Multiple sheets

An image of a document comprising more than one sheet must be created as a multipage file.

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3 Lodging procedure

- (1) The TIFF image of the completed document will be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper document, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan.



New South Wales

Strata Schemes (Leasehold Development) Amendment (e-plan) Regulation 2002

under the

Strata Schemes (Leasehold Development) Act 1986

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Strata Schemes (Leasehold Development) Act 1986*.

KIM YEADON, M.P.,
Minister for Information Technology

Explanatory note

The object of this Regulation is to amend the *Strata Schemes (Leasehold Development) Regulation 1997* to accommodate the electronic lodging of plans and other accompanying documents concerned with leasehold strata schemes. The Regulation allows certificates and signatures to be provided on a signatures form instead of on plans and modifies current requirements that assume plans and accompanying documents will be lodged by hand.

The originals of documents lodged in electronic form will be required to be retained for at least 12 months unless the Registrar-General agrees to a shorter period.

This regulation is made under the *Strata Schemes (Leasehold Development) Act 1986*, in particular, sections 78 (2) and 196 of that Act (the general regulation-making power).

Clause 1 Strata Schemes (Leasehold Development) Amendment (e-plan) Regulation
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Strata Schemes (Leasehold Development) Amendment (e-plan) Regulation 2002

under the

Strata Schemes (Leasehold Development) Act 1986

1 Name of Regulation

This Regulation is the *Strata Schemes (Leasehold Development) Amendment (e-plan) Regulation 2002*.

2 Commencement

This Regulation commences on 19 August 2002.

3 Amendment of Strata Schemes (Leasehold Development) Regulation 1997

The *Strata Schemes (Leasehold Development) Regulation 1997* is amended as set out in Schedule 1.

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(Clause 3)

[1] Clause 3 Definitions

Insert in alphabetical order:

signatures form means an approved form for signatures used in connection with the lodging of a plan.

[2] Clause 5 Application of other instruments

Omit “Schedule 5 to, the *Conveyancing (General) Regulation 1992*” from clause 5 (1) (a).

Insert instead “Schedules 4 and 4A to, the *Conveyancing (General) Regulation 1998*”.

[3] Clauses 6 (4) and 8 (6)

Insert “or Schedule 1A” after “Schedule 1” wherever occurring.

[4] Clause 9 Strata plans: section 7

Insert after clause 9 (3):

(3A) However, certificates and signatures are not required to appear on a strata plan if they are provided on a signatures form that complies with the requirements set out in Schedule 1B.

[5] Clause 10 Strata plans of subdivision: sections 10 and 11

Insert after clause 10 (3):

(3A) However, certificates and signatures are not required to appear on a strata plan of subdivision if they are provided on a signatures form that complies with the requirements set out in Schedule 1B.

[6] Clause 11 Strata plans of consolidation: section 15

Insert after clause 11 (3):

(3A) However, certificates and signatures are not required to appear on a strata plan of consolidation if they are provided on a signatures form that complies with the requirements set out in Schedule 1B.

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[7] Clause 12 Building alteration plans: section 17

Insert after clause 12 (3):

- (3A) However, certificates and signatures are not required to appear on a building alteration plan if they are provided on a signatures form that complies with the requirements set out in Schedule 1B.

[8] Clause 13 Alteration of plans lodged by hand

Insert “lodged by hand” after “a plan” wherever occurring.

[9] Clause 13 (2)

Insert at the end of clause 13:

- (2) If an alteration to a plan lodged by hand is to be made before registration of the plan and the alteration is not made by the Registrar-General under subclause (1), the alteration is to be authenticated by the plan or original signatures form being signed and dated:
- (a) by the surveyor by whom the plan has been prepared, and
 - (b) if the alteration concerns the definition of a lot boundary or affects the proportional unit entitlement of any lot in the strata scheme, by a duly authorised officer of the local council or by the accredited certifier (as appropriate).

[10] Clause 13A

Insert after clause 13:

13A Alteration of plans lodged electronically

- (1) The Registrar-General may, at his or her discretion and after giving notice to such persons as he or she may think fit:
- (a) before or after registration of a plan lodged electronically, direct that any lots in the plan be numbered or renumbered, and
 - (b) before registration of a plan lodged electronically, direct that anything omitted from the plan be added to the plan or that any obvious error in the plan be corrected, and

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- (c) require a replacement plan in a Tagged Image File Format (TIFF) approved by the Registrar-General be submitted showing alterations in accordance with any directions given under paragraph (a) or (b).
- (2) If the alteration is to be made before registration of the plan and either concerns the definition of a lot boundary or affects the proportional unit entitlement of any lot in the strata scheme:
- (a) the original signatures form is to be endorsed with a statement identifying the alteration, and
 - (b) the endorsed signatures form is to be re-signed by a duly authorised officer of the local council or by an accredited certifier (as appropriate), and
 - (c) a new image of the endorsed and re-signed signatures form is to be created and lodged with the Registrar-General.

[11] Clause 15 Execution by developer on behalf of body corporate

Omit clause 15 (b). Insert instead:

- (b) a statutory declaration in the approved form must be lodged by hand in conjunction with the dealing, plan or other instrument, whether or not any of those instruments is lodged electronically.

[12] Part 4A

Insert after clause 17:

Part 4A Signatures form

Note. If a plan is lodged by hand but the signatures and consents required are not endorsed on the plan, or a plan is lodged electronically, the signatures and consents required must be endorsed on the form approved by the Registrar-General for signatures (the **signatures form**) and that form must be lodged in the same way as the plan. (See sections 19 (4A) and 31 (3A) of the Act.)

17A Content of the signatures form

- (1) The signatures form must repeat the plan heading and the surveyor's reference in the appropriate panels on each sheet of the approved form.

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- (2) The signatures form must contain all certificates required by the Registrar-General, endorsed in the appropriate panels on the approved form.

17B Signatures form to comply with Schedule 1B or Schedules 1B and 1C requirements

- (1) A signatures form that is lodged by hand at the office of the Registrar-General must comply with the requirements set out in Schedule 1B.
- (2) A signatures form can be lodged electronically only if:
- (a) the plan to which it relates is also lodged electronically, and
 - (b) the signatures form complies with the requirements set out in Schedule 1B and the requirements set out in Schedule 1C are complied with.

17C Refusal to accept a signatures form

The Registrar-General may refuse to accept a signatures form that, in the opinion of the Registrar-General, does not comply with or is not lodged in accordance with this Part.

17D Registration of a signatures form

On registration of a plan that is accompanied by a signatures form, the signatures form is to be registered in the register of plans referred to in the *Conveyancing (General) Regulation 1998*.

[13] Clause 19 Indication of creation of easement

Omit clause 19 (3). Insert instead:

- (3) The plan must be accompanied by a section 88B instrument in the approved form that complies with Division 3 of Part 3 of, and the requirements set out in Schedule 4 to, the *Conveyancing (General) Regulation 1998* and is lodged in the same manner as the plan. If the instrument is lodged electronically, the requirements set out in Schedule 4A to that Regulation must also be complied with.

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[14] Clause 20 Indication of release of easement

Omit clause 20 (2). Insert instead:

- (2) The plan must be accompanied by a section 88B instrument in the approved form that complies with Division 3 of Part 3 of, and the requirements set out in Schedule 4 to, the *Conveyancing (General) Regulation 1998* and is lodged in the same manner as the plan. If the instrument is lodged electronically, the requirements set out in Schedule 4A to that Regulation must also be complied with.

[15] Clauses 21, 21A and 21B

Omit clause 21. Insert instead:

21 Lodgment of plans by hand

- (1) A person lodging a plan by hand for registration at the office of the Registrar-General must produce the plan at that office in such manner as may be approved by the Registrar-General.
- (2) The original plan must be accompanied by:
 - (a) a completed plan lodgment form in the approved form, and
 - (b) one print of each sheet of the plan (each sheet being a positive reproduction on a light background), and
 - (c) completed plan checklists in the approved form, if required by the Registrar-General, and
 - (d) a signatures form, if adopted, as set out in Schedule 1B.
- (3) If the Registrar-General so requires, a plan must also be accompanied by:
 - (a) in the case of a strata plan, the certificate of title or Crown grant for the land comprising the parcel, and
 - (b) in the case of a strata plan of subdivision or a strata plan of consolidation, the certificates of title for the land comprised in the plan and for the common property comprised in the strata scheme, and
 - (c) in the case of a building alteration plan, the certificate of title for the common property comprised in the strata scheme.

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- (4) The Registrar-General will not require a plan to be accompanied by a certificate of title or Crown grant if evidence is furnished to his or her satisfaction that the certificate of title or Crown grant is in his or her custody, and that he or she has authority to use that instrument in connection with registration of the plan, or that notice has been served under section 18 (1) (d) of the Act.
- (5) If an original of a plan bears evidence of a strata certificate, the print of each sheet of the plan referred to in subclause (2) (b) must contain particulars of that certificate under the original signature of the duly authorised officer of the council or of the accredited certifier (as appropriate) who gave that certificate.

21A Lodgment of plans electronically

- (1) An authorised person lodging a plan electronically for registration in the office of the Registrar-General must lodge the plan in accordance with the e-plan system or otherwise with the consent of the Registrar-General.
- (2) Plan lodgment details must be provided in the manner required by the Registrar-General. The plan must comply with the requirements set out in Schedule 1A and be lodged in accordance with the relevant requirements of that Schedule.
- (3) The plan file must be accompanied by files comprising:
 - (a) a completed approved form for signatures and such instruments and data files as the Registrar-General may require,
 - (b) completed plan checklists in the approved form, if required by the Registrar-General.
- (4) The following original documents must be lodged by hand at the office of the Registrar-General, and may not be lodged electronically:
 - (a) in the case of a strata plan, the certificate of title or Crown grant for the land comprising the parcel,
 - (b) in the case of a strata plan of subdivision or a strata plan of consolidation, the certificates of title for the land comprised in the plan and for the common property comprised in the strata scheme,

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- (c) in the case of a building alteration plan, the certificate of title for the common property comprised in the strata scheme,
 - (d) such consents in writing to the registration of the plan signed by a lessee, caveator, judgment creditor or other person, as may be required by the Registrar General,
 - (e) such other certificates of title, office copies of court orders, powers of attorney, statutory declarations and other original documents as may be required by the Registrar-General.
- (5) The Registrar-General will not require a certificate of title or Crown grant to be lodged if evidence is furnished to his or her satisfaction that the certificate of title or Crown grant is in his or her custody, and that he or she has authority to use that instrument in connection with registration of the plan, or that notice has been served under section 18 (1) (d) of the Act.

21B Lodgment of other documents electronically

Where a strata plan, a strata plan of subdivision, a strata plan of consolidation or a building alteration plan that the Registrar-General permits to be lodged electronically is accompanied by other documents, those documents must also be lodged electronically and comply with the requirements as set out in Schedule 1D except those documents referred to in clause 21A (4).

[16] Clause 25B

Insert after clause 25A:

25B Periods for retention of documents: section 78

For the purposes of section 78 (2) (c) of the Act, the period prescribed is the period of 12 months commencing with the day on which the plan or other document was registered or recorded.

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[17] Schedule 1

Omit the heading. Insert instead:

Schedule 1 Requirements for plans lodged by hand

(Clauses 6, 8 and 21)

[18] Schedule 1, clause 8 (5)

Insert “, except where the signature or seal is provided on a signatures form that complies with the requirements set out in Schedule 1B” at the end of the subclause.

[19] Schedules 1A, 1B, 1C and 1D

Insert after Schedule 1:

Schedule 1A Requirements for plans lodged electronically

(Clauses 6, 8 and 21A)

1 File type in which plan to be created

- (1) Each plan sheet must be created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A3),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.
- (3) A plan comprising more than one sheet must be created as a multipage file.

2 Plan sheet dimensions

Each plan sheet must have external dimensions of 420 millimetres in width by 297 millimetres in length (standard A3 size).

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3 Margins

- (1) A margin of at least 10 millimetres must be left around the plan drawing area of each plan sheet.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

4 Lettering

- (1) Unless the Registrar-General otherwise approves, all words must be in the English language, and all letters, figures and symbols appearing on a plan must be in a font style that is:
 - (a) dense and black in colour, and
 - (b) in upper case only (except as otherwise provided by this Schedule), and
 - (c) open in formation and construction, and
 - (d) in an upright style.
- (2) Unless the Registrar-General otherwise approves or this Schedule otherwise allows, all symbols must be letters.

5 Use of colouring and edging prohibited

Neither colouring nor edging are to be used on a plan sheet.

6 Clarity of detail

- (1) The plan must be drawn to a scale and the image created in a manner that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.
- (2) The Registrar-General may require a plan file to be resubmitted if, in the opinion of the Registrar-General, the plan image does not comply with subclause (1).

7 Alterations

- (1) A plan image must not be altered.
- (2) Any alterations must be made to the Computer Aided Drafting (CAD) software plan file and a new image created.

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8 Information to be included on plan sheets

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively as part of the series (for example, the first and second sheets in a plan that is made up of 5 sheets must be numbered "Sheet 1 of 5 sheets" and "Sheet 2 of 5 sheets", respectively).
- (2) Each sheet of a location plan or floor plan must contain a north point (directed upwards).
- (3) No information (other than the plan and any separate diagrams and tabulations of dimensions relating to the plan) is to appear within the plan drawing area of a plan sheet.

9 Linear dimensions

- (1) Linear measurements must be expressed in metres, without rounding or any accompanying symbol.
- (2) If a length of less than one metre is shown, the decimal point must be preceded by the numeral "0".

10 Area dimensions

- (1) Area measurements must be expressed as follows:
 - (a) areas of less than one hectare must be expressed in square metres, accompanied by the symbol "m²",
 - (b) areas of one hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol "ha",
 - (c) areas of 10,000 hectares or more must be expressed in square kilometres, accompanied by the symbol "km²".
- (2) The total area of a lot:
 - (a) must be shown within or related to the most significant part of the lot, and
 - (b) must be the exact mathematical total of all areas shown on the plan as within that lot.

11 Bearings and angles

- (1) Bearings must not be shown on any plan sheet unless they form part of permitted survey information.

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- (2) Angular relationships must be established by linear dimensions and rectangular offsets only, and not by use of angular dimensions, except in the case of an angular dimension of 90°, which may be shown as such on a floor plan.

12 Reduction ratio

There must be a statement on each sheet of the reduction ratio at which the plan is drawn.

13 Identification of new or proposed easements, profits à prendre, restrictions and positive covenants

- (1) A location plan must contain sufficient information to define the site of:
- (a) any easement, profit à prendre, restriction or positive covenant that is intended to be created as a consequence of the registration of the plan and that affects common property not within a building, and
 - (b) any easement or profit à prendre intended to be partially released as a consequence of the registration of the plan, and
 - (c) any proposed easement (other than an easement referred to in paragraph (a) or (b)), profit à prendre, restriction or positive covenant, or proposed variation or partial release of an easement or profit à prendre, that affects common property not within a building,
- and, where necessary, contain sufficient information to indicate the relationship of any such easement, profit à prendre, restriction or positive covenant to the boundaries of any affected parcel or lot.
- (2) A floor plan must contain sufficient information to define the site of:
- (a) any easement, profit à prendre, restriction or positive covenant intended to be created as a consequence of the registration of the plan that affects a lot in the plan or common property within a building, and
 - (b) any proposed easement over a lot in the plan or common property within a building.

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- (3) If a proposed easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan or floor plan (as the case may be) the approximate position of the easement.

14 Identification of existing easements, profits à prendre, restrictions and positive covenants on location plans

- (1) A location plan must:
- (a) contain sufficient information to define the site, nature and origin of any existing easement, profit à prendre, restriction or positive covenant affecting a parcel, and
 - (b) wherever possible, show the relationship of the easement, profit à prendre, restriction or positive covenant to the boundaries of the parcel.
- (2) If an easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan the approximate position of the easement.
- (3) A floor plan may show sufficient information to define the site of an existing easement that is located within a building if the Registrar-General agrees that the enjoyment of the easement would be reliant on its position being shown in such a manner.
- (4) In this clause:
- origin*, in relation to an existing easement, means the Gazette reference or registration number of the instrument or plan by which the easement was granted, reserved, notified or otherwise created.

15 Signatures not to appear

No signatures or seals will appear on the plan drawing sheets.

Note. All signatures and seals must be shown on the signatures form.

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Schedule 1B Requirements for signatures form

(Clause 17B (1))

Note. When a signatures form is adopted, all signatures and seals must be shown on the form. No signatures or seals will appear on the plan drawing sheets, except as provided in clause 21 (4). The completed signatures form must be lodged with and in the same manner as the plan.

1 Use of approved form

- (1) A signature form must be in the approved form.
- (2) Any signatures, seals or certificates that cannot satisfactorily be shown on one sheet may be shown on one or more additional sheets in the approved form.

2 Paper

The paper used must be:

- (a) white and free from discolouration and blemishes, and
- (b) not less than 80 grams per square metre, and
- (c) 297 millimetres in length by 210 millimetres in width (standard A4), or such other paper as may be approved by the Registrar-General.

3 Margins

- (1) The sheets used must have clear margins of not less than 10 millimetres on each side and top and bottom.
- (2) Typewriting, printing, writing or seals (other than directions or notations authorised by the Registrar-General) must not extend into a margin.

4 Lettering

- (1) The text of a signatures form must be clearly printed or written:
 - (a) across the width of each panel on the sheet of paper used, and
 - (b) on one side only of each sheet.
- (2) All text must be clear and legible and in dense black ink or dense dark blue ink. The lines must not overlap. A carbon copy, or a copy in which the typewritten characters blur or

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spread or are liable to mark or damage an adjacent sheet, will not be accepted.

- (3) Handwriting and any imprint of a seal must be clear and legible and in dense black ink or dense dark blue ink.

5 Alterations

- (1) Alterations must be made by striking through the matter intended to be altered and not by rubbing, scraping or cutting the surface of the paper or by using correction fluid.
- (2) Signatures or initials noticing alterations by interlineation or the striking through of matter must be placed in the margin as near as practicable to the alteration.

6 Information to be included on multiple sheets

If the signatures form comprises more than one sheet:

- (a) each sheet other than the first sheet must repeat the heading on the first sheet, the strata certificate number and date of endorsement and the surveyors reference, and
- (b) each sheet must be numbered sequentially in the top right hand corner of each sheet as “Sheet of sheets”.

Schedule 1C Requirements for lodging signatures form electronically

(Clause 17B (2))

1 File type in which image of document to be created

- (1) Each sheet of the completed paper signatures form complying with Schedule 1B that bears original signatures and seals will be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
- (a) **Size**—true to the approved form size (standard A4),
- (b) **Colour**—must be black and white (monochrome),
- (c) **Resolution**—200 dots per inch (dpi),
- (d) **Compression**—CCITT Group 4.

Strata Schemes (Leasehold Development) Amendment (e-plan) Regulation
2002

Amendments

Schedule 1

2 Multiple sheets

An image of a signatures form comprising more than one sheet must be created as a multipage file.

3 Lodging procedure

- (1) The TIFF image of the completed signatures form will be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper signatures form, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan.

Schedule 1D Requirements for lodging other documents electronically

(Clause 21B)

1 File type in which image of document to be created

- (1) Where a document other than a signatures form is required to be lodged electronically with a plan, such as:
 - (a) a strata development contract, or
 - (b) a strata management statement, or
 - (c) by-laws, or
 - (d) any other documents required by the Registrar-General,each sheet of the completed paper document will be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A4),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.

2 Multiple sheets

An image of a document comprising more than one sheet must be created as a multipage file.

Strata Schemes (Leasehold Development) Amendment (e-plan) Regulation
2002

Schedule 1 Amendments

3 Lodging procedure

- (1) The TIFF image of the completed document will be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper document, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan.

OFFICIAL NOTICES

Appointments

UNIVERSITY OF NEW ENGLAND ACT 1993

Notification of Appointment to the Council

I, JOHN ARTHUR WATKINS, Minister for Education and Training, in pursuance of section 9(4) and Schedule 1 of the *University of New England Act 1993*, appoint the following persons:

Ms Jan McClelland
Mr John Cassidy
Mr James Harris
Mrs Jillian Oppenheimer, OAM
Mr George Richard Torbay MP
Mr Edward Wright, AM

as members of the Council of the University of New England for a term of office expiring on 16 August 2006.

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

NSW Agriculture

RURAL LANDS PROTECTION ACT 1998

ORDER - Section 6(1)

Alteration of the Divisions of
Central Tablelands Rural Lands Protection District

I, RICHARD AMERY MP, Minister for Agriculture, pursuant to section 6(1) of the Rural Lands Protection Act 1998,

- A. Revoke the Notification published in *Government Gazette* No 90 on 12 August 1997 in respect of the divisions of Central Tablelands Rural Lands Protection District; and
- B. Divide Central Tablelands Rural Lands Protection District into three (3) divisions, each having boundaries as described in the Schedule.

SCHEDULE

CENTRAL TABLELANDS RURAL LANDS PROTECTION DISTRICT

Division A

Commencing at the intersection of the district boundary and the main western railway line north west of Millthorpe, thence generally south east along that railway line through Blayney to Newbridge, thence generally southerly along the Newbridge-Hobby's Yards Road to the junction of the Old Lachlan Road, thence generally easterly along the Old Lachlan Road to the Old Goulburn Road and on to Clarkes Road, thence along Clarkes Road through to Triangle Flat, thence from Triangle Flat generally south easterly along the road to Burraga, thence from Burraga along the Burraga-Isabella Road to Isabella, thence generally easterly along the Isabella Road to the junction of Porters Retreat and Black Springs Roads, thence generally southerly through Porters Retreat turning generally easterly onto Shooters Hill Road and continuing to Mount Werong Road, thence generally southerly along Mt Werong Road to the Mount Fatigue Fire Trail, thence along that Trail to the district boundary at Mount Fatigue.

Division B

Commencing at the district boundary at where it intersect the Turon River, thence generally south along Cattle Run Fire Trail to where it meets Dark Corner Road, thence generally south along Dark Corner Road to Sunny Corner, thence generally south-east along Sunny Corner Road to the Great Western Highway, thence generally eastward along the Great Western Highway to its junction with Meadow Flat-Tarana Road, thence generally south along Meadow Flat-Tarana Road to Tarana, thence generally west along Tarana-O'Connell Road to O'Connell, thence generally north-west along O'Connell Road to where it meets the Bathurst City Council boundary, thence generally westward along that boundary until it reaches Vale Road, thence

generally south-west along Vale Road to Georges Plains, thence along Georges Plains - Newbridge Road to the main western railway line at Newbridge, thence generally north-west along that railway line through Blayney to the district boundary north west of Millthorpe.

Division C

Commencing at the district boundary at where it intersect the Turon River, thence generally south along Cattle Run Fire Trail to where it meets Dark Corner Road, thence generally south along Dark Corner Road to Sunny Corner, thence generally south-east along Sunny Corner Road to the Great Western Highway, thence generally eastward along the Great Western Highway to its junction with Meadow Flat-Tarana Road, thence generally south along Meadow Flat-Tarana Road to Tarana, thence generally west along Tarana-O'Connell Road to O'Connell, thence generally north-west along O'Connell Road to where it meets the Bathurst City Council boundary, thence generally westward along that boundary until it reaches Vale Road, thence generally south-west along Vale Road to Georges Plains, thence along Georges Plains - Newbridge Road to the main western railway line at Newbridge, thence generally southerly along the Newbridge-Hobby's Yards Road to the junction of the Old Lachlan Road, thence generally easterly along the Old Lachlan Road to the Old Goulburn Road and on to Clarkes Road, thence along Clarkes Road through to Triangle Flat, thence from Triangle Flat generally south easterly along the road to Burruga, thence from Burruga along the Burruga-Isabella Road to Isabella, thence generally easterly along the Isabella Road to the junction of Porters Retreat and Black Springs Roads, thence generally southerly through Porters Retreat turning generally easterly onto Shooters Hill Road and continuing to Mount Werong Road, thence generally southerly along Mt Werong Road to the Mount Fatigue Fire Trail, thence along that Trail to the district boundary at Mount Fatigue.

Dated: 14th day of August 2002

RICHARD AMERY, M.P.,
Minister for Agriculture

(NOTE: The effect of this order is to amend the boundaries of the Divisions as they existed at the commencement of the Rural Lands Protection Act 1998 so as to address anomalies in the numbers of potential voters in each on those divisions.)

RURAL LANDS PROTECTION ACT 1998

ORDER - Section 40(3)

Specification as to the number of directors to be elected per division, where a district is divided into divisions

I, RICHARD AMERY MP, Minister for Agriculture, pursuant to section 40(3) of the Rural Lands Protection Act 1989, hereby specify that for each district set out in column A of the Schedule below, the number set out on the same line in column B of the Schedule is the number of directors that must be elected or appointed to each division of that district.

SCHEDULE

Column A Board District	Column B No. of Directors per division of the Board district
Armidale <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i>	2
Bombala <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i>	2
Braidwood <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i>	2
Casino <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i>	2
Central Tablelands <i>(Note that pursuant to an order made under section 6(1) on today's date, the Board has been divided into 3 divisions)</i>	3
Condobolin <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i>	2
Cooma <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i>	2
Coonabarabran <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i>	2

<p>Coonamble <i>(Note that pursuant to clause 4 of Schedule 7, the Coonamble Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Dubbo <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Forbes <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Gloucester <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Goulburn <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Grafton <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Gundagai <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Hay <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Hume <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 8, as it had at the commencement of the Act)</i></p>	1
<p>Hunter <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 8, as it had at the commencement of the Act)</i></p>	1
<p>Kempsey <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Maitland <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Molong <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2

<p>Moree <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Moss Vale <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Mudgee-Merriwa <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 8, as it had at the commencement of the Act)</i></p>	1
<p>Murray <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Narrabri <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Narrandera <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Northern New England <i>(Note that pursuant to an order made under section 6(1) on today's date, the Board has been divided into 4 divisions)</i></p>	2
<p>Northern Slopes <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Nyngan <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Riverina <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 8, as it had at the commencement of the Act)</i></p>	1
<p>South Coast <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Tamworth <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2
<p>Tweed-Lismore <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i></p>	2

Wagga Wagga <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i>	2
Walgett <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i>	2
Yass <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i>	2
Young <i>(Note that pursuant to clause 4 of Schedule 7, the Board is taken to have the same boundaries and divisions, namely 4, as it had at the commencement of the Act)</i>	2

Dated: 14th day of August 2002

RICHARD AMERY M.P.,
Minister for Agriculture

RURAL LANDS PROTECTION ACT 1998**ORDER- Section 40(2) and Clause 19 of Schedule 1**

Specification of the number of directors (other than 8) for the
**Central Tablelands Rural Lands Protection Board and Determination of number
of directors sufficient for the board to have a quorum**

I, RICHARD AMERY MP, Minister for Agriculture, in respect of the Central Tablelands Rural Lands Protection Board (“the Board”):-

- A. Pursuant to section 40(2) of the Rural Lands Protection Act 1998, hereby specify that the board is to consist of nine (9) directors, and
- B. Determine that the number of directors sufficient for the board to have a quorum is five (5).**

Dated: 14th day of August 2002.

RICHARD AMERY, M.P.,
Minister for Agriculture

RURAL LANDS PROTECTION ACT 1998**ORDER - Section 6(1)**Alteration of the Divisions of
Coonabarabran Rural Lands Protection District

I, RICHARD AMERY MP, Minister for Agriculture, pursuant to section 6(1) of the Rural Lands Protection Act 1998,

- A. Revoke that part of the Notification published in *Government Gazette* No 108 on 26 July 1985 in respect of the divisions of Coonabarabran Rural Lands Protection District; and
- B. Coonabarabran Rural Lands Protection District into four (4) divisions, each having boundaries as described in the Schedule.

SCHEDULE**COONABARABRAN RURAL LANDS PROTECTION DISTRICT****Division A**

Commencing at the intersection of the Newell Highway and the generally northern boundary of the district, and bounded thence by that highway and the Oxley Highway generally southerly, the road from Coonabarabran to Coonamble (in part Dalgarno, Namoi and Eden Streets) generally westerly to its intersection with Connector Ridge, by that ridge generally southerly to the source of Wambelong Creek, by that creek generally southerly to its intersection with the road from Coonabarabran to Coonamble near "Gummin" homestead, thence via the Tooraweenah Road generally southerly to Bedford Park Road, thence along Bedford Park Road generally westerly to the Tooraweenah - Gulargambone Road, thence along the Tooraweenah - Gulargambone Road to its junction with an un-named road to Armatree, thence along that (un-named) road to the district boundary at Armatree.

Division B

Commencing at the intersection of the Newell Highway and the generally northern boundary of the District; and bounded thence by that highway and the Oxley Highway generally southerly to the road from Coonabarabran to Ulamambri (in part Edward Street) generally southeasterly to Ulamambri, the road from Ulamambri to Weetaliba (in part Box Ridge Road and Coybil Road) generally southeasterly, the road from Weetaliba to Coolah generally southeasterly and the road from Coolah to Cassilis (in part Campbell Street) generally southeasterly to the generally southeastern boundary of the District at Coolah Bridge; by that boundary generally northeasterly, the generally eastern boundary and part of the generally northern boundaries of the district generally northerly and generally westerly to the point of commencement.

Division C

Commencing at the intersection of the road from Mendooran to Coonabarabran with the generally southern boundary of the District, and bounded thence by that road and the Oxley Highway generally northerly and the road from Coonabarabran to Coonamble (in part, Dalgarno, Namoi and Eden Streets) generally westerly to its intersection with Connector Ridge, by that ridge generally southerly to the source of Wambelong Creek; by that creek downwards to its intersection with the road from Coonabarabran to Coonamble near "Gummin" homestead, thence via the Tooraweenah Road generally southerly to Bedford Park Road, thence along Bedford Park Road generally westerly to the Tooraweenah - Gulargambone Road, thence along the Tooraweenah - Gulargambone Road to its junction with an un-named road to Armatree, thence along that (un-named) road to the district boundary at Armatree.

Division D

Commencing at the intersection of the road from Mendooran to Coonabarabran with the generally southern boundary of the District; and bounded thence by that road and the Oxley Highway generally northerly, the road from Coonabarabran to Ulamambri (in part Edward Street) generally southeasterly to Ulamambri, the road from Ulamambri to Weetaliba (in part Box Ridge Road and Coybil Road) generally southeasterly, the road from Weetaliba to Coolah generally southeasterly and the road from Coolah to Cassilis (in part Campbell Street) generally southeasterly to the general southeastern boundary of the District at Coolah Bridge; by that boundary generally southwestwardly and the generally southern boundary of the district generally westerly to the point of commencement.

Dated: 14th day of August 2002

RICHARD AMERY, M.P.,
Minister for Agriculture

(NOTE: The effect of this order is to reinstate the boundaries Divisions B and D as they existed at the commencement of the Rural Lands Protection Act 1998 and to amend the boundaries of Divisions A and C as they existed at the commencement of the Rural Lands Protection Act 1998 so as to address anomalies in the numbers of potential voters in each on those divisions.)

RURAL LANDS PROTECTION ACT 1998**ORDER - Section 6(1)**

Alteration of the Divisions of
Gloucester Rural Lands Protection District

I, RICHARD AMERY MP, Minister for Agriculture, pursuant to section 6(1) of the Rural Lands Protection Act 1998,

- A. Revoke the Notification published in *Government Gazette* No 73 on 2 May 1986 in respect of the divisions of Gloucester Rural Lands Protection District; and
- B. Divide Gloucester Rural Lands Protection District into four (4) divisions, each having boundaries as described in the Schedule.

SCHEDULE**GLOUCESTER RURAL LANDS PROTECTION DISTRICT****Division A**

Commencing at the junction of the district boundary and the northern boundary of the parish of Giro, then generally easterly along the northern boundary of the parish of Giro, thence generally easterly and then southerly along the northern and eastern boundaries of the parish of Mackay, thence generally easterly along the northern boundary of the parish of Tiri and then southerly along the western boundary of the parish of Kimbriki, thence easterly and southerly along the northern and eastern boundary of the parish of Belbora, thence easterly along the northern boundary of the parish of Wollom, thence generally southerly along the eastern boundaries of the parishes of Wollom, Coolongolook, Curreeki and Teleraree, thence generally westerly along the southern boundary of the parish of Teleraree and Euther, thence generally southerly and then generally westerly along the western and southern boundaries of the parish of Gorton, thence generally westerly along the southern boundary of the parish of Monkerai to its junction with the district boundary.

Division B

Commencing at the junction of the district boundary and the northern boundary of the parish of Giro, then generally easterly along the northern boundary of the parish of Giro, thence generally easterly and then southerly along the boundary of the parish of Mackay, thence generally easterly along the northern boundary of the parish of Tiri and then southerly along the western boundary of the parish of Kimbriki, thence easterly and southerly along the northern and eastern boundary of the parish of Belbora, thence easterly along the northern boundary of the parish of Wollom, thence generally easterly and north easterly along the southern boundary of the parish of Talawahl then easterly along the southern and eastern (Pacific Ocean) boundaries of

Beryan to the Pacific Ocean, thence generally westerly along the northern boundary of the parish of Beryan to the intersection of the parishes of Talawahl, Beryan, Bohnock and Tinonee, thence northerly along the western boundary of the parish of Bohnock then northerly along the generally southern and western boundaries of the parish of Taree, thence generally northerly along the western boundaries of the parishes of Dawson, Yarrott and Comboyne to the junction of the latter with the district boundary.

Division C

Commencing at the junction of the eastern (Pacific Ocean) boundary of the district with the northern boundary of the parish of Beryan thence to the intersection of the parishes of Talawahl, Beryan, Bohnock and Tinonee, thence northerly along the western boundary of Bohnock then northerly along the generally southern and western boundaries of the parish of Taree, thence generally northerly along the western boundaries of the parishes of Dawson, Yarrott and Comboyne to the junction of the latter with the district boundary.

Division D

Commencing at the junction of the eastern (Pacific Ocean) boundary of the district with the southern boundary of the parish of Beryan, thence generally westward and then generally southward along the north-western boundary of the parish of Tuncurry, thence along the northern boundary of the parish of Wang Wauk, thence generally southerly along the eastern boundaries of the parishes of Coolongolook, Curreeki and Teleraree, thence generally westerly along the southern boundary of the parishes of Teleraree and Euther, thence generally southerly and then generally westerly along the western and southern boundaries of the parish of Gorton thence generally westerly along the southern boundary of the parish of Monkerai to its junction with the district boundary.

Dated: 14th day of August 2002

RICHARD AMERY, M.P.,
Minister for Agriculture

(NOTE: The effect of this order is to amend the boundaries of the Divisions as they existed at the commencement of the Rural Lands Protection Act 1998 so as to address anomalies in the numbers of potential voters in each on those divisions.)

RURAL LANDS PROTECTION ACT 1998**ORDER - Section 6(1)**

Alteration of the Divisions of
Northern New England Rural Lands Protection District

I, RICHARD AMERY MP, Minister for Agriculture, pursuant to section 6(1) of the Rural Lands Protection Act 1998,

- A. Revoke the Notification published in *Government Gazette* No 90 on 12 August 1997 in respect of the divisions of Northern New England Rural Lands Protection District (formerly known as Severn Rural Lands Protection District); and
- B. Divide Northern New England Rural Lands Protection District into four (4) divisions, each having boundaries as described in the Schedule.

SCHEDULE**NORTHERN NEW ENGLAND RURAL LANDS PROTECTION DISTRICT****Division A**

Commencing on the north-east boundary of the district at the intersection of the Land Districts of Tenterfield and Casino and the border between New South Wales and Queensland, thence generally southerly by the district boundary to its intersection with the parish of Dandahra (County Drake), thence generally westerly by the southern boundaries of the parishes of Richmond (County Drake), Binny (County Clive), Parkes (County Gough) to the intersection of the latter with the former main northern railway line, thence by that railway line generally north to the district boundary and by that boundary generally east to the point of commencement.

Division B

Commencing on the northern boundary of the district at its intersection with the former main northern railway line, and by that line generally southerly to its intersection with the southern boundary of the land district of Tenterfield, thence generally westerly by that boundary to its intersection with the parish of Scone (County Gough), thence by the eastern boundary of that parish to its intersection with the Severn River, thence by that river generally westerly to the district boundary, and thence by that boundary generally northerly and easterly to the point of commencement.

Division C

Commencing at the intersection of the former main northern railway line with the southern boundary of the land district of Tenterfield, thence by that boundary generally easterly and northerly to the northern boundary of the parish of Butterleaf (County Clive), thence by that boundary and the southern boundary of the parish of Binny (County Clive) to the intersection with the district boundary, thence by that

boundary generally southerly and north-westerly to its intersection with the former main northern railway line, and by that line generally northerly to the point of commencement.

Division D

Commencing at the intersection of the former main northern railway line and the southern boundary of the land district of Tenterfield, thence by that railway line generally southerly to its intersection with the district boundary, thence by that boundary generally westerly and northerly to its intersection with the Severn River, thence by that River and the southern boundary of the land district of Tenterfield to the point of commencement.

Dated: 14th day of August 2002

RICHARD AMERY, M.P.,
Minister for Agriculture

(NOTE: The effect of this order is to amend the boundaries of the Divisions as they existed at the commencement of the Rural Lands Protection Act 1998 so as to address anomalies in the numbers of potential voters in each on those divisions.)

RURAL LANDS PROTECTION ACT 1998**ORDER - Section 7**

Exemption from division of districts

I, RICHARD AMERY MP, Minister for Agriculture, pursuant to section 7 of the Rural Lands Protection Act 1998, hereby exempt the rural lands protection districts situated in the Western Division of New South Wales and listed in the Schedule below from the operation of section 6.

SCHEDULE

Balranald
Bourke
Brewarrina
Broken Hill
Cobar
Hillston
Milparinka
Wanaaring
Wentworth
Wilcannia

Dated: 14th day of August 2002

RICHARD AMERY, M.P.,
Minister for Agriculture

RURAL LANDS PROTECTION ACT 1998**ORDER - Section 6(1)**Alteration of the Divisions of
South Coast Rural Lands Protection District

I, RICHARD AMERY MP, Minister for Agriculture, pursuant to section 6(1) of the Rural Lands Protection Act 1998,

- A. Revoke the Notification published in *Government Gazette* No 90 on 12 August 1997 in respect of the divisions of South Coast Rural Lands Protection District; and
- B. Divide South Coast Rural Lands Protection District into four (4) divisions, each having boundaries as described in the Schedule.

SCHEDULE**SOUTH COAST RURAL LANDS PROTECTION DISTRICT****Division "A"**

Commencing from the boundary of the district on the coast at St Georges Basin, thence by the district boundary along the coast generally southerly to Moruya Heads, thence by the Moruya / Deua River generally westerly to its intersection with the boundary of the district, thence generally northerly by the Eurobodalla Shire boundary and Shoalhaven Shire boundary to the intersection of the latter with Turpentine Road, thence by district boundary generally easterly to the point of commencement.

Division "B"

Commencing from the boundary of the district on the coast at Moruya Heads, thence by the district boundary along the coast generally southerly to the southern boundary of the parish of Bermagui, thence generally westerly by the southern boundaries of the parishes of Bermagui, Cadjangarry, Murrabrine, Yowrie and Countigany to the intersection of the latter with the boundary of the district, thence by the district boundary generally northerly to its intersection with the Moruya / Deua River, thence generally easterly by the Moruya / Deua River to the point of commencement.

Division "C"

Commencing from the boundary of the district on the coast at the southern boundary of the parish of Bermagui, thence by the district boundary along the coast generally southerly to the southern boundary of the parish of Wallagoot, thence generally westerly by the southern boundaries of the parishes of Wallagoot, Kameruka,

Meringo, Bemboka and Mogila to the intersection of the latter with the boundary of the district, thence by the district boundary generally northerly to its intersection with the southern boundary of the parish of Countigany, thence generally easterly by the southern boundaries of the parishes of Countigany, Yowrie, Murrabrine, Cadjangarry, and Bermagui to the point of commencement.

Division "D"

Commencing from the boundary of the district on the coast at the southern boundary of the parish of Wallagoot, thence by the district boundary generally southerly, westerly and northerly to its intersection with the southern boundary of the parish of Mogila, thence generally easterly by the southern boundaries of the parishes of Mogila, Bemboka, Meringo, Kameruka and Wallagoot to the point of commencement.

Dated: 14th day of August 2002

RICHARD AMERY, M.P.,
Minister for Agriculture

(NOTE: The effect of this order is to amend the boundaries of the Divisions as they existed at the commencement of the Rural Lands Protection Act 1998 so as to address anomalies in the numbers of potential voters in each on those divisions.)

RURAL LANDS PROTECTION ACT 1998**ORDER - Section 6(1)**Alteration of the Divisions of
Braidwood Rural Lands Protection District

I, RICHARD AMERY MP, Minister for Agriculture, pursuant to section 6(1) of the Rural Lands Protection Act 1998,

- A. Revoke the Notification published in *Government Gazette* No 90 on 12 August 1997 in respect of the divisions of Braidwood Rural Lands Protection District; and
- B. Divide Braidwood Rural Lands Protection District into four (4) divisions, each having boundaries as described in the Schedule.

SCHEDULE**BRAIDWOOD RURAL LANDS PROTECTION DISTRICT****Division A**

Commencing at the intersection of the Federal Territory and the Molonglo River near Queanbeyan, thence generally westerly along the Molonglo River to the Bungendore Road, thence generally northerly by that road to the Hoskinstown Road, thence generally easterly by that road and the Bombay Road to the western boundary of the parish of Palerang and the Tallaganda Shire, thence generally northerly by the western boundary of the Tallaganda Shire to the district boundary at Boro, thence generally westerly, northerly and southerly by the district boundary to the starting point near Queanbeyan.

Division B

Commencing at the Court House at Braidwood, thence generally northerly along the eastern boundary of the parish of Percy, thence generally westerly along the northern boundaries of the parishes of Percy, Jinglemoney and Palerang, thence generally northerly by the western boundary of the Tallaganda Shire to the district boundary at Boro, thence generally easterly and southerly by the district boundary to the north eastern corner of the parish of Budawang, thence generally westerly and southerly along the northern and eastern boundaries of the parish of Budawang to the Little River Road, and thence generally westerly along that road to the starting point at Braidwood.

Division C

Commencing at the intersection of the Federal Territory and the Molonglo River near Queanbeyan, thence generally westerly along the Molonglo River to the Bungendore

Road, thence generally northerly by that road to the Hoskinstown Road, thence generally easterly by that road and the Bombay Road to the western boundary of the Parish of Palarang, thence generally southerly by the western boundaries of the parishes of Palarang, Jinerio, Ollalulla and Oronmear, thence generally westerly and northerly along the district boundary to the starting point near Queanbeyan.

Division D

Commencing at the Court House Braidwood, thence generally easterly along the Little River Road to the western boundary of the parish of Budawang, thence generally northerly and easterly along the western and northern boundaries of the parish of Budawang to the district boundary, thence generally southerly and thence northerly to the north west corner of the parish of Jinden by the district boundary, thence generally northerly along the western boundaries of the parishes of Oronmear, Ollalulla, Jinerio and Palarang, thence generally easterly along the northern boundaries of the parishes of Palarang, Hinglemoney and Percy, thence generally southerly along the eastern boundary of the parish of Percy to the starting point at Braidwood.

Dated: 14 th day of August 2002

RICHARD AMERY, M.P.,
Minister for Agriculture

(NOTE: The effect of this order is to amend the boundaries of the Divisions as they existed at the commencement of the Rural Lands Protection Act 1998 so as to address anomalies in the numbers of potential voters in each on those divisions.)

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) 68415200 Fax: (02) 68415231

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE

COLUMN 1

Land District: Coonamble
 Local Government Area: Coonamble Shire Council
 Locality: Gular
 Reserve No. 47130
 Public Purpose: Travelling Stock
 Camping

Notified: 25 October 1911

Lot	Sec.	D.P. No.	Parish	County
7004		752598 #	Warrie	Ewenmar
88		1018580	Warrie	Ewenmar

File Reference: DB98H74/1

COLUMN 2

Lot	Sec.	D.P. No.	Parish	County
88		1018580	Warrie	Ewenmar

The part being
of an area of 3.77ha

Notes: It is proposed to sell by way of Private Treaty to Graincorp Operations Limited.

Disclaimer: # Please note that the above Lot numbers marked # are for Departmental use only.

ERRATUM

IN the notice which appeared in the *Government Gazette* No.14/2002 of the 5 April, 2002, Folio 2153 under the heading of "Notification of Closing of Roads" the notice is hereby corrected by deleting "not being land under the Real Property Act" and the insertion of "being part Volume 12943 Folio 109".

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

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.

JOHNAQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2
Yantabulla Cemetery Reserve Trust	Reserve No. 28541 Public Purpose: Preservation Of Graves Notified: 23 November 1898 File Reference: WL97R14.

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.

JOHNAQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Bourke Shire Council	Yantabulla Cemetery Reserve Trust	Reserve No. 28541 Public Purpose: Preservation Of Graves Notified: 23 November 1898 File Reference: WL97R14

For a term commencing this day.

ORDER SPECIFYING ADDRESS FOR SERVICE OF NOTICES ON RESERVE TRUST

PURSUANT to the provisions of section 97(1) of the Crown Lands Act 1989, I order that the address for service of documents on the reserve trust specified in Column 1 of the Schedule hereunder, which is trustee of the reserve referred to opposite thereto in Column 2, is the address specified opposite the name of the reserve trust in Column 3 of the Schedule.

JOHNAQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Euabalong Recreation Reserve Trust	Reserve No. 1003628 Public Purpose: Public Recreation Notified: 21 June 2002 File Reference: WL02R19	36 Linsley St COBAR NSW 2835

ASSIGNMENT OF NAME TO A RESERVE TRUST

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

JOHNAQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2
Thegoa Lagoon Reserve Trust	Reserve No. 78909 Public Purpose: Plantation and Public Recreation Notified: 21 September 1956 File Reference: WL87R90

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

ADDITION TO RESERVED CROWN LAND

PURSUANT to section 88 of the Crown Lands Act 1989, the Crown lands specified in Column 1 of the Schedules hereunder are added to the reserved lands specified opposite thereto in Column 2 of the Schedules.

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

SCHEDULE 1

COLUMN 1

Land District: Grafton
 Local Government Area: Maclean Shire Council
 Locality: Yamba

Lot	Sec.	D.P. No.	Parish	County
7044		1037393	Yamba	Clarence

 Area: 6.3ha
 File Reference: GF02R42

COLUMN 2

Reserve No. 60155
 Public Purpose: Public Recreation
 Notified: 9 December 1927

Lot	Sec.	D.P. No.	Parish	County
7002		92592	Yamba	Clarence

 New Area: 8.93ha

SCHEDULE 2

COLUMN 1

Land District: Grafton
 Local Government Area: Maclean Shire Council
 Locality: Angourie Point

Lot	Sec.	D.P. No.	Parish	County
7043		1037392	Yamba	Clarence

 Area: 2112m²
 File Reference: GF02R43

COLUMN 2

Reserve No. 68674
 Public Purpose: Public Recreation
 Notified: 29 September 1939

Lot	Sec.	D.P. No.	Parish	County
115		751395	Yamba	Clarence
1		857790	Yamba	Clarence
7033		751395 #	Yamba	Clarence

 New Area: 18.46ha

Disclaimer: # Please note that the above Lot numbers marked # are for Departmental use only.

ROADS ACT 1993**ORDER****Transfer of a Crown road to a Council**

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

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

SCHEDULE 1

The Crown public road shown by black colour on the diagram hereunder at Moonee, Parish Moonee, County Fitzroy.



Not to scale
Diagrammatic representation only

SCHEDULE 2

Roads Authority: Coffs Harbour City Council

Papers: GF01 H 370.

Councils Ref: 442768.

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

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SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Tim IRELAND (new member)	Alumy Creek Reserve Trust	Reserve No. 140020 Public Purpose: Public Recreation Museum Notified: 26 June 1987 File Reference: GF87R13
Ernest Edgar Conrad HANSEN (new member)		
John ADAMS (re-appointment)		
Francis Western CLARK (re-appointment)		
Barry Kingston HAYES (re-appointment)		
Ian Lester HAMILTON (re-appointment)		
Earle Thomas PAINE (re-appointment)		

For a term commencing the date of this notice and expiring 15 August 2007.

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

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SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Maryanne BULLPITT (new member)	North Codrington Flood Refuge Reserve Trust	Reserve No. 51730 Public Purpose: Refuge In Time Of Flood Notified: 22 August 1916 File Reference: GF81R321
Michael BULLPITT (new member)		
Charles Norman PATCH (new member)		
Michael Leo McMAHON (new member)		
John Terrence McMAHON (new member)		
Phillip John GOOLEY (re-appointment)		
Allan Edward LEES (re-appointment)		

For a term commencing the date of this notice and expiring 15 August 2007.

NOWRA OFFICE
Department of Land and Water Conservation
64 North Street (PO Box 309), Nowra, NSW 2541
Phone: (02) 4423 0122 Fax: (02) 4423 3011

NOTIFICATION OF CREATION OF EASEMENT

IN pursuance of section 52 of the Crown Lands Act 1989, the easement described hereunder is created.

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

Description

*Parish – Ulladulla; County – St Vincent;
 Land District – Nowra;
 Local Government Area – Shoalhaven City*

Purpose: Easement for Water Supply.

Authority benefited: Shoalhaven City Council.

Land over which created: A strip of land 6 wide over Lot 272 DP 755967, Road 20.115 Wide, Unreserved Crown land and Closed Road (vide Gov. Gaz. 3-12-1948) as shown on DP 646615.

Terms:

FULL AND FREE RIGHT AND LIBERTY for the Transferee its officers servants and agents and every person authorised by it to lay down pipes for water supply purposes and use and maintain such pipes through and under the easement (hereinafter referred to as “the servient tenement”) TOGETHER WITH FULL AND FREE RIGHT AND LIBERTY from time to time and at all times to inspect the condition of the pipes and to cleanse maintain mend repair and relay such pipes or any part thereof and for such purposes or any of them at all reasonable times with or without surveyors workmen materials machinery implements and other persons and things to pass and re-pass and with or without vehicles to enter into and upon the servient tenement and to bring and place and have thereon to remove therefrom carry away use and leave any of the clay, sand, gravel, stones and earth which shall be taken out of the land comprising the servient tenement and to do all such acts and things which may be deemed necessary for the above purposes by the Transferee PROVIDED THAT in carrying out or performing any such inspection, cleansing, maintenance, mending, renewing, repairing, relaying or replacing such lines of pipes and excavating, taking up, renewing, repairing, relaying or replacing the surface of the servient tenement the Transferee shall make as little disturbance on or do as little damage as possible to the servient tenement and shall with all practicable speed restore and make good all or any such damage or disturbance and as far as practicable and with all reasonable speed restore the surface of the servient tenement to its former state and condition as existed prior to the undertaking of any works on the servient tenement and the Transferor for THEIR and its successors DO HEREBY COVENANT with the Transferee and its successor that THEY will not:

- (a) Do permit or knowingly suffer to be done any act deed matter or thing whereby the said pipes shall or shall be likely to become damaged or injured or whereby the Transferee shall be prevented from or hampered in mending repairing or relaying the said pipes or any part thereof.

- (b) Interfere in any way with the free flow of water through the said pipes.
- (c) Erect or permit or suffer to be erected on or over any part or parts of that part of the servient tenement any building or other erection of any kind without the consent in writing of the Transferee.

AND IT IS HEREBY AGREED AND DECLARED that if the Transferor or the owner or owners for the time being of the subject land shall in any way breach the foregoing covenants then the Transferor or the owner or owners for the time being shall at THEIR expense properly and substantially repair and make good such damage and restore the free flow of water through the said pipes and do all things necessary and expedient for such purposes.

HO 88 H 362.

NOTIFICATION OF CLOSING OF ROAD

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

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

Land District – Bega; LGA – Bega Valley

Lot 1 DP 1043547 at Boydtown, Parish Nullica and County Auckland (not being land under the Real Property Act). NA01 H 141.

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

NOTIFICATION OF CLOSING OF 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

Land District – Kiama; LGA – Kiama

Lots 4 and 5, DP831722 at Kiama, Parish Kiama and County Camden (not being land under the Real Property Act), NA99H301.

Note: On closing, the land remains vested in Kiama Council as “Operational land” (DA122/92).

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

PURSUANT to section 117 of the 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 1

COLUMN 1	COLUMN 2	COLUMN 3
Andrew MCANESPIE Land Access Manager Sydney/South Coast Region Department of Land & Water Conservation	Bulli Pass Scenic Reserve Trust	Reserve No. 67711 Public Purpose: Public Recreation Notified: 1 July 1938 Locality: Bulli Pass File No.: NA82 R 137

For a term of six months commencing this day.

DISSOLUTION OF RESERVE TRUST

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

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

SCHEDULE

COLUMN 1	COLUMN 2
Currarong (R87928) Reserve Trust	Reserve No. 87928 Public Purpose: Public Recreation Notified: 28 August 1970 File Reference: NA02R2

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

Land District: Nowra
Local Government Area:
Shoalhaven City Council
Locality: Currarong
Lot D.P. No. Parish County
116 821492 Beecroft St Vincent
43 755903 Beecroft St Vincent
44 755903 Beecroft St Vincent
45 755903 Beecroft St Vincent
7009 755903 Beecroft St Vincent
7005 755903 Beecroft St Vincent
7001 755903 Beecroft St Vincent
7002 755903 Beecroft St Vincent
7013 755903 Beecroft St Vincent
7007 755903 # Beecroft St Vincent
Area: 15.82ha
File Reference: NA02R2

COLUMN 2

Reserve No. 1003034
Public Purpose: Public
Recreation And Coastal
Environmental Protection

Notes: R.72436 for Public Recreation, notified 26 November, 1947, R.87928 for Public Recreation, notified 28 August, 1970, & R.68827 for Public Recreation, notified 24 November, 1939 are hereby automatically revoked by this notification.

Disclaimer: # Please note that the above Lot numbers marked # are for Departmental use only.

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
Currarong (R.1003034) Reserve Trust	Reserve No. 1003034 Public Purpose: Public Recreation And Coastal Environmental Protection Notified: This Day File Reference: NA02R2

**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

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SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Shoalhaven City Council	Currarong (R.1003034) Reserve Trust	Reserve No. 1003034 Public Purpose: Public Recreation And Coastal Environmental Protection Notified: This Day File Reference: NA02R2

For a term commencing this day.

—————
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

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

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SCHEDULE

COLUMN 1	COLUMN 2
Murga Parkland Reserve Trust	Reserve No. 1003128 Public Purpose: Public Recreation Notified: 22 March 2002 File Reference: OE01R4/1

SYDNEY METROPOLITAN OFFICE
Department of Land and Water Conservation
2-10 Wentworth Street (PO Box 3935), Parramatta, NSW 2124
Phone: (02) 9895 7503 Fax: (02) 9895 6227

RESERVATION OF CROWN LAND

PURSUANT to Section 89(1) 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

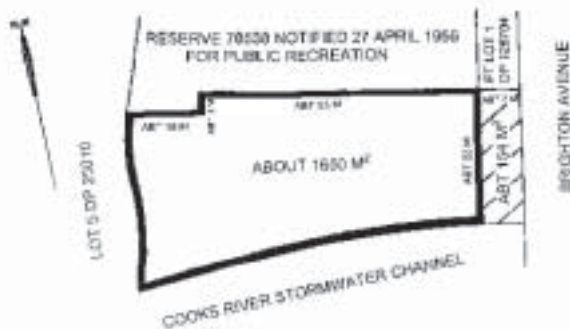
SCHEDULE

COLUMN 1 Land District: Metropolitan City: Canterbury Parish: Concord County: Cumberland Locality: Croydon Park Area: About 1650 square metres	COLUMN 2 Reserve 1003788 for the purpose of Community and Sporting Club Facilities.
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As shown black edged on diagram hereunder

File No.: MN02R57

Note: The affected part of Reserve 78538 for Public Recreation notified 27 April 1956 is hereby revoked by this notification.



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 Brighton Avenue (R1003788) Reserve Trust	COLUMN 2 Area at Croydon Park notified for the purpose of Community and Sporting Club Facilities this day File No.: MN02R57
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APPOINTMENT OF CORPORATION TO MANAGE A 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 Canterbury City Council	COLUMN 2 Brighton Avenue (R1003788) Reserve Trust	COLUMN 3 Area at Croydon Park notified for the purpose of Community and Sporting Club Facilities this day. File No.: MN02R57
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PROPOSED REVOCATION OF A DEDICATION OF CROWN LAND FOR A PUBLIC PURPOSE

IT is intended, following the laying of a copy of this notification before each House of Parliament in the State of New South Wales in accordance with Section 84 of the Crown Lands Act, 1989, to revoke the dedication of Crown Land specified in Schedule 1 hereunder to the extent specified in Schedule 2 with a view to dealing with the land as specified in Schedule 3.

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

SCHEDULE 1

*Land District – Metropolitan; City – Canterbury;
 Parish – Concord; County – Cumberland*

Dedication No. 1000507 of 17 April 1888 for the purpose of public park.

Title Details: Certificate of Title Volume 2175 Folios 187 & 188.

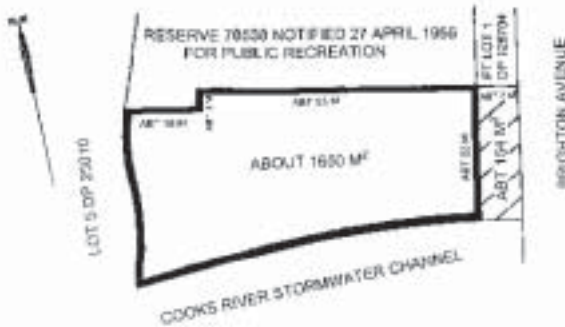
Land comprising about 3.7 hectares being Lot 1 DP 126704, Lot 7067 DP 93375 and Lot 7070 DP 93373 known as Croydon Park.

SCHEDULE 2

The part within Lot 1 DP 126704 as shown hatched on diagram hereunder comprising about 154 square metres adjoining Reserve 1003788 notified this day.

SCHEDULE 3

The land is intended to be added to Reserve 1003788 notified this day for the purpose of Community and Sporting Club Facilities.



NOTIFICATION OF CLOSING OF ROADS

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.

Descriptions

Land District – Metropolitan; L.G.A. – Hornsby

Lot 99, DP 1038777 at Waitara, Parish South Colah (Sheet 3), County Cumberland (being land in CT Vol. 1159 Folio 40).

MN01H32

Note: On closing, title for the land in lot 99 remains vested in Hornsby Shire Council as operational land.

ERRATUM

IN the notice appearing in the *NSW Government Gazette* No. 111, of 5 July, 2002, Folio 5110, under the heading “Notification of a Closing of a Road” concerning Lots 1, 2 and 3 DP 1038750, delete the words “(not being land under the Real Property Act)”.

MN01H81 & MN01H103

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

ROADS ACT, 1993

ORDER

Transfer of a Crown Road to Council

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

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

SCHEDULE 1

*Land District – Metropolitan;
Local Government Area – Leichhardt;
Parish – Petersham; County – Cumberland*

The parts of Victoria Road, Glebe Island within Lots 13, 14 and 20 DP 861440.

SCHEDULE 2

Roads Authority: The Roads and Traffic Authority
File No. MN98H166.

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

ADDITION TO RESERVED CROWN LAND

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

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

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SCHEDULE

COLUMN 1	COLUMN 2
Land District: Taree	Reserve No: 83666
Local Government Area: Great Lakes Council	Public Purpose: Public Recreation
Locality: Forster	Notified: 5 January 1962
Parish: Forster	Parish: Forster
County: Gloucester	County: Gloucester
Lot DP	Lot DP
PT 7032 753168#	PT 7032 753168#
Area: 2.5ha	7033 753168#
File: TE80R49	New Area: 24.64ha

Please note that the above lot numbers marked # are for Departmental use only.

—————

WAGGA WAGGA REGIONAL OFFICE
Department of Land and Water Conservation
Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga, NSW 2650
Phone: (02) 6921 2503 Fax: (02) 6921 1851

**APPOINTMENT OF A LOCAL AUTHORITY TO
MANAGE THE AFFAIRS OF A COMMON TRUST**

PURSUANT to Section 7 of the Commons Management Act, 1989, the local authority in Column 1 of the schedule hereunder is hereby appointed to manage the affairs of the Common Trust in Column 2 for the term shown thereunder.

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

SCHEDULE

COLUMN 1	COLUMN 2
Tumut Shire Council	Tumut River Common Trust

Term: For a term commencing 1st January, 2003 and expiring 31st December, 2005.

File No: WA82R8.

**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
Cootamundra Turf Club	Cootamundra Racecourse (D620014) Reserve Trust	Dedication No. 620014 Public Purpose: Racecourse Notified: 17 October 1896 File Reference: WA79R66/1

Term: For a term commencing this day.

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
William Bawden BOTT (re-appointment) Brian John LINKLATER (new member) Norman Robert McKENZIE (re-appointment) Kevin Bernard CARROLL (re-appointment) Ronald William SHARP (re-appointment)	Coreen Public Hall Trust	Reserve No. 49134 Public Purpose: Public Hall Notified: 6 August 1913 File Reference: WA82R14

Term: For a term commencing the date of this notice and expiring 12 July 2006.

SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
Peter David EDWARDS (new member)	Gundagai Racecourse and Showground Trust	Dedication No. 620068 Purpose: Racecourse and Showground Notified: 11 September 1901 File Reference: WA80R117

Term: For a term commencing this day and expiring 18 July 2004.

SCHEDULE 3

COLUMN 1	COLUMN 2	COLUMN 3
The person for the time being holding the office of Vice President, Temora Canine Kennel Club (ex-officio member) The person for the time being holding the office of Secretary, Temora Pony Club (ex-officio member)	Temora Showground Trust	Dedication No. 620071 Public Purpose: Showground Notified: 10 September 1886 File Reference: WA80R191

Term: For a term commencing the date of this notice and expiring 18 July 2006.

Water Conservation

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.

An application for a licence, under Section 10 of Part 2 of the Water Act has been received as follows:

Murray River Valley

GLENFERRIE PTY LIMITED for a Pump on the Indi River, Lot 61/224994, Parish of Indi, County of Selwyn, for Water Supply for Irrigation of 61 hectares (pasture). (New licence due to permanent transfer of water, no increase in commitment of resource) (GA2:494918) (Ref:50SL075516).

Any enquiries regarding the above should be directed to the undersigned (telephone (02) 6041 6777).

Written objections to the application specifying the grounds thereof, may be made by any statutory authority or local occupier within the proclaimed area whose interests may be affected, and must be lodged with the Department office at Albury by no later than the 13th September 2002.

C. PURTLE,
Natural Resource Officer
Murray Region
(02) 6041 6777

Department of Land and Water Conservation
PO Box 829, ALBURY NSW 2640.

WATER ACT 1912

AN APPLICATION 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, 1912, has been received as follows:

Murray River Valley

Michael Anthony GORMAN and Kathleen Margaret GORMAN for 1 pump on the Murray River, Lot 6900, DP 48809, Parish of Meilman, County of Taila, for irrigation of 216 hectares (replacement licence due to permanent transfer of water entitlement.) (Ref: 60SL085388) (GA2:499532 and GA2:499533).

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

P. WINTON,
Natural Resource Project Officer
Murray Region

Department of Land and Water Conservation
PO Box 363, 32 Enterprise Way, BURONGA NSW 2739
Ph: (03)50219400.

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

Graeme Victor & Wendy Elizabeth DALTON for a pump on the Murray River on Lot 1675 DP763439, Parish of Windomal, County of Cairn, for water supply for irrigation (replacement licence due to permanent transfer) (GA2: 504544) (Ref: 50SL75524).

Any enquiries regarding the above should be directed to the undersigned (PH: [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, DENILIKUIN 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

Paul Gerard and Mary Christine SMITH for a Pump on Lake Cargelligo on Crown Land Adjacent Lot 178 DP752329, Parish of Gurangully, County of Dowling, for water supply for stock and domestic purposes (new licence) (GA2:494445) (Ref:70SL090815).

Peter Lindsay, Arthur Albert, Sydney Gordon MILTHORPE, for a Pump on the Lachlan River on Lots 3 and 16 DP755198, Parish of Weenya, County of Nicholson, for water supply for irrigation of 36.83 hectares (cereals and pasture) (new licence – combining existing entitlement with allocation purchased by way of permanent transfer) (GA2:494444) (Ref:70SL090814).

Timothy John, John Dixon, Kaye and Sally Jane WATSON for a Pump on the Lachlan River on Lots 29, 2, 30 DP755191 and Closed Road West of Lot 29 DP755191, Parish of South Marowie, County of Nicholson, for water supply for irrigation of 225 hectares (maize and wheat) (new licence – combining existing entitlement with allocation purchased by way of permanent transfer) (GA2:494443) (Ref:70SL090813).

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 and must be lodged with the Department within 28 days of the date of this publication as prescribed by the Act.

D. THOMAS,
A/Senior Natural Resource Officer
Central West Region

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

WATER ACT 1912

NOTICE UNDER SECTION 22B

PUMPING SUSPENSIONS

FAWCETTS CREEK, UPPER RICHMOND RIVER,
TERRACE CREEK, LONG CREEK, ROSEBERRY CREEK,
FINDON CREEK AND THEIR 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 Fawcetts Creek, Upper Richmond River, Terrace Creek, Long Creek, Roseberry Creek, Findon Creek and their 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 7 August 2002 and until further notice, the right to pump water from the abovementioned watercourses and their tributaries is **SUSPENDED**.

This suspension 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 7th day of August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region
Grafton

WATER ACT 1912

NOTICE UNDER SECTION 22B

PUMPING RESTRICTIONS

RICHMOND RIVER FROM CASINO TO THE RISK 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 Richmond River from Casino to the Risk 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 Thursday 8 August 2002 and until further notice,

the right to pump water from Richmond River from Casino to the Risk and its tributaries is **RESTRICTED** to a maximum of ten hours in any twenty-four hour period between the hours of 6pm to 6am.

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:

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

One penalty unit = \$110.00.

Dated this 8th day of August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region
Grafton

GA2: 343360.

WATER ACT 1912

NOTICE UNDER SECTION 22B

PUMPING RESTRICTIONS

ALUMY CREEK, SOUTHGATE CREEK AND THEIR
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 Alamy Creek, Southgate Creek and their 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 Saturday 10 August 2002 and until further notice, the right to pump water from Alamy Creek, Southgate Creek and their tributaries is **RESTRICTED** to a maximum of eight hours in any twenty-four hour period between the hours of 6pm to 6am.

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 10th day of August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region
Grafton

GA2: 343359.

WATER ACT 1912

NOTICE UNDER SECTION 22B

PUMPING SUSPENSIONS

NORTH PUMPENBIL CREEK, SOUTH PUMPENBIL
CREEK, BRAYS CREEK AND THEIR 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 North Pumpenbil Creek, South Pumpenbil Creek, Brays Creek and their 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 Thursday 8 August 2002 and until further notice, the right to pump water from North Pumpenbil Creek, South Pumpenbil Creek, Brays Creek and their tributaries is **SUSPENDED**.

This suspension 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 8th day of August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region
Grafton

GA2: 343361.

WATER ACT 1912

NOTICE UNDER SECTION 22B

PUMPING RESTRICTIONS

HASTINGS RIVER 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 Hastings River 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 Thursday 15 August 2002 and until further notice, the right to pump water from Hastings River and its tributaries is **RESTRICTED** to a maximum of eight hours in any twenty-four hour period.

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 15th day of August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region
Grafton

GA2: 343363.

WATER ACT 1912

NOTICE UNDER SECTION 22B

PUMPING RESTRICTIONS

MACLEAY RIVER 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 Macleay River 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 Friday 16 August 2002 and until further notice, the right to pump water from Macleay River and its tributaries is **RESTRICTED** to a maximum of eight hours in any twenty-four hour period.

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 13th day of August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region
Grafton

GA2: 343362.

WATER ACT 1912

NOTICE UNDER SECTION 22B

PUMPING RESTRICTIONS

MORTONS 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 Mortons 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 Thursday 15 August 2002 and until further notice, the right to pump water from Mortons Creek and its tributaries is **RESTRICTED** to a maximum of two hours in any twenty-four hour period between the hours of 6am to 8am and 4pm to 6pm.

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 15th day of August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region
Grafton

GA2: 343363.

WATER ACT 1912

NOTICE UNDER SECTION 22B

PUMPING RESTRICTIONS

NAMBUCCA RIVER 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 Nambucca River 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 Thursday 15 August 2002 and until further notice, the right to pump water from Nambucca River and its tributaries is RESTRICTED to a maximum of two hours in any twenty-four hour period between the hours of 4pm to 6pm.

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 15th day of August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region
Grafton

GA2: 343366.

WATER ACT 1912

NOTICE UNDER SECTION 22B

PUMPING RESTRICTIONS

BELLINGER RIVER, ORARA RIVER, FRIDAYS CREEK, BUCCA BUCCA CREEK AND THEIR 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 Bellinger River, Orara River, Fridays Creek, Bucca Bucca Creek and their 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 14 August 2002 and until further notice, the right to pump water from Bellinger River, Orara River, Fridays Creek, Bucca Bucca Creek and their tributaries is RESTRICTED to a maximum of eight hours in any twenty-four hour period.

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 14th day of August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region
Grafton

GA2: 343365.

WATER ACT 1912

NOTICE UNDER SECTION 22B

PUMPING SUSPENSIONS

PAPPINBARRA RIVER 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 Pappinbarra River 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 Thursday 15 August 2002 and until further notice, the right to pump water from Pappinbarra River and its tributaries is SUSPENDED.

This suspension 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 15th day of August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region
Grafton

GA2: 343363.

WATER ACT 1912

NOTICE UNDER SECTION 22B

PUMPING SUSPENSIONS

TAYLORS ARM 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 Taylors Arm 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 Thursday 15 August 2002 and until further notice, the right to pump water from Taylors Arm and its tributaries is **SUSPENDED**.

This suspension 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 15th day of August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region
Grafton

GA2: 343366.

WATER ACT 1912

NOTICE UNDER SECTION 22B

PUMPING RESTRICTIONS

BIELSDOWN RIVER, ROCKY CREEK, LITTLE PLAINS CREEK, LITTLE FALLS CREEK, LITTLE MURRAY RIVER, UPPER NYMBOIDA RIVER AND THEIR 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 Bielsdown River, Rocky Creek,

Little Plains Creek, Little Falls Creek, Little Murray River, Upper Nymboida River and their 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 14 August 2002 and until further notice, the right to pump water from the abovementioned watercourses and their tributaries is **RESTRICTED** to a maximum of eight hours in any twenty-four hour period.

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 14th day of August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region
Grafton

GA2: 343364.

WATER ACT 1912

APPLICATIONS under Part 2 within a Proclaimed (declared) Local Area under Section 5(4) of the Water Act, 1912.

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

Murrumbidgee Valley

Fergus Lindsay and Jean Lorraine WILSON for an earth bywash hillside dam on an Unnamed Watercourse, Lot 4 DP245149, Parish of Bywong, County of Murray, for conservation of water for domestic purposes. (Reference: 40SL70811.)

Kevin William MILLER for a pump on Adelong Creek, lot 3 DP180666, Parish of Euadera, County of Wynyard for irrigation of 6 Hectares (Lucerne). Replacement license to increase pumping capacity. (Reference: 40SL70812).

Robert Alan McPHIE, June McPHIE and David Lachlan McPHIE for 3 pumps on the Murrumbidgee River, Lot 1 and Lot 40 DP 750569, Parish of York, County of Beresford for irrigation of 91 hectares (lucerne and fodder crops). Replacement licence – increase in allocation via permanent transfer. 40SL70813.

HUGH ANDREW & SON PTY LIMITED for two pumps on Bundidgerry Creek, Lot 27 DP750821, Parish Of Berrembed, County Of Bourke for the provision of a stock water supply). (40SL70814).

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

Formal objections to the application specifying the grounds thereof, may be made by any statutory authority or a local occupier within the proclaimed area and must be lodged with the Department at Leeton within the 28 days as fixed by the Act.

S.F. WEBB,
Resource Access Manager
Murrumbidgee Region

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

WATER ACT 1912

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

Murrumbidgee Valley

NUBBARED BRIDGE PTY LTD AND TWO MILES PTY LTD for a bore on Lot 31 DP753623, Parish of Moppity, County of Harden for a water supply for the irrigation of 40 hectares (Orchard). New Licence – 40BL188807.

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 20th September, 2002 as prescribed by the Act.

S.F. WEBB,
Resource Access Manager
Murrumbidgee Region

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

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

Janette Inetta COULTON for a pump on the Manilla River on a road adjacent to Lot 267/752178, Parish of Dinawirindi, County of Darling for stock and domestic purposes. L.O. Papers 90SL100622. GA2493740.

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 28 days as specified in the Act.

GEOFF CAMERON,
Manager Resource Access

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

Department of Mineral Resources

NOTICE is given that the following applications have been received:

ASSESSMENT LEASE APPLICATION

(T02-0384)

No. 27, JAMES FREDERICK SONNBERG and MARK ANDREW SHELDON, area of about 36 hectares, for limestone, dated 1 August, 2002. (Singleton Mining Division).

EXPLORATION LICENCE APPLICATIONS

(T02-0386)

No. 1959, A.C.N. 099 477 979 PTY LTD (ACN 099 477 979), area of 8 units, for Group 1, dated 2 August, 2002. (Orange Mining Division).

(T02-0387)

No. 1960, YARDARINO LIMITED (ACN 009 256 535), area of 19 units, for Group 1, dated 7 August, 2002. (Orange Mining Division).

MINING LEASE APPLICATION

(T02-0385)

No. 216, JAMES FREDERICK SONNBERG and MARK ANDREW SHELDON, area of about 36 hectares, to mine for limestone, dated 1 August, 2002. (Singleton Mining Division).

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

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(T01-0217)

No. 1832, now Exploration Licence No. 5970, ILUKA RESOURCES LIMITED (ACN 008 675 018), County of Taila, Map Sheet (7429, 7529), area of 33 units, for Group 10, dated 2 August, 2002, for a term until 1 August, 2004.

(T01-0219)

No. 1834, now Exploration Licence No. 5971, ILUKA RESOURCES LIMITED (ACN 008 675 018), County of Taila, Map Sheet (7328, 7329, 7428, 7429), area of 34 units, for Group 10, dated 2 August, 2002, for a term until 1 August, 2004.

(T02-0011)

No. 1856, now Exploration Licence No. 5971, ILUKA RESOURCES LIMITED (ACN 008 675 018), County of Taila, Map Sheet (7328, 7329, 7428, 7429), area of 34 units, for Group 10, dated 2 August, 2002, for a term until 1 August, 2004.

(T02-0020)

No. 1865, now Exploration Licence No. 5968, OMYA AUSTRALIA PTY LIMITED (ACN 001 682 533), County of Ashburnham, Map Sheet (8431), area of 12 units, for Group 2, dated 30 July, 2002, for a term until 29 July, 2004.

(T02-0035)

No. 1879, now Exploration Licence No. 5969, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Cunningham, Map Sheet (8332), area of 73 units, for Group 1, dated 1 August, 2002, for a term until 31 July, 2004.

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

NOTICE is given that the following application has been refused:

EXPLORATION LICENCE APPLICATION

(T02-0028)

No. 1872, LYMREND PTY LTD (ACN 003 463 036), County of Murray and County of St Vincent, Map Sheet (8827). Refusal took effect on 8 August, 2002.

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

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

(T00-0038)

Exploration Licence No. 5761, DAVID HOBBY, area of 3 units. Application for renewal received 6 August, 2002.

(T00-0024)

Exploration Licence No. 5774, PASMINGO AUSTRALIA LIMITED (ACN 004 074 962), area of 64 units. Application for renewal received 6 August, 2002.

(C01-0631)

Mining Lease No. 1326 (Act 1992), CENTENNIAL SPRINGVALE PTY LIMITED (ACN 052 096 812) and SPRINGVALE SK KORES PTY LIMITED (ACN 051 015 402), area of 2157 hectares. Application for renewal received 9 August, 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:

(T97-1147)

Exploration Licence No. 5319, AUSTMINEX NL (ACN 005 470 799), County of Forbes, Map Sheet (8530), area of 6 units. Cancellation took effect on 1 August, 2002.

(T01-0112)

Exploration Licence No. 5895, MOUNT ISA MINES LIMITED (ACN 009 661 447), County of Westmoreland, Map Sheet (8829, 8830), area of 38 units. Cancellation took effect on 12 June, 2002.

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

Department of Planning

Blacktown Local Environmental Plan 1988 (Amendment No 172)

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. (P02/00100/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Blacktown Local Environmental Plan 1988 (Amendment No 172)

Blacktown Local Environmental Plan 1988 (Amendment No 172)

1 Name of plan

This plan is *Blacktown Local Environmental Plan 1988 (Amendment No 172)*.

2 Aims of plan

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

3 Land to which plan applies

This plan applies to:

- (a) Lot 2, DP 212564, Lot 20, DP 29715 and Lot 3B, DP 419920, David Lane, Blacktown, and
- (b) Lot 33, DP 834989, Flushcombe Road, Blacktown, and
- (c) Lot A, DP 419920 and Lot 8, DP 107859, Westfield Place, Blacktown,

as shown edged heavy black on the map marked "Classification Map No 22" deposited in the office of the Council of the City of Blacktown.

4 Amendment of Blacktown Local Environmental Plan 1988

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

Blacktown Local Environmental Plan 1988 (Amendment No 172)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Schedule 4 Classification or reclassification of public land as operational land

Insert in alphabetical order of locality in Part 2 of the Schedule:

Blacktown

David Lane	Lot 2, DP 212564, as shown edged heavy black on the map marked "Classification Map No 22"—Easement for electricity purposes and right of carriageway affecting the easement (J154642) and transfer of right of carriageway (X344424) noted on Certificate of Title Vol 9281 Fol 43— <i>Blacktown Local Environmental Plan 1988 (Amendment No 172)</i> .
David Lane	Lot 20, DP 29715, as shown edged heavy black on the map marked "Classification Map No 22"— <i>Blacktown Local Environmental Plan 1988 (Amendment No 172)</i> .
David Lane	Lot 3B, DP 419920, as shown edged heavy black on the map marked "Classification Map No 22"— <i>Blacktown Local Environmental Plan 1988 (Amendment No 172)</i> .
Flushcombe Road	Lot 33, DP 834989, as shown edged heavy black on the map marked "Classification Map No 22"— <i>Blacktown Local Environmental Plan 1988 (Amendment No 172)</i> .
Westfield Place	Lot A, DP 419920, as shown edged heavy black on the map marked "Classification Map No 22"—Cross easements (H456730) noted on Certificate of Title Vol 8128 Fol 159— <i>Blacktown Local Environmental Plan 1988 (Amendment No 172)</i> .
Westfield Place	Lot 8, DP 107859, as shown edged heavy black on the map marked "Classification Map No 22"— <i>Blacktown Local Environmental Plan 1988 (Amendment No 172)</i> .

Page 3

Ku-ring-gai Local Environmental Plan No 188

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. (S01/00577/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Ku-ring-gai Local Environmental Plan No 188

Ku-ring-gai Local Environmental Plan No 188

1 Name of plan

This plan is *Ku-ring-gai Local Environmental Plan No 188*.

2 Aims of plan

This plan aims to convert all imperial (non-metric) standards into metric in the *Ku-ring-gai Planning Scheme Ordinance*.

3 Land to which plan applies

This plan applies to all land within the local government area of Ku-ring-gai under the *Ku-ring-gai Planning Scheme Ordinance*.

4 Amendment of Ku-ring-gai Planning Scheme Ordinance

The *Ku-ring-gai Planning Scheme Ordinance* is amended as set out in Schedule 1.

Ku-ring-gai Local Environmental Plan No 188

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 4 Interpretation

Omit paragraph (a) of the definition of *Home industry*. Insert instead:

- (a) the building does not occupy a floor space exceeding 27.9 square metres and is erected within the curtilage of the dwelling-house or residential flat building occupied by the person carrying on the industry or on adjoining land owned by such person,

[2] Clause 36 Consultation

Omit clause 36 (b) and (c). Insert instead:

- (b) the erection of any building or group of buildings to be used wholly or partly as commercial premises where the total floor space in such building or group of buildings exceeds 1,858 square metres,
- (c) the erection of any building or group of buildings to be used wholly or partly as a shop where the total floor space in such building or group of buildings exceeds 1,393.5 square metres,

[3] Clause 43 Minimum size of allotments

Omit clause 43 (1)–(4). Insert instead:

- (1) A dwelling-house shall not be erected in Zone No 2 (a):
 - (a) on any allotment which has an area of less than 790 square metres,
 - (b) on any rectangularly shaped allotment which has a width of less than 18 metres,
 - (c) on any irregularly shaped allotment, other than a hatchet-shaped allotment, which has a width of less than 18 metres at a distance of 12.2 metres from the street alignment,

Ku-ring-gai Local Environmental Plan No 188

Schedule 1 Amendments

-
- (d) on any hatchet-shaped allotment which has an area of less than 1,105 square metres exclusive of the area of the access corridor which shall have a width of not less than 4.6 metres,
 - (e) on any allotment, other than a hatchet-shaped allotment, having a frontage to a main road or county road which allotment has a width of less than 27.4 metres at a distance of 12.2 metres from the street alignment.
- (2) A dwelling-house shall not be erected in Zone No 2 (b):
- (a) on any allotment which has an area of less than 836 square metres,
 - (b) on any rectangularly shaped allotment which has a width of less than 18 metres,
 - (c) on any irregularly shaped allotment, other than a hatchet-shaped allotment, which has a width of less than 18 metres at a distance of 12.2 metres from the street alignment,
 - (d) on any hatchet-shaped allotment which has an area of less than 1,170 square metres exclusive of the area of the access corridor which shall have a width of not less than 4.6 metres,
 - (e) on any allotment, other than a hatchet-shaped allotment, having a frontage to a main road or county road which allotment has a width of less than 27.4 metres at a distance of 12.2 metres from the street alignment.
- (3) A dwelling-house shall not be erected in Zone No 2 (c):
- (a) on any allotment which has an area of less than 929 square metres,
 - (b) on any rectangularly shaped allotment which has a width of less than 18 metres,
 - (c) on any irregularly shaped allotment, other than a hatchet-shaped allotment, which has a width of less than 18 metres at a distance of 12.2 metres from the street alignment,

Ku-ring-gai Local Environmental Plan No 188

Amendments

Schedule 1

-
- (d) on any hatchet-shaped allotment which has an area of less than 1,300 square metres exclusive of the area of the access corridor which shall have a width of not less than 4.6 metres,
 - (e) on any allotment, other than a hatchet-shaped allotment, having a frontage to a main road or a county road which allotment has a width of less than 27.4 metres at a distance of 12.2 metres from the street alignment.
- (4) A dwelling-house shall not be erected in Zone No 2 (g) on any allotment of land which has an area of less than 10,120 square metres and a frontage to a road of less than 36.6 metres.

[4] Clause 43 (6) and (7)

Omit the subclauses. Insert instead:

- (6) A residential flat building shall not be erected in Zone No 2 (d):
 - (a) on any allotment which has an area of less than 1,208 square metres,
 - (b) on any rectangularly shaped allotment which has a width of less than 24.4 metres,
 - (c) on any irregularly shaped allotment, other than a hatchet-shaped allotment, which has a width of less than 24.4 metres at a distance of 12.2 metres from the street alignment,
 - (d) on any hatchet-shaped allotment which has a width of less than 24.4 metres at the building line, an area of less than 1,672 square metres exclusive of the area of the access corridor which shall have a width of not less than 6.1 metres,
 - (e) on any allotment, other than a hatchet-shaped allotment, having a frontage to a main road or county road which allotment has a width of less than 27.4 metres at a distance of 12.2 metres from the street alignment,
 - (f) to a height exceeding three storeys.
- (7) A residential flat building shall not be erected in Zone No 2 (e):
 - (a) on any allotment which has an area of less than 929 square metres,

Ku-ring-gai Local Environmental Plan No 188

Schedule 1 Amendments

- (b) on any rectangularly shaped allotment which has a width of less than 18 metres,
- (c) on any irregularly shaped allotment, other than a hatchet-shaped allotment, which has a width of less than 18 metres at a distance of 12.2 metres from the street alignment,
- (d) on any hatchet-shaped allotment which has a width of less than 18 metres at the building line, an area of less than 1,300 square metres exclusive of the area of the access corridor which shall have a width of not less than 4.6 metres,
- (e) on any allotment, other than a hatchet-shaped allotment, having frontage to a main road or county road which allotment has a width of less than 27.4 metres at a distance of 12.2 metres from the street alignment,
- (f) to a height exceeding two storeys.

[5] Clause 44

Omit the clause. Insert instead:

44 Hotel and motel

- (1) A hotel shall not be erected on any parcel of land which has an area of less than 9,290 square metres.
- (2) A motel shall not be erected on any parcel of land which has a frontage to a public road of less than 30.5 metres, a width at the building line of less than 30.5 metres and an area of less than 1,858 square metres.

[6] Clause 45

Omit the clause. Insert instead:

45 Liquid fuel depots

A liquid fuel depot having an aboveground storage capacity of 454,600 litres or more of inflammable liquid shall not be established, enlarged or used except with the consent of the responsible authority and the concurrence of the WorkCover Authority.

Ku-ring-gai Local Environmental Plan No 188

Amendments

Schedule 1

[7] Clause 47 Restrictions on excavations

Omit “fifty feet”. Insert instead “15.2 metres”.

[8] Clause 50

Omit the clause. Insert instead:

50 Building lines along county and main roads

Notwithstanding any other provision of this Ordinance, a residential building shall not be erected in Zone No 2 (d) or 2 (e) closer than 9.1 metres to a county road or a main road.

[9] Clause 53 Residential flat buildings

Omit clause 53 (1) (a). Insert instead:

- (a) vehicular parking space of an area of not less than 5.5 metres by 2.4 metres for each flat within the building, and

[10] Clause 54 Service stations or car repair stations

Omit clause 54 (1) (a)–(e). Insert instead:

- (a) the site is more than 91.4 metres from the junction or intersection of a county road or a main road with another county road or a main road,
- (b) where the site has frontage to a county road or a main road:
 - (i) the Police Service and the Roads and Traffic Authority have been consulted, and
 - (ii) where the site is not a corner lot the frontage to such road is not less than 38.1 metres or, where the site is a corner lot, the frontage to such road is not less than 30.5 metres,
- (c) where the site has frontage to a road other than a county road or a main road such frontage is not less than 30.5 metres,
- (d) the width of a vehicular crossing over a footpath is not more than 9.1 metres,

Ku-ring-gai Local Environmental Plan No 188

Schedule 1 Amendments

- (e) any vehicular crossing over a footpath is not closer than 6.1 metres to a road intersection,

[11] Clause 54 (2) (b) and (d)

Omit the paragraphs. Insert in appropriate order:

- (b) fuel pumps are within the site and not closer than 3.7 metres to the road alignment,
- (d) vehicular access to or from the site from or to an adjoining road is situated not closer than 24.4 metres to any traffic lights on such road, and

[12] Clause 55 Drive-in theatres

Omit clause 55 (a) and (b). Insert instead:

- (a) a vehicular entrance to or exit from a drive-in theatre shall not be located within 91.4 metres of a county road or a main road,
- (b) within the site of a drive-in theatre there shall be a vehicular driveway, at least 61 metres in length and 21.3 metres in width, leading from the entrance to the site to the ticket office,

[13] Clause 60 Floor space of buildings

Omit clause 60 (2) (c). Insert instead:

- (c) the area of private balconies not enclosed above a height of 1.2 metres from the floor on at least one side.

Nambucca Local Environmental Plan 1995 (Amendment No 40)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (G01/00092/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Nambucca Local Environmental Plan 1995 (Amendment No 40)

Nambucca Local Environmental Plan 1995 (Amendment No 40)

1 Name of plan

This plan is *Nambucca Local Environmental Plan 1995 (Amendment No 40)*.

2 Aims of plan

This plan aims to amend *Nambucca Local Environmental Plan 1995*:

- (a) to remove undertakings for the purpose of telecommunications facilities or communications facilities from the definition of ***public utility undertaking*** from clause 5 (1) of that plan, and
- (b) to permit development for the purpose of communications facilities to be carried out with the consent of Nambucca Shire Council in all zones except Zone Nos 5 (b), 7 (a), 7 (b), 7 (f), 7 (g), 8 (a), 9 and 10 where such development is to be prohibited, and
- (c) to permit development for the purpose of utility installations to be carried out without the consent of Nambucca Shire Council in all zones except Zone Nos 7 (a), 7 (b), 7 (f), 7 (g), 8 (a), 9 and 10.

3 Land to which plan applies

This plan applies to all land to which *Nambucca Local Environmental Plan 1995* applies.

4 Amendment of Nambucca Local Environmental Plan 1995

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

Nambucca Local Environmental Plan 1995 (Amendment No 40)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 How are terms defined in this plan?

Omit paragraphs (d) and (e) from the definition of *public utility undertaking* in clause 5 (1).

[2] Clause 11 What rural and environmental zones apply in this plan?

Insert “; utility installations” in appropriate order in Item 3 of the matter relating to Zone Nos 1 (a1), 1 (a2), 1 (a3), 1 (a4) and 1 (d) in the development control table to the clause.

[3] Clause 11, development control table

Insert “communications facilities;” in appropriate order in Item 4 of the matter relating to Zone No 1 (f).

[4] Clause 25 What residential zones apply in this plan?

Insert “; utility installations” in appropriate order in Item 3 of the matter relating to Zone Nos 2 (a), 2 (b), 2 (c), 2 (d) and 2 (v) in the development control table to the clause.

[5] Clause 31 What business zones apply in this plan?

Insert the following before “Exempt development” in Item 3 of the matter relating to Zone No 3 (a) in the development control table to the clause:

Development for the purpose of:
utility installations.

[6] Clause 33 What industrial zones apply in this plan?

Insert the following before “Exempt development” in Item 3 of the matter relating to Zone Nos 4 (a) and 4 (b) in the development control table to the clause:

Development for the purpose of:
utility installations.

Nambucca Local Environmental Plan 1995 (Amendment No 40)

Schedule 1 Amendments

[7] Clause 34 What special use zones apply in this plan?

Insert “; utility installations” after “bush fire hazard reduction” in Item 3 of the matter relating to Zone No 5 (a) in the development control table to the clause.

[8] Clause 34, development control table

Omit Item 4 of the matter relating to Zone No 5 (a). Insert instead:

4 Only with Development Consent

The particular development indicated on the map and any development ordinarily incidental or ancillary to that development.

Development for the purpose of:
communications facilities; roads.

[9] Clause 34, development control table

Insert the following before “Exempt development” in Item 3 of the matter relating to Zone No 5 (b):

Development for the purpose of:
utility installations.

[10] Clause 36 What open space zones apply in this plan?

Insert the following at the end of Item 3 of the matter relating to Zone Nos 6 (a) and 6 (c) in the development control table to the clause:

Development for the purpose of:
utility installations.

[11] Clause 36, development control table

Insert “communications facilities;” in appropriate order in Item 4 of the matter relating to Zone Nos 6 (a) and 6 (c).

[12] Clause 36, development control table

Omit “; utility installations” from Item 4 of the matter relating to Zone Nos 6 (a) and 6 (c).

Roads and Traffic Authority

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road at
Willawarrin in the Kempsey Shire Council area

THE Roads and Traffic Authority of New South Wales dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

D J Lorsch
Manager, Statutory Processes,
Roads and Traffic Authority of New South Wales.

SCHEDULE

All those pieces or parcels of land situated in the Kempsey Shire Council area, Parish of Willawarrin and County of Dudley, shown as Lot 1 and Lots 12 to 22 inclusive Deposited Plan 248784.

(RTA Papers: 275.173)

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road at Comara in
the Kempsey Shire Council area

THE Roads and Traffic Authority of New South Wales dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

D J Lorsch
Manager, Statutory Processes,
Roads and Traffic Authority of New South Wales.

SCHEDULE

All those pieces or parcels of land situated in the Kempsey Shire Council area, Parish of Peedee and County of Dudley, shown as Lots 3 to 7 inclusive Deposited Plan 1030506.

(RTA Papers: 235.1267)

ROADS ACT 1993

ORDER

Section 31

Fixing or Varying of Levels of part of the Kamilaroi
Highway west of Walgett in the Walgett Shire Council
area

THE Roads and Traffic Authority of New South Wales, by this order under section 31 of the Roads Act 1993, fixes or varies the levels of the part of the State Highway No. 29 - Kamilaroi Highway between 4.68km and 6.26km west of Walgett, as shown on Roads and Traffic Authority plan No. 0029.471.RC.0004.

P J Dearden
Manager, Project Services
Roads and Traffic Authority
51-55 Currajong Street
Parkes NSW 2870

RTA Papers FPP 471.5357; RO 29/055.5000

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road at
Coopernook in the Greater Taree City Council area

THE Roads and Traffic Authority of New South Wales dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

D J Lorsch
Manager, Statutory Processes,
Roads and Traffic Authority of New South Wales.

SCHEDULE

All those pieces or parcels of land situated in the Greater Taree City Council area, Parish of Lansdowne and County of Macquarie, shown as:

Lot 1 Deposited Plan 333376;
Lot 10 Deposited Plan 1042372; and
Lot 1 Deposited Plan 332188.

(RTA Papers: FPP 99M3964; RO 10/426.1590)

Sydney Water

SYDNEY WATER ACT 1994

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

NOTICE OF COMPULSORY ACQUISITION OF LAND AND INTERESTS IN LAND AT WATERFALL IN THE LOCAL GOVERNMENT AREA OF SUTHERLAND SHIRE COUNCIL

ERRATUM

THE following Schedules appeared in *Government Gazette* dated 18 January 2002 (Folios 229 and 230):

SCHEDULE 7

All that piece or parcel of land in the Local Government Area of Sutherland Shire Council, Parish of Heathcote, County of Cumberland, and State of New South Wales, shown on Deposited Plan 869129 as "(A) PROPOSED EASEMENT FOR ACCESS, SEWERAGE PURPOSES AND SERVICES 11 WIDE AND VARIABLE 1579m²" being part Crown Reserve R. 70524 for Public Recreation, as notified in *NSW Government Gazette* No. 52 of 28th April 1989.

SCHEDULE 8

All that piece or parcel of land in the Local Government Area of Sutherland Shire Council, Parish of Heathcote, County of Cumberland, and State of New South Wales, shown on Deposited Plan 869129 as "(B) PROPOSED EASEMENT FOR SEWERAGE PURPOSES AND SERVICES 4 WIDE 850.9m²" being part Crown Reserve R. 70524 for Public Recreation, as notified in *NSW Government Gazette* No. 52 of 28th April 1989.

SCHEDULE 9

All that piece or parcel of land in the Local Government Area of Sutherland Shire Council, Parish of Heathcote, County of Cumberland, and State of New South Wales, shown on Deposited Plan 869129 as "(C) PROPOSED EASEMENT FOR ELECTRICITY PURPOSES 7 WIDE 320.6m²" being part Crown Reserve R. 70524 for Public Recreation, as notified in *NSW Government Gazette* No. 52 of 28th April 1989 and R. 87684 for Public Recreation, as notified in *NSW Government Gazette* No. 30 of 27th February 1970.

SCHEDULE 10

All that piece or parcel of land in the Local Government Area of Sutherland Shire Council, Parish of Heathcote, County of Cumberland, and State of New South Wales, shown on Deposited Plan 869129 as "(D) PROPOSED EASEMENT FOR ACCESS PURPOSES 5 WIDE 642.7m²" being part Crown Reserve R. 70524 for Public Recreation, as notified in *NSW Government Gazette* No. 52 of 28th April 1989 and R. 87684 for Public

Recreation, as notified in *NSW Government Gazette* No. 30 of 27th February 1970.

SCHEDULE 11

All that piece or parcel of land in the Local Government Area of Sutherland Shire Council, Parish of Heathcote, County of Cumberland, and State of New South Wales, shown on Deposited Plan 869129 as "(E) PROPOSED EASEMENT FOR SEWERAGE PURPOSES 4 WIDE 1,425m²" being part Crown Reserve R. 70524 for Public Recreation, as notified in *NSW Government Gazette* No. 52 of 28th April 1989 and R. 87684 for Public Recreation, as notified in *NSW Government Gazette* No. 30 of 27th February 1970.

The Schedules should have read:

SCHEDULE 7

All that piece or parcel of land in the Local Government Area of Sutherland Shire Council, Parish of Heathcote, County of Cumberland, and State of New South Wales, shown on Deposited Plan 869129 as "(A) PROPOSED EASEMENT FOR ACCESS, SEWERAGE PURPOSES AND SERVICES 11 WIDE AND VARIABLE 1579m²" being part Crown Reserve R. 100186 for Public Recreation, as notified in *NSW Government Gazette* No. 52 of 28th April 1989.

SCHEDULE 8

All that piece or parcel of land in the Local Government Area of Sutherland Shire Council, Parish of Heathcote, County of Cumberland, and State of New South Wales, shown on Deposited Plan 869129 as "(B) PROPOSED EASEMENT FOR SEWERAGE PURPOSES AND SERVICES 4 WIDE 850.9m²" being part Crown Reserve R. 100186 for Public Recreation, as notified in *NSW Government Gazette* No. 52 of 28th April 1989.

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WARREN FREDERICK WATKINS,
Group Property Manager

Dated: 9 August 2002.

[Sydney Water reference: 196658FB]

Other Notices

CHARITABLE TRUSTS ACT 1993

ORDER UNDER SECTION 12

CY-PRES SCHEME RELATING TO THE ESTATE OF THE LATE THOMAS MOORE

THE Will of Thomas Moore dated 6 February 1839 stated that the residue should be divided into four equal shares and 'as to one other equal fourth part', applied by the Trustees 'in the augmentation of the salaries of such one or more Clergyman or Clergymen of the United Church of England and Ireland officiating in the said Colony as shall be recommended from time to time by the Bishop of the Diocese...'. Due to practical impediments to compliance with this bequest, the Trustees proposed that the quarter share of the income from residue which is required to be applied to augment the salaries of the clergymen in the various Anglican Dioceses of New South Wales be applied in shares to the Bishops of the Dioceses of New South Wales, to be held on trust for the benefit of clergy licensed by the relevant Bishop, at the absolute discretion of the Bishop of each of the Dioceses.

In November 2001 I formed the view that it was appropriate for a scheme to be ordered which applied the funds so as to allow the residue of the trust moneys to be applied in shares 'to the Bishops of the Dioceses of New South Wales to be held on trust for the benefit of clergy licensed by the Bishop at the absolute discretion of the Bishop of each of the Dioceses.' A cy-pres scheme to this effect was published on 18 January 2002. However, the Trustees have made further submissions concerning the administration of the trust and proposing a new formula to calculate the shares of the bequest.

I have formed the view that the bequest in the Will of Thomas Moore is a gift for charitable purposes and have approved a recommendation that the Attorney General vary the original cy-pres scheme pursuant to section 12(1)(a) of the Charitable Trusts Act 1993 as follows: 'The Trustees shall divide the monies representing the one-fourth part share into a share for each of the Dioceses of the Province of NSW of the Anglican Church of Australia, calculated by applying to one-fourth part share the same proportion as the number of clerical and lay representatives of the General Synod for that Diocese bears to the total number of clerical and lay representatives of the General Synod for the Province, and pay the applicable share to the Bishop of that Diocese to be held upon trust for the benefit of clergy licensed by the Bishop at the absolute discretion of the Bishop.'

I hereby vary the scheme published on 18 January 2002, pursuant to section 17(2) of the Charitable Trusts Act 1993, and make an Order under section 12 of the Act as set out above, such order to take effect 21 days after its publication in the *Government Gazette*, in accordance with section 16(2) of the Charitable Trusts Act.

Date of Order: 9 August 2002.

MG SEXTON, SC,
Solicitor General
Under delegation from the Attorney General

CO-OPERATIVES ACT 1992

NOTICE UNDER SECTION 601AA OF THE CORPORATIONS LAW AS APPLIED BY SECTION 325 OF THE CO-OPERATIVES ACT 1992

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

NAME OF CO-OPERATIVE

Colo and Hawkesbury Meals on Wheels Co-operative Limited

Dated this 12th day of August 2002.

C GOWLAND,
Delegate Of The Registrar Of Co-operatives

CO-OPERATIVE HOUSING AND STARR- BOWKETT SOCIETIES ACT 1998

NOTICE UNDER SECTION 601AA OF THE CORPORATIONS LAW AS APPLIED BY SECTION 177 OF THE CO-OPERATIVE HOUSING AND STARR- BOWKETT SOCIETIES ACT 1998

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

NAME OF CO-OPERATIVE

United Starr-Bowkett Co-operative Building Society No 19 Limited

Dated this 12th day of August 2002.

C GOWLAND,
Delegate Of The Registrar Of Co-operatives

DISTRICT COURT ACT 1973

DISTRICT COURT OF NEW SOUTH WALES

DIRECTION

PURSUANT to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:

Wagga Wagga 10.00 a.m. 21 October 2002.

Dated this 14th day of August 2002.

R. O. BLANCH,
Chief Judge

DISTRICT COURT ACT 1973

DISTRICT COURT OF NEW SOUTH WALES

DIRECTION

PURSUANT to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:

Queanbeyan 10.00 a.m. 16 September 2002.

Dated this 13th day of August 2002.

R. O. BLANCH,
Chief Judge

DRIVER AUTHORITY (TRANSITIONAL DRIVERS) EXEMPTION ORDER 2002

PASSENGER TRANSPORT (GENERAL)
REGULATION 2000

PURSUANT to the authority conferred on me by clause 14 of the Passenger Transport (General) Regulation 2000, being a duly delegated officer by the Director-General of the Department of Transport pursuant to section 40 of the Transport Administration Act 1988, I hereby grant the exemption as specified herein and order that it has effect until, from and until the dates specified.

MARK BRIMFIELD,
Acting Director, Contracts & Compliance
Department of Transport

1 Title

This is the Driver Authority (Transitional Drivers) Exemption Order 2002.

2 Application

The exemption granted by and specified in this order:

- (a) is deemed to have taken effect on and from midnight on 1 August 2002 and shall continue to have effect until midnight 20 October 2002, and
- (b) applies in respect of that class of persons defined herein by the term *transitional driver*, and
- (c) is subject to the conditions prescribed in this order, and
- (d) ceases to have effect after the date specified in subclause (a) above or, in respect of any *transitional driver*:
 - (i) when he or she renews his or her authority, or
 - (ii) if he or she fails to comply with the conditions of this exemption, or
 - (iii) if it is sooner revoked by the Director-General.

3 Definitions

In this order and in the exemption granted by this order:

expired authority means a driver authority which expired on any date on and between midnight of 1 August 2002 until midnight 31 August 2002.

specified vehicle means, in respect of a *transitional driver*, the vehicle or vehicles specified in the expired authority and for which the expired authority had been valid.

this exemption means the exemption granted by and specified in this order.

transitional driver means the holder of a driver authority issued under section 12 of the Passenger Transport Act 1990 which has expired but which has not been renewed.

4 Exemption

- (1) A *transitional driver* is exempt from the requirements of section 11 (1) of the Act, and so does not have to hold a driver authority in order to drive the *specified vehicle*, but
- (2) All other provisions of the Act and regulations, in respect the driving of public passenger vehicles, apply to a *transitional driver* as if this exemption had not been granted.

5 Conditions

A *transitional driver* must not drive a public passenger vehicle unless he or she:

- (a) carries such evidence of this exemption as the Director-General may provide to him or her, and
- (b) furnishes it to an authorised officer if requested to do so.

GEOGRAPHICAL NAMES ACT 1966

Notice of Suburb Boundary Amendment
In Randwick City

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day amended the suburb boundary between Randwick and Kingsford, increasing the extent of Randwick, as shown on map GNB3642.

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143
BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

Notice Of Assignment Of Geographical Names And
Boundaries For Localities in Yass Shire

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the names and boundaries of the following twenty-four Localities in Yass Shire, to be used as the address, as shown on map GNB3823:

Bango, Binalong, Boambolo, Bookham, Bowning, Burrinjuck, Cavan, Good Hope, Gundaroo, Jeir, Kangiara, Laverstock, Manton, Marchmont, Mullion, Murrumbateman, Nanima, Narrangullen, Springrange, Sutton, Wee Jasper, Woolgarlo, Yass and Yass River.

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143
BATHURST NSW 2795

HOUSTING ACT 2001**DEDICATION OF LAND AS PUBLIC RESERVE**

THE New South Wales Land and Housing Corporation by its delegate declares pursuant to the provisions of sections 34 (3) and 34 (4) of the Housing Act 2001 that the land described in the Schedule below is dedicated as Public Reserve and vested in the Council of the City of Wollongong.

Dated this 1st day of August 2002.

M. VERRENDER,
Acting General Manager
Resitech

SCHEDULE

The Public Reserve shown as Lot 59 on the plan of land at Koonawarra, City of Wollongong, Parish of Calderwood, County of Camden, registered in the Land Titles Office as Deposited Plan No.: 239048.

LOCAL GOVERNMENT ACT 1993**Coffs Harbour Northern Areas Sewerage**

Vesting of land and easements in Coffs Harbour City Council

THE Minister for Land and Water Conservation of the State of New South Wales, declares that the land and easements described in the Schedule hereto, which were acquired for the purpose of the Coffs Harbour Northern Areas Sewerage Scheme are vested in Coffs Harbour City Council.

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

SCHEDULE**LAND**

Lot 1 in Deposited Plan 1035338 (SB 55186).

INTEREST IN LAND

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

Deposited Plan 1035338 (SB55186) as:

‘(Y) PROPOSED EASEMENT FOR WATER PIPELINE VARIABLE WIDTH’

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

Deposited Plan 1035338 (SB55186) as:

‘(X) PROPOSED EASEMENT FOR SEWER PIPELINE VARIABLE WIDTH’

Easement rights as described under the heading Electricity Cables (Beneath the Surface) in Memorandum E780099 filed in the Office of Land and Property Information NSW over the site shown in:

Deposited Plan 1035338 (SB55186) as:

‘(Z) PROPOSED EASEMENT FOR UNDERGROUND ELECTRICITY CABLES VARIABLE WIDTH’

DPWS Reference 139.

NATIONAL PARKS AND WILDLIFE ACT 1974**WINGHAM BRUSH 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 Wingham Brush Nature Reserve has been prepared.

The plan will be on public display from 16 August 2002 until 4 November 2002. Copies of the plan may be inspected during office hours at:

NPWS Head Office Library 7th floor 43 Bridge Street HURSTVILLE	Manning Valley Visitor Information Centre Manning River Drive TAREE NORTH
National Parks Centre 102 George Street THE ROCKS	NPWS Manning Area Office 78 Hargreaves Drive TAREE

NPWS Mid North Coast
Region Office
152 Horton Street
PORT MACQUARIE

Copies of the plan may be obtained, free of charge, from above National Parks and Wildlife Service offices, the National Parks Centre and the NPWS website: www.npws.nsw.gov.au.

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

The Planning Officer
Wingham Brush Nature Reserve
National Parks & Wildlife Service
PO Box 61
PORT MACQUARIE NSW 2444

by close of business on 4 November 2002.

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. Following adoption of the plan by the Minister, copies of all submissions will be available by arrangement for inspection in the regional office mentioned above. 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

NATIONAL PARKS AND WILDLIFE ACT 1974

ERRATUM

IN the Proclamation reserving part of Guy Fawkes River National Park dated 22nd February 2002, folio 1170, the plan number 'DP75148' is incorrect and should read 'DP751448'.

BRIAN GILLIGAN,
Director General

Signed and sealed at Sydney this 7th day of August 2002.

MARIE BASHIR,
Governor

By Her Excellency's Command

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

GODSAVE THE QUEEN!

NATIONAL PARKS AND WILDLIFE ACT 1974

PROCLAMATION

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under Section 33(2) of the National Parks and Wildlife Act 1974, do by this my Proclamation, reserve such of the lands described hereunder as are prescribed lands within the meaning of Section 33(1) of the National Parks and Wildlife Act, 1974, as Turon National Park.

SIGNED and SEALED at Sydney this 31st day of July 2002.

MARIE BASHIR,
Governor

By Her Excellency's Command

BOB DEBUS, M.P.,
Minister For The Environment

GODSAVE THE QUEEN!

Description

Land Districts – Bathurst and Rylstone; LGA – Lithgow

County Roxburgh, Parishes Bandamora and Turon, about 2970 hectares, being Lot 76 DP755795 (Portion 76 Turon), Lot 121 DP704711 (Bandamora), the area including the bed of Turon River separating Lots 76 and 121 aforesaid, inclusive of Crown Public road within Lot 76, the bed of Turon Creek within Lot 121, exclusive of Crown Public road within Lot 121. NPWS 01/00421.

Note: The affected parts of Reserve from Conditional Sale R.24428 notified 25th July 1896, Reserve from Sale Generally R.62820 notified 17th July 1931 and Reserve for Access No. 97188 (Lot 121 aforesaid) notified 16th March 1984 are hereby revoked by virtue of this proclamation.

NATIONAL PARKS AND WILDLIFE ACT 1974

PROCLAMATION

I, PROFESSOR MARIE BASHIR, AC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under Section 68 of the National Parks and Wildlife Act 1974, with the consent of every owner and occupier do, on the recommendation of the Director-General of National Parks and Wildlife, by this my Proclamation revoke the lands described hereunder as part of Alkoma Wildlife Refuge.

Description

Land District – Cowra; Council – Cowra

County Forbes, Parish Kangaroooby, about 483.6 hectares, being lot 138, DP 752943. NPWS W/5131.

PASSENGER TRANSPORT ACT 1990

Notification in Respect of Taxi-cab Fares

IT is hereby notified, in pursuance of clause 14 of the Passenger Transport (General) Regulation 2000, that clause 70 (1) (b) of the Passenger Transport (Taxi-cab Services) Regulation 2001 does not apply to a taxi-cab that is a maxi-cab.

IT is hereby further notified, in pursuance of section 60A of the Passenger Transport Act 1990, that the Notification in Respect of Taxi-cab Fares published in the "*New South Wales Government Gazette*" No. 116 of 12 July 2002, is amended by inserting in Schedule 1 immediately after the words "Metropolitan transport district," the words, "Newcastle transport district," and is further amended by inserting in Schedules 1 and 2, in each case immediately after the matter relating to "Tolls", the words:

"Maxi-cabs: Except in the case of a multiple hiring, where 75% of the authorised fare applies, all the above maximum fares and charges apply only in the case of a maxi-cab hired from a taxi zone or hailed on the street to carry up to 5 passengers. For any other hiring (except a multiple hiring) up to 150% of the above maximum fares and charges may be charged."

MICHAEL DEEGAN,
Director-General
Department of Transport

PROPERTY, STOCK AND BUSINESS AGENTS ACT 1941

NOTIFICATION

I, JOHN JOSEPH AQUILINA, MP, Minister for Fair Trading, in pursuance of section 36AA(2) of the Property, Stock and Business Agents Act 1941, have determined that the Reserve Bank of Australia target cash rate will apply in relation to the calculation of interest on moneys held in trust accounts kept by Calare Credit Union Ltd in accordance with the provisions of the Act.

JOHN AQUILINA, M.P.,
Minister

**PROPERTY, STOCK AND BUSINESS AGENTS
ACT 1941**

NOTIFICATION

I, JOHN JOSEPH AQUILINA, MP, Minister for Fair Trading, in pursuance of section 36AA(2) of the Property, Stock and Business Agents Act 1941, have determined that the Reserve Bank of Australia target cash rate will apply in relation to the calculation of interest on moneys held in trust accounts kept by Laiki Bank in accordance with the provisions of the Act.

JOHN AQUILINA, M.P.,
Minister

THREATENED SPECIES CONSERVATION ACT

Notice of Preliminary Determinations

Proposed Additions to Schedules

THE Scientific Committee, established by the Threatened Species Conservation Act, has made Preliminary Determinations to support a proposal to list the following in the relevant Schedules of the Act.

Endangered Species (Part 1 of Schedule 1)

Grevillea renwickiana F. Muell., a prostrate shrub

Indigofera baileyi F. Muell., a perennial herb

Prasophyllum sp. Majors Creek (Jones 11084), a terrestrial herb

Tawny Crevice-dragon, *Ctenophorus decessii* (Duméril and Bibron 1837)

Zieria citriodora J. A. Armstrong ms., a shrub

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.

Endangered Population (Part 2 of Schedule 1)

White-browed Treecreeper *Climacteris affinis* Blyth, 1864 population in Carrathool local government area south of the Lachlan River and Griffith local government areas

The Committee is of the opinion that this population has been reduced to such a critical level, and its habitat has been so drastically reduced that it is in immediate danger of extinction, and it is not a population of a species already listed in Schedule 1, and it is disjunct and at or near the limit of its geographic range.

Vulnerable Species (Schedule 2)

Doryanthes palmeri W. Hill ex Benth., a giant rosette plant

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.

Key Threatening Process (Schedule 3)

Infection by Psittacine Circoviral (beak and feather) Disease affecting endangered psittacine species and populations

The Committee is of the opinion this threatening process adversely affects two or more threatened species or populations.

THREATENED SPECIES CONSERVATION ACT

Notice of Preliminary Determination

Proposed Amendment to Schedules

Endangered Species (Part 1 of Schedule 1)

Micromyrtus minutiflora (F. Muell.) Benth., a shrub

The Committee has made a Preliminary Determination to support a proposal to list this species as an ENDANGERED SPECIES in Part 1 of Schedule 1 of the Act, and as a consequence, to omit reference to this species from Schedule 2 (Vulnerable species) of the Act.

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 20th September, 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

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:

14 August 2002

- 025/7294** EMPLOYEE ASSISTANCE PROGRAM. DOCUMENTS: \$110.00 PER SET
023/7275 STORAGE AND DISTRIBUTION OF VACCINES FOR NSW HEALTH. DOCUMENTS: \$110.00 PER SET

21 August 2002

- IT02/2829** RENTAL OF PERSONAL COMPUTERS AND PRINTERS. DOCUMENTS: \$110.00 PER SET
02/7265 SUPPLY & INSTALLATION OF A FIXED PUBLIC ADDRESS SYSTEM. DOCUMENTS: \$55.00 PER SET

27 August 2002

- S0228860** 2002 HSC SECURITY METRO SYDNEY. DOCUMENTS: \$110.00 PER SET
S0228862 2002 HSC SECURITY, W'GONG, GOS'F, SYD. DOCUMENTS: \$110.00 PER SET

28 August 2002

- IT 01/2807** COMMERCIALISATION OF LCAID
DPWS'S LIFE CYCLE ASSESSMENT SOFTWARE. DOCUMENTS: \$110.00 PER SET

29 August 2002

- 02/2809** PROVISION OF JOINT COMPUTER NETWORK ADMINISTRATION AND SUPPORT.
DOCUMENTS: \$220.00 PER SET

3 September 2002

- 038/904** INTRAVENOUS & IRRIGATING SOLUTIONS. DOCUMENTS: \$0.00 PER SET

4 September 2002

- 2006b** COMPUTER PERIPHERALS AND ASSOCIATED EQUIPMENT. DOCUMENTS: \$220.00 PER SET
025/7255 SUPPLY OF ELECTRONIC SECURITY EQUIPMENT. DOCUMENTS: \$110.00 PER SET
023/7306 SUPPLY OF INFLUENZA VACCINE FOR NEW SOUTH WALES DEPARTMENT OF HEALTH.
DOCUMENTS: \$110.00 PER SET

11 September 2002

- 025/7315** PRINTING SERVICES FOR THE SYDNEY OPERA HOUSE. DOCUMENTS: \$110.00 PER SET

18 September 2002

- 022/7289** PRE EMPLOYMENT MEDICAL EXAMINATION SERVICE FOR NSW POLICE. DOCUMENTS:
\$110.00 PER SET
022/7289 PRE EMPLOYMENT MEDICAL EXAMINATION SERVICE FOR NSW POLICE. DOCUMENTS:
\$110.00 PER SET

19 September 2002

- 036/7285** BANKING AND PURCHASING CARD FACILITIES TO NSW GOVT, AND SCHOOL BANKING.
DOCUMENTS: \$1,650.00 PER SET

10 October 2002**IT02/2783** SUPPLY OF A NSW GOVERNMENT LICENSING SYSTEM (GLS). DOCUMENTS: \$1,650.00 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.



The Office of the NSW Government Printer

Printing Tender No. 26490

Tenders are invited for the printing of corrugated board disposable furniture and other products for the NSW General Election to be held in March 2003.

The criteria for the tender evaluation will carefully scrutinise all tender responses for the following:

- Capacity to produce all in-house
- Security (whilst in production and distribution)
- Implementation of quality procedures
- Being located close to the Sydney CBD

For full details and tender documentation, and to view samples, contact Phil Dobson, Tel: 9743 8777.

Tenders close 9.30am on Monday 26th August 2002, and must be lodged in the Tender Box at the Office of the NSW Government Printer & NSW Government Printing Service Unit 5, Block V, 391 Park Rd, Regents Park NSW 2143.

Tender closing Monday 2nd September 2002

Advertised for 2 weeks starting Friday 16th August 2002

Job No. 30612 Tenders are invited on behalf of the Department of Education for the production and printing of 28,000 Calendars. The calendar is printed in 4 colour process throughout and incorporates platemaking, printing, binding and delivery. The successful tenderer must provide proper facilities and resources and supply the high standard of production and quality required. They will be expected to meet with the customer and designer when required. Strict timelines are in place for the duration of the project. Enquiries to Peter Sparks on 9743 8777.

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

Auburn Council

Roads Act 1993, Section 162 (1)

Roads (General) Regulation 2000, Clause 9

Naming of Public Roads – Rhoades Lane and Bardo Lane

NOTICE is hereby given that Auburn Council by resolution of the Council dated 7th August, 2002 and pursuant to the above mentioned Act and Regulations, has named the following roads:

Description	Name
The unnamed lane bounded by Chisholm Road, Chiswick Road, Cumberland Road and Elm Road, Auburn.	Rhoades Lane.
The unnamed lane bounded by Station Road, Simpson Street, Dartbrook Road and Hall Street, Auburn.	Bardo Lane.

R. BROWNLEE, General Manager, Auburn Council, PO Box 118, Auburn, NSW 1835.

[0666]

BREWARRINA SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Brewarrina Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993. Dated at Brewarrina this 2nd day of April 2002. R. WALTERS, General Manager, Brewarrina Shire Council, c.o. Flashman & Chalker, Lawyers, PO Box 47, Nyngan, NSW 2825.

SCHEDULE

Lot 10 in Deposited Plan 751553.

[0671]

LAKE MACQUARIE CITY COUNCIL

Tree Preservation Order

THE Lake Macquarie City Council – (“Council”), at its meeting on 12th August, 2002 resolved, in accordance with Clause 8 of the Environmental Planning and Assessment Model Provisions 1980 (as adopted by the Lake Macquarie Local Environmental Plan 1984) that it was expedient for the purpose of securing amenity and preserving existing amenity to rescind any existing Tree Preservation Order made by Council prior to this date and to make the following Tree Preservation Order:

1. This Tree Preservation Order prohibits except with the consent of Council the ring-barking, cutting down, topping, lopping, removing, injuring, or wilful destruction of any tree or trees specified in Clause 3 below.
2. A consent may be given subject to such conditions as the Council thinks fit.
3. Except as provided in Clause 4 below, this Tree Preservation Order relates to all:
 - (a) Australian Native Species of trees including *Araucaria* species; exceeding 3 meters in height or having a trunk diameter of 75mm or more;
 - (b) mangroves and indigenous cycads regardless of their height or trunk diameter; and
 - (c) trees or groups of trees which have been listed in the Council’s Register of Significant Trees regardless of their height or trunk diameter on all land in the City of Lake Macquarie.
4. (a) This Tree Preservation Order does not apply to:
 - (i) trees in a State Forest or on land reserved as a timber reserve within the meaning of the Forestry Act 1916, or to trees or shrubs required to be removed, trimmed, cut down, topped or lopped in accordance with the Electricity Supply (General) Regulation 2001 or to trees removed, cut down, topped, or lopped by the Commissioner of the NSW Rural Fire Service or Council or the carrying out of bushfire hazard reduction work referred to in section 100C under the Rural Fires Act 1997 and any Bushfire Management Plan produced in accordance with that Act; or
 - (ii) a tree on the same allotment and within 3 metres of a building for which development consent has been granted.
- (b) Clause 4 (a) (ii) does not apply if the tree is listed on Council’s Register of Significant Trees or is subject to a development consent condition that requires the tree to be retained.
5. It is sufficient defence to proceedings under this Order relating to the ring-barking, cutting down, topping, lopping, removal, injury or wilful destruction of a tree to prove:
 - (a) that the tree was dying or dead or had become dangerous;
 - (b) that taking the action was reasonably necessary to protect human life, buildings or other property from imminent danger from a bush fire burning in the vicinity of the land on which the tree was situated; or
 - (c) that written notice about the proposed action was given to this Council and Council, before the action was taken, confirmed in writing:
 - (i) that the tree or native vegetation was in a fuel free zone within the meaning of the document entitled ‘Planning for Bush Fire Protection’ published by the Department of Bush Fire Services; and

- (ii) that, if Council has classified species of trees as being likely to present a significant fire hazard, the trees were of such a species; or
- (d) that written notice about the proposed action was given to this Council, a period of not less than 14 days occurred after the notice was given (and before action was taken) and Council did not advise the person during that period that it opposed the action being taken.

In this subclause "notice" means a notice that includes the name and address of the person who gives it and that explains that a tree of a named species situated in a specified position on land described in the notice is intended to be ring-barked, cut down, topped, lopped, removed, injured or wilfully destroyed for the purpose of bush fire hazard reduction.

Trees, which are apparently dying and suffering some form of stress, should not be removed without seeking the advice of Council's Tree Preservation Officer. Appropriate treatment may return the plant to a state of health. Where a tree is considered dangerous all reasonable measures are to be made to seek the approval and/or advice of Council's Tree Preservation Officer prior to removal or pruning;

6. A person who contravenes or causes or permits to be contravened this Tree Preservation Order shall be guilty of an offence.

K. HOLT, General Manager, Lake Macquarie City Council, Box 1906, Hunter Region Mail Centre, NSW 2310. [0668]

ESTATE NOTICES

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of CLARA MILLER, late of 89 Warrimoo Drive, Quakers Hill, in the State of New South Wales, widow, who died on 7th May, 2002 must send particulars of his claim to the executor, Richard Peter Moss, c.o. Low Doherty & Stratford, Solicitors, 9 Campbell Street, Blacktown, 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 31st July, 2002. LOW DOHERTY & STRATFORD, Solicitors, 9 Campbell Street, Blacktown, NSW 2148 (DX 8109, Blacktown), tel.: (02) 9622 4644.

[0669]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of MARY ANN STANBURY, late of 1 Bolton Street, Bateau Bay (previously of 10 Douglas Street, Redfern) in the State of New South Wales, who died on 25th February, 2002 must send particulars of his claim to the executor, Kevin George Svetkoff, c.o. Heaney, Richardson & Nemes, Solicitors, Level 10, AWA Building, 45-47 York Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 1st August, 2002.

HEANEY, RICHARDSON & NEMES, Solicitors for the Administrator, Level 10, AWA Building, 45-47 York Street, Sydney, NSW 2000 (DX 367, Sydney), tel.: (02) 9262 3299.

[0670]

NOTICE of intended distribution of estate.-Any person having any claim upon the estate of HENRY LIONEL MALEY, late of Unit 103, Gilroy Village, Barcom Street, Merrylands in the State of New South Wales, retired, who died on 27th June, 2002 must send particulars of his claim to the executor, Patrick Leslie Maley, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 29th July, 2002. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777.

[0672]

COMPANY NOTICES

NOTICE of members' voluntary winding up.-SPANJUR FORESTS PTY LIMITED (In liquidation), ACN 000 628 526.-Notice is hereby given that an extraordinary general meeting of the abovenamed company was duly convened and held at the offices of McBurney & Partners, Level 7, 20 Loftus Street, Sydney on 30th July, 2002. The following resolutions were proposed and passed: Special Resolution - "That the company be voluntarily wound up and in accordance with the provisions of section 491 of the Australian Corporations Act 2001". Ordinary Resolution - "That Mark Stewart Tucker of McBurney & Partners be appointed as liquidator". Dated this 30th day of July 2002. MARK STEWART TUCKER, Liquidator, c.o. McBurney & Partners, Level 7, 20 Loftus Street, Sydney, NSW 2000, tel.: (02) 9241 2651.

[0673]

NOTICE convening final meeting of members.-CLODE PTY LIMITED (In liquidation), ACN 001 058 537.-Notice is hereby given pursuant to section 509 of the Corporations Law that a final general meeting of members of the abovenamed company will be held at the offices of David B. Dickson & Co., Level 8, 10 Spring Street, Sydney on 18th September, 2002 at 10.00 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 explanation that may be given by the liquidator. Dated this 12th day of August 2002. DAVID B. DICKSON, Liquidator, c.o. David B. Dickson & Co., Level 8, 10 Spring Street, Sydney, NSW 2000, tel.: (02) 9221 7566.

[0674]

