



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

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## LEGISLATION

### Proclamations



New South Wales

## Proclamation

under the

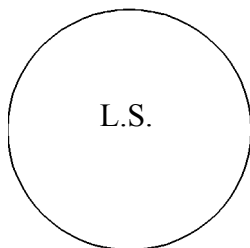
Albury-Wodonga Development Repeal Act 2000 No 18

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 *Albury-Wodonga Development Repeal Act 2000*, do, by this my Proclamation, appoint 26 September 2003 as the day on which that Act (except sections 4, 5, 6, 11, 12, 16 and 17 and Schedule 1) commences.

Signed and sealed at Sydney, this 24th day of September 2003.

By Her Excellency's Command,



L.S.

DAVID ANDREW CAMPBELL, M.P.,  
Minister for Regional Development

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to commence those provisions of the *Albury-Wodonga Development Repeal Act 2000* that will facilitate the subsequent dissolution of the Albury-Wodonga (New South Wales) Corporation and the repeal of the *Albury-Wodonga Development Act 1974*.



## Proclamation

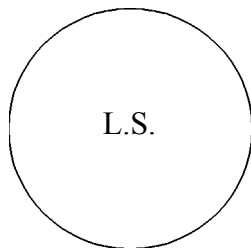
under the

Firearms Amendment (Prohibited Pistols) Act 2003 No 36

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 *Firearms Amendment (Prohibited Pistols) Act 2003*, do, by this my Proclamation, appoint 1 October 2003 as the day on which that Act commences. Signed and sealed at Sydney, this 24th day of September 2003.

By Her Excellency's Command,



JOHN WATKINS, M.P.,  
Minister for Police

GOD SAVE THE QUEEN!



## Proclamation

under the

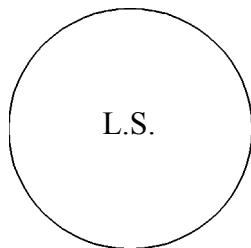
Human Cloning and Other Prohibited Practices Act 2003 No 20

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 *Human Cloning and Other Prohibited Practices Act 2003*, do, by this my Proclamation, appoint 1 October 2003 as the day on which that Act commences.

Signed and sealed at Sydney, this 24th day of September 2003.

By Her Excellency's Command,



FRANK ERNEST SARTOR, M.P.,  
Minister for Science and Medical Research

GOD SAVE THE QUEEN!



## Proclamation

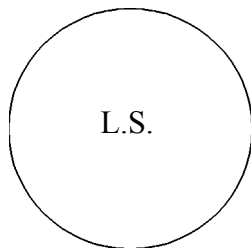
under the

Local Government Amendment Act 2000 No 112

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 *Local Government Amendment Act 2000*, do, by this my Proclamation, appoint 26 September 2003 as the day on which Schedule 1 [6] to that Act commences. Signed and sealed at Sydney, this 24th day of September 2003.

By Her Excellency's Command,



ANTHONY BERNARD KELLY, M.L.C.,  
Minister for Local Government

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to commence a provision of the *Local Government Amendment Act 2000* that inserts section 310A into the *Local Government Act 1993*. The new section allows postal votes in an election to be accepted for scrutiny at any time up to 6 pm on the first business day immediately following the close of the poll so long as they have been completed before the close of the poll.



## Proclamation

under the

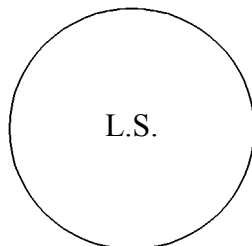
Motor Trade Legislation Amendment Act 2001 No 86

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 *Motor Trade Legislation Amendment Act 2001*, do, by this my Proclamation, appoint 1 October 2003 as the day on which Schedule 2 [5], [13], [14], [18], [21], [34], [35], [36], [37] and [64] to that Act commence.

Signed and sealed at Sydney, this 24th day of September 2003.

By Her Excellency's Command,



REBA PAIGE MEAGHER, M.P.,  
Minister for Fair Trading

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to commence certain provisions of the *Motor Trade Legislation Amendment Act 2001* which amend the *Motor Vehicle Repairs Act 1980* concerning licensing, tradesperson's certificates and the provision of information.



New South Wales

## Proclamation

under the

Police Act 1990

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 34 of the *Police Act 1990*, do, by this my Proclamation, amend Schedule 2 (NSW Police senior executive positions) to that Act as set out in Schedule 1 to this Proclamation.

Signed and sealed at Sydney, this 24th day of September 2003.

By Her Excellency's Command,

JOHN WATKINS, M.P.,  
Minister for Police

GOD SAVE THE QUEEN!

Proclamation

Schedule 1      Amendment of Schedule 2 (NSW Police senior executive positions) to the Act

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**Schedule 1    Amendment of Schedule 2 (NSW Police senior executive positions) to the Act**

**[1]**    Omit “Senior Assistant Commissioner” and “Commander, Traffic Services”.

**[2]**    Omit “General Manager, Business and Technology Services”.

          Insert instead “Chief Information Officer and General Manager, Business Technology Services”.

**[3]**    Insert at the end of the Schedule:

          Assistant Commissioner, Communications

          Assistant Commissioner, Professional Standards

          Director, Corporate Infrastructure



New South Wales

## Proclamation

under the

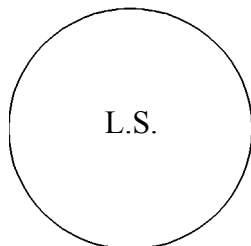
Research Involving Human Embryos (New South Wales)  
Act 2003 No 21

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 *Research Involving Human Embryos (New South Wales) Act 2003*, do, by this my Proclamation, appoint 1 October 2003 as the day on which that Act commences.

Signed and sealed at Sydney, this 24th day of September 2003.

By Her Excellency's Command,



FRANK ERNEST SARTOR, M.P.,  
Minister for Science and Medical Research

GOD SAVE THE QUEEN!



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# Regulations

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## **Boating (Safety Equipment) Amendment (Lifejackets) Regulation 2003**

under the

Maritime Services Act 1935

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Maritime Services Act 1935*.

MICHAEL COSTA, M.L.C.,  
Minister for Transport Services

### **Explanatory note**

The object of this Regulation is to amend the *Boating (Safety Equipment) Regulation—N.S.W.*:

- (a) to require persons on board certain recreational vessels to wear lifejackets when crossing specified coastal bars, and
- (b) to require the operator of such a vessel to take reasonable measures to ensure that persons on board the vessel wear lifejackets when crossing those coastal bars.

Failure to comply with those requirements is an offence. This Regulation also contains amendments enabling penalty notices to be issued in relation to those offences.

This Regulation is made under the *Maritime Services Act 1935*, including section 38 (the general regulation-making power) and, in particular, section 38 (2B).

Clause 1 Boating (Safety Equipment) Amendment (Lifejackets) Regulation 2003

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## **Boating (Safety Equipment) Amendment (Lifejackets) Regulation 2003**

under the

Maritime Services Act 1935

### **1 Name of Regulation**

This Regulation is the *Boating (Safety Equipment) Amendment (Lifejackets) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 1 October 2003.

### **3 Amendment of Boating (Safety Equipment) Regulation—N.S.W.**

The *Boating (Safety Equipment) Regulation—N.S.W.* is amended as set out in Schedule 1.

Boating (Safety Equipment) Amendment (Lifejackets) Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

### [1] Clause 2 Definitions

Omit the definition of *Buoyancy vest*.

### [2] Clause 2

Insert in alphabetical order:

*Buoyancy vest* means a personal flotation device that complies with the requirements set out in Schedule 1 in relation to buoyancy vests.

*Lifejacket* means a lifejacket or personal flotation device that complies with the requirements set out in Schedule 1 in relation to lifejackets.

### [3] Clause 12B

Insert after clause 12A:

#### 12B Lifejacket must be worn when crossing coastal bar

- (1) A person on board a vessel must wear a lifejacket when the vessel is crossing a coastal bar.

Maximum penalty: \$1,500.

- (2) It is a defence to a prosecution for an offence against subclause (1) if the defendant (being a person other than the operator of the vessel concerned) shows that:

- (a) there was no available lifejacket on board the vessel at the time concerned, or
- (b) he or she did not know, and could not reasonably have been expected to know, that the vessel was crossing a coastal bar.

- (3) For the purposes of subclause (2), the defendant is taken to have had knowledge that the vessel concerned was crossing a coastal bar if, before the vessel proceeded to cross the coastal bar, the operator had:

- (a) informed the defendant that the vessel was crossing a coastal bar, or

## Boating (Safety Equipment) Amendment (Lifejackets) Regulation 2003

## Schedule 1 Amendments

- 
- (b) requested or required the defendant to put on a lifejacket.
- (4) The operator of a vessel must ensure that each person on board the vessel complies with subclause (1).  
Maximum penalty: \$1,500.
- (5) It is a defence to a prosecution for an offence against subclause (4) if the operator of the vessel shows that he or she took all reasonable measures to ensure that each person on board the vessel complied with subclause (1).
- (5) In this clause, *coastal bar* means a bar named in Schedule 1A, being a shallow area where sediment is deposited across a river mouth, lake, estuary or harbour entrance, in the approximate location described opposite the name of the bar in that Schedule.

**[4] Schedule 1A**

Insert after Schedule 1:

**Schedule 1A Coastal Bars**

(Clause 12B)

<b>Name of Bar</b>	<b>General Description of Bar Location</b>
North Coast Region:	
Bellinger River	Located near the town of Urunga in the vicinity of the confluence of the Bellinger and Kalang Rivers and the Tasman Sea.
Brunswick River	Located near the town of Brunswick Heads in the vicinity of the confluence of the Brunswick River with the Coral Sea.
Camden Haven River	Located near the town of North Haven in the vicinity of the confluence of the Camden Haven Inlet with the Tasman Sea.
Cape Hawke Harbour	Located near the towns of Forster-Tuncurry in the vicinity of the confluence of Cape Hawke Harbour with the Tasman Sea.

## Boating (Safety Equipment) Amendment (Lifejackets) Regulation 2003

Amendments

Schedule 1

<b>Name of Bar</b>	<b>General Description of Bar Location</b>
Clarence River	Located near the town of Yamba in the vicinity of the confluence of the Clarence River with the Coral Sea.
Corindi River	Located near the town of Red Rock in the vicinity of the confluence of the Corindi River with the Tasman Sea.
Cudgen Creek	Located near the town of Kingscliff in the vicinity of the confluence of Cudgen Creek with the Coral Sea.
Cudgera Creek	Located near the town of Hastings Point in the vicinity of the confluence of Cudgera Creek with the Coral Sea.
Evans River	Located near the town of Evans Head in the vicinity of the confluence of the Evans River with the Coral Sea.
Hastings River	Located near the town of Port Macquarie in the vicinity of the confluence of the Hastings River with the Tasman Sea.
Killick Creek	Located near the town of Crescent Head in the vicinity of the confluence of Killick Creek with the Tasman Sea.
Korogoro Creek	Located near the town of Hat Head in the vicinity of the confluence of Korogoro Creek with the Tasman Sea.
Macleay River	Located near the town of South West Rocks in the vicinity of the confluence of the Macleay River with the Tasman Sea.
Manning River	Located near the town of Harrington in the vicinity of the confluence of the Manning River with the Tasman Sea.
Manning River	Located near the town of Old Bar in the vicinity of the confluence of Farquhar Inlet with the Tasman Sea.
Mooball Creek	Located near the town of Pottsville in the vicinity of the confluence of Mooball Creek with the Coral Sea.

## Boating (Safety Equipment) Amendment (Lifejackets) Regulation 2003

## Schedule 1 Amendments

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<b>Name of Bar</b>	<b>General Description of Bar Location</b>
Nambucca River	Located near the town of Nambucca Heads in the vicinity of the confluence of the Nambucca River with the Tasman Sea.
Richmond River	Located near the town of East Ballina in the vicinity of the confluence of the Richmond River with the Coral Sea.
Sandon River	Located near the town of Sandon in the vicinity of the confluence of the Sandon River with the Coral Sea.
South West Rocks Creek	Located near the town of South West Rocks in the vicinity of the South West Rocks Creek and the Tasman Sea.
Tweed River	Located near the town of Tweed Heads in the vicinity of the confluence of the Tweed River with the Coral Sea.
Wooli River	Located near the town of Wooli in the vicinity of the confluence of the Wooli River with the Coral Sea.
<b>South Coast Region:</b>	
Bermagui River	Located near the town of Bermagui in the vicinity of the confluence of the Bermagui River with the Tasman Sea.
Clyde River	Located near the town of Batemans Bay in the vicinity of the confluence of the Clyde River and Batemans Bay.
Lake Conjola	Located near the town of Lake Conjola in the vicinity of the confluence of Lake Conjola with the Tasman Sea.
Crookhaven River	Located near the town of Crookhaven in the vicinity of the confluence of the Shoalhaven River with the Tasman Sea.
Currambene Creek	Located near the town of Huskisson in the vicinity of the confluence of Currambene Creek with the Tasman Sea.

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## Boating (Safety Equipment) Amendment (Lifejackets) Regulation 2003

Amendments

Schedule 1

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<b>Name of Bar</b>	<b>General Description of Bar Location</b>
Currarong Creek	Located near the town of Currarong in the vicinity of the confluence of Currarong Creek with the Tasman Sea.
Lake Illawarra	Located near the town of Warilla in the vicinity of the confluence of Lake Illawarra with the Tasman Sea.
Merimbula Lake	Located near the town of Merimbula in the vicinity of the confluence of Merimbula Lake with the Tasman Sea.
Minnamurra River	Located near the town of Minnamurra in the vicinity of the confluence of the Minnamurra River with the Tasman Sea.
Moruya River	Located near the town of Moruya Heads in the vicinity of the confluence of the Moruya River with the Tasman Sea.
Narrawallee Inlet	Located near the town of Narrawallee in the vicinity of the confluence of Narrawallee Inlet with the Tasman Sea.
Pambula River	Located near the town of Pambula Beach in the vicinity of the confluence of the Pambula River with the Tasman Sea.
Sussex Inlet	Located near Jervis Bay and Cudmirrah National Parks in the vicinity of the confluence of Sussex Inlet with the Tasman Sea.
Tomaga River	Located near the towns of Mossy Point and Tomakin in the vicinity of the confluence of the Tomaga River with the Tasman Sea.
Tuross Inlet	Located near the town of Tuross Head in the vicinity of the confluence of the Tuross Lake with the Tasman Sea.
Wagonga Inlet	Located near the town of Narooma in the vicinity of the confluence of the Wagonga Inlet with the Tasman Sea.

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## Boating (Safety Equipment) Amendment (Lifejackets) Regulation 2003

## Schedule 1 Amendments

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<b>Name of Bar</b>	<b>General Description of Bar Location</b>
Wollongong Harbour	Located near the city of Wollongong in the vicinity of the confluence of Wollongong Harbour with the Tasman Sea.
Wonboyn River	Located near the town of Wonboyn in the vicinity of the confluence of the Wonboyn River with the Tasman Sea.
Hunter/Inland Region:	
Swansea Channel	Located near the suburb of Swansea in the vicinity of the confluence of Lake Macquarie's Swansea Channel with the Tasman Sea.
Tuggerah Lake	Located near the town of The Entrance in the vicinity of the confluence of Tuggerah Lake with the Tasman Sea.
Hawkesbury/Broken Bay Region:	
Brisbane Water	Located near the town of Umina in the vicinity of the confluence of Brisbane Water with Broken Bay.

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**[5] Schedule 2 Matters prescribed for the purposes of section 30D of the Act**

Insert after item 1AA in Columns 1 and 3, respectively:

1AB	Offence under clause 12B (1)	200
1AC	Offence under clause 12B (4)	200





## District Court Amendment (Court Fees) Regulation 2003

under the

District Court Act 1973

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *District Court Act 1973*.

BOB DEBUS, M.P.,  
Attorney General

### Explanatory note

The object of this Regulation is to amend the *District Court Regulation 2000* with respect to fees payable in relation to certain proceedings in the District Court's civil jurisdiction. The amendments propose:

- (a) to introduce a hearing allocation fee for the allocation of a date to hear proceedings of \$900 (in the case of a corporation) or \$450 (in any other case), and
- (b) to introduce a hearing fee for the 6th and each subsequent day of a hearing of \$235 per half day (in the case of a corporation) or \$117.50 per half day (in any other case), and
- (c) to introduce a uniform fee for issuing a subpoena of \$106 (in the case of a corporation) or \$53 (in any other case), and
- (d) to remove the corporate rate (being twice the individual rate) in relation to fees for service or attempted service of any process or other document or for the execution or attempted execution of any writ or warrant.

This Regulation is made under the *District Court Act 1973*, including section 150 (Regulations: Court fees).

Clause 1          District Court Amendment (Court Fees) Regulation 2003

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## **District Court Amendment (Court Fees) Regulation 2003**

under the

District Court Act 1973

### **1 Name of Regulation**

This Regulation is the *District Court Amendment (Court Fees) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 1 October 2003.

### **3 Amendment of District Court Regulation 2000**

The *District Court Regulation 2000* is amended as set out in Schedule 1.

District Court Amendment (Court Fees) Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

### [1] Clause 3 Interpretation

Insert in alphabetical order in clause 3 (1):

*criminal proceedings* means proceedings in the Court's criminal jurisdiction within the meaning of section 9 (2) of the Act.

*hearing allocation fee* means a fee referred to in item 17 of Schedule 1.

*hearing fee* means a fee referred to in item 18 of Schedule 1.

*the Act* means the *District Court Act 1973*.

### [2] Clause 3 (2)

Omit the subclause. Insert instead:

- (2) Notes in the text of this Regulation (other than those in Schedule 1) do not form part of this Regulation.

### [3] Clause 5 Fees not chargeable to the Crown

Omit clause 5 (2). Insert instead:

- (2) No hearing allocation fee or hearing fee is chargeable to any of the following parties to proceedings or to agents acting on their behalf in those proceedings:
- (a) the Government of New South Wales,
  - (b) any New South Wales Government Department,
  - (c) any statutory body whose expenditure is paid out of the Consolidated Fund.
- (3) A registrar may require evidence to be furnished for the purpose of deciding whether a statutory body's expenditure is paid out of the Consolidated Fund.
- (4) This clause does not prevent the recovery from any person by the Crown or by any such statutory body of any such fee that, had it been paid, would have been recoverable from that person.

## District Court Amendment (Court Fees) Regulation 2003

## Schedule 1 Amendments

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**[4] Clause 6 Pro bono cases**

Insert “, or a hearing allocation fee or hearing fee in any such proceedings,” after “party to proceedings” in clause 6 (1).

**[5] Clause 6 (3A)**

Insert after clause 6 (3):

- (3A) Despite clause 9A, the Court must not refuse to allocate a date for hearing proceedings or refuse to hear those proceedings merely because, in accordance with this clause, a hearing allocation fee or hearing fee has not been taken on behalf of a pro bono party to those proceedings.

**[6] Clause 6 (4) (b)**

Insert “, or the hearing allocation fee or hearing fee,” after “that document”.

**[7] Clause 7 Postponement of fees in certain other cases**

Insert after clause 7 (3):

- (3A) Despite clause 9A, the Court must not refuse to allocate a date for hearing proceedings or refuse to hear those proceedings merely because, in accordance with this clause, a hearing allocation fee or hearing fee has not been taken on behalf of a legally assisted party to those proceedings.

**[8] Clause 8 Persons by and to whom fees payable (other than hearing allocation or hearing fees)**

Insert after clause 8 (3):

- (4) This clause:
- (a) does not apply to hearing allocation fees or hearing fees, and
  - (b) is subject to any provision to the contrary in Schedule 1.

District Court Amendment (Court Fees) Regulation 2003

Amendments

Schedule 1

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**[9] Clause 8A**

Insert after clause 8:

**8A Persons by and to whom hearing allocation or hearing fees payable**

- (1) A hearing allocation fee or hearing fee charged under this Regulation:
  - (a) is payable by the person made liable to pay the fee under item 17 or 18 respectively of Schedule 1, and
  - (b) is payable to a registrar.
- (2) If a person is acting as an agent for a party to any proceedings (being a party by whom a hearing allocation fee or hearing fee is payable under Schedule 1), the person and the party are jointly and severally liable for payment of the hearing allocation fee or hearing fee.

**[10] Clause 9 Time for payment of fees**

Omit clause 9 (1). Insert instead:

- (1) A fee charged under this Regulation (other than a hearing allocation fee or hearing fee) becomes payable when the document concerned is filed or the service concerned is rendered.
- (1A) A hearing allocation fee charged under this Regulation becomes payable:
  - (a) immediately after a date is allocated for hearing the proceedings, or
  - (b) when the Court or a registrar notifies the parties in writing of the Court's intention to allocate a date for hearing the proceedings,whichever first occurs.
- (1B) A hearing fee charged under this Regulation becomes payable when the Court or a registrar notifies the person liable to pay the hearing fee in writing of the amount of the fee payable.

## District Court Amendment (Court Fees) Regulation 2003

## Schedule 1 Amendments

**[11] Clause 9A**

Insert after clause 9:

**9A Action available if hearing allocation or hearing fee not paid**

If a hearing allocation fee or hearing fee is not paid by the due date for its payment, the Court may refuse to hear or continue to hear the proceedings concerned until the fee is paid.

**[12] Schedule 1 Court fees**

Omit items 7 and 8. Insert instead:

7	Service or attempted service of any process or other document, including service by post and preparation of an affidavit of service—for each address at which service of the process or other document is effected or attempted	42.00
8	Execution or attempted execution of any writ or warrant—for each address at which execution of the writ or warrant is effected or attempted	53.00

**[13] Schedule 1, items 16–18**

Omit item 16. Insert instead:

16	To issue a subpoena (for production, to give evidence, or both)	106.00 (in the case of a corporation) or 53.00 (in any other case)
17	For allocation of a date for hearing the proceedings by a judge or a judge and jury	900.00 (in the case of a corporation) or 450.00 (in any other case)

## District Court Amendment (Court Fees) Regulation 2003

## Amendments

## Schedule 1

**Note 1.** The hearing allocation fee is payable by the plaintiff or appellant in the proceedings. If the Court or a registrar so orders, the fee is payable by another party to the proceedings or by any parties to the proceedings in the proportions ordered.

**Note 2.** A hearing allocation fee is payable for proceedings allocated a date for hearing after 1 October 2003 whether the proceedings were initiated before or after that date.

**Note 3.** A hearing allocation fee is not payable:

- (a) in criminal proceedings, or
- (b) if the proceedings are of an interlocutory nature only.

**Note 4.** A hearing allocation fee is not payable and, if paid, is to be remitted, if:

- (a) the proceedings do not proceed on the allocated date for hearing, and
- (b) a registrar is satisfied that the adjournment was due to circumstances beyond the control of the parties to the proceedings.

18	For the hearing of proceedings by a judge or judge and jury—each half day of hearing on or after the 6th day	235.00 (in the case of a corporation) of 117.50 (in any other case)
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**Note 1.** A half day is 3 hours or part of 3 hours. That 3-hour period includes any short adjournment of less than 30 minutes.

**Note 2.** The hearing fee is payable by the plaintiff or appellant in the proceedings. If the Court or a registrar so orders, the fee is payable by another party to the proceedings or by any parties to the proceedings in the proportions ordered.

**Note 3.** A hearing fee is not payable:

- (a) in criminal proceedings, or
- (b) if the sole purpose of the hearing is the delivery of a reserved judgement, or
- (c) if a date for hearing the proceedings was allocated before 1 October 2003.

**Note 4.** If a matter is heard by a judge and jury, a hearing fee may be payable in addition to the daily retention fee for the jury.



New South Wales

## Fines Amendment (Appropriate Officers) Regulation 2003

under the

Fines Act 1996

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

MICHAEL EGAN, M.L.C.,  
Treasurer

### Explanatory note

The object of this Regulation is to designate authorised officers of the Office of State Revenue in the Treasury as appropriate officers for the purposes of Part 3 of the *Fines Act 1996* so as to enable those officers to issue penalty reminder notices under that Act. This Regulation is made as a consequence of the transfer of the functions of the Infringement Processing Bureau from NSW Police to the Office of State Revenue.

This Regulation is made under the *Fines Act 1996*, including section 22 (2) (c) and section 128 (the general regulation-making power).



Clause 1 Fines Amendment (Appropriate Officers) Regulation 2003

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## **Fines Amendment (Appropriate Officers) Regulation 2003**

under the

Fines Act 1996

### **1 Name of Regulation**

This Regulation is the *Fines Amendment (Appropriate Officers) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 1 October 2003.

### **3 Amendment of Fines Regulation 1997**

The *Fines Regulation 1997* is amended as set out in Schedule 1.

Fines Amendment (Appropriate Officers) Regulation 2003

Amendment

Schedule 1

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## Schedule 1 Amendment

(Clause 3)

### Clause 11A

Insert after clause 11:

#### 11A Appropriate officers: section 22

A person who is employed in the Office of State Revenue in the Treasury and who is authorised by the Chief Commissioner of State Revenue for the purposes of this Regulation is specified, for the purposes of section 22 (2) (c) of the Act, to be an *appropriate officer* for all penalty notices.



## Firearms (General) Amendment (Pistols) Regulation 2003

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*.

JOHN WATKINS, M.P.,  
Minister for Police

### Explanatory note

The object of this Regulation is to amend the *Firearms (General) Regulation 1997* as follows:

- (a) to specify metallic silhouette and single action shooting as the types of events for which permits under clause 59A of the Regulation (as inserted by the *Firearms Amendment (Prohibited Pistols) Act 2003*) may be issued (such permits authorise the use of large calibre pistols by licensed pistol shooters for the purposes of participating in specialised shooting competitions),
- (b) to provide further detail in relation to the participation requirements for pistol club members,
- (c) to supplement the prohibited pistol buyback scheme under section 78 of the *Firearms Act 1996* (as substituted by the amending Act) to provide for the payment of compensation to licensed pistol shooters and licensed firearm dealers for surrendering certain pistols and other items associated with prohibited pistols (such as accessories, magazines with a capacity of more than 10 rounds and major parts).

This Regulation is made under the *Firearms Act 1996*, including sections 78A (as inserted by the *Firearms Amendment (Prohibited Pistols) Act 2003*) and 88 (the general regulation-making power).

Clause 1            Firearms (General) Amendment (Pistols) Regulation 2003

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## **Firearms (General) Amendment (Pistols) Regulation 2003**

under the

Firearms Act 1996

### **1 Name of Regulation**

This Regulation is the *Firearms (General) Amendment (Pistols) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 1 October 2003.

### **3 Amendment of Firearms (General) Regulation 1997**

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

Firearms (General) Amendment (Pistols) Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

**[1] Clause 59A Permit for large calibre pistols used in specialised shooting competitions**

Omit “such classes of specialised shooting competitions as may be approved” from clause 59A (2).

Insert instead “a specialised shooting competition”.

**[2] Clause 59A (3)**

Omit “any such”. Insert instead “a”.

**[3] Clause 59A (5)**

Insert after clause 59A (4):

(5) In this clause:

*specialised shooting competition* means a shooting competition involving any one of the following type of events:

- (a) metallic silhouette,
- (b) single action shooting.

**[4] Clause 80A Special conditions relating to pistol clubs**

Omit “catgeory” from clause 80A (c). Insert instead “category”.

**[5] Clause 81 Participation requirements for club members**

Insert after clause 81 (1):

(1A) For the purposes of subclause (1) (a):

- (a) a club organised competitive shooting match may be counted as a club organised shoot, and
- (b) participating in a club organised competitive shooting match includes officiating in such a match, and
- (c) a reference to a club organised shoot includes a reference to any training or target practice that is undertaken at the club’s shooting range, and
- (d) the different kinds of pistols are air pistols, rimfire pistols, centre-fire pistols and black powder pistols.

## Firearms (General) Amendment (Pistols) Regulation 2003

## Schedule 1 Amendments

**[6] Part 10A**

Insert after Part 10:

**Part 10A Compensation for surrendering non-prohibited pistols and other items****85A Definitions**

In this Part:

*accessory* for a pistol means an accessory (such as a special holster) that is specific to the pistol and is directly related to participation in sport/target shooting, but does not include accessories such as gloves, caps, clothing, carry bags, safety glasses or other similar items.

*buy-back period* has the same meaning as in section 78 of the Act.

*major part* of a pistol means a firearm part that is designed to be used in (or as part of) the pistol.

**Note.** The term *firearm part* is defined in section 4 (1) of the Act.

*minor part* of a pistol includes items such as springs, screws, pins or other minor components of the pistol.

**85B Licensed pistol shooters and dealers entitled to compensation for surrendering non-prohibited pistols**

- (1) A person who is the holder of a category H (sport/target shooting) licence that was in force immediately before 1 October 2003 is entitled to be paid compensation by the State for each registered pistol (other than a prohibited pistol) that the person is authorised by the licence to possess if:
  - (a) the person's licence, and
  - (b) each such registered pistol,is surrendered to a police officer or other member of NSW Police during the buy-back period.
- (2) If, in accordance with subclause (1), a person:
  - (a) surrenders the person's category H (sport/target shooting) licence along with each registered pistol (other than a prohibited pistol) that the person is authorised to possess under the licence, and

## Firearms (General) Amendment (Pistols) Regulation 2003

## Amendments

## Schedule 1

- 
- (b) receives compensation under this clause for each such pistol,

the person is not eligible to apply for, and cannot be issued with, a category H (sport/target shooting) licence for a period of 5 years from the date of the surrender.

**85C Licensed pistol shooters entitled to compensation for surrendering certain items relating to prohibited pistols**

- (1) A person who is the holder of a category H (sport/target shooting) licence that was in force immediately before 1 October 2003 is entitled to be paid compensation by the State for any item specified in subclause (2) that is in the person's possession if the item is surrendered to a police officer or other member of NSW Police during the buy-back period.
- (2) The items for which a person is entitled to be paid compensation in accordance with subclause (1) are as follows:
- (a) any accessory for a registered prohibited pistol surrendered by the person in accordance with section 78 of the Act,
  - (b) any major part that is attributable to any such surrendered prohibited pistol or to any other prohibited pistol that the person was previously authorised to possess,
  - (c) any pistol magazine with a capacity of more than 10 rounds.

**85D Licensed firearms dealers entitled to compensation for surrendering certain items relating to prohibited pistols**

- (1) A person who is the holder of a firearms dealer licence that was in force immediately before 1 October 2003 is entitled to be paid compensation by the State for any item specified in subclause (2) that is in the person's possession if the item:
- (a) was acquired or ordered by the person before 20 December 2002, and
  - (b) is surrendered to a police officer or other member of NSW Police during the buy-back period.

## Firearms (General) Amendment (Pistols) Regulation 2003

## Schedule 1 Amendments

- 
- (2) The items for which a person is entitled to be paid compensation in accordance with subclause (1) are as follows:
- (a) any accessory or major part that:
    - (i) is attributable to a registered prohibited pistol, and
    - (ii) can only be used in connection with (or as part of) a prohibited pistol,
  - (b) minor parts that can only be used in connection with (or as part of) a prohibited pistol,
  - (c) any commercially available and factory loaded ammunition that can only be used with a prohibited pistol.

**85E General provisions relating to surrendering of pistols and other items under this Part**

- (1) The amount of compensation payable for surrendering a pistol or any other item under this Part is to be determined by the Commissioner.
- (2) Any pistol or other item that is surrendered under this Part is forfeited to the Crown after compensation for the pistol or item has been paid in accordance with this Part.
- (3) The Commissioner is to make arrangements:
  - (a) for the manner in which pistols and other items are to be surrendered under this Part, and
  - (b) for the manner in which compensation under this Part is to be paid, and
  - (c) for the disposal or destruction of, or for otherwise dealing with, pistols or other items that are surrendered under this Part.

**85F Items for which compensation is not payable under the Act or this Part**

- (1) A person who is the holder of a category H (sport/target shooting) licence is not entitled to be paid compensation under section 78 of the Act or this Part for surrendering any of the following:
  - (a) any ammunition for, or minor parts of, a pistol,



## Firearms (General) Amendment (Pistols) Regulation 2003

## Amendments

## Schedule 1

- 
- (b) any major part that is not directly attributable to a registered prohibited pistol surrendered, or previously owned, by the person,
  - (c) any accessory that is not specific to a registered prohibited pistol surrendered by the person,
  - (d) any major part of, or accessory for, a registered pistol surrendered in accordance with clause 85B.
- (2) A person who is the holder of a firearms dealer licence is not entitled to be paid compensation under section 78 of the Act or this Part:
- (a) for surrendering any pistols or other items in quantities exceeding commercially viable stock levels, or
  - (b) for any loss of business.
- (3) Subclauses (1) and (2) do not limit the basis on which persons are to be regarded as being ineligible to be paid compensation under the Act or this Part.



New South Wales

# Land and Environment Court Amendment (Court Fees) Regulation 2003

under the

Land and Environment Court Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Land and Environment Court Act 1979*.

BOB DEBUS, M.P.,  
Attorney General

## Explanatory note

The object of this Regulation is to amend the *Land and Environment Court Regulation 2000* to introduce a uniform fee of:

- (a) \$53—for issuing a subpoena, and
- (b) \$469—for opening or keeping open the office of the registrar outside of the normal business hours of the office.

This Regulation is made under the *Land and Environment Court Act 1979*, including section 78 (the general regulation-making power).

Clause 1 Land and Environment Court Amendment (Court Fees) Regulation 2003

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## **Land and Environment Court Amendment (Court Fees) Regulation 2003**

under the

Land and Environment Court Act 1979

### **1 Name of Regulation**

This Regulation is the *Land and Environment Court Amendment (Court Fees) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 1 October 2003.

### **3 Amendment of Land and Environment Court Regulation 2000**

The *Land and Environment Court Regulation 2000* is amended as set out in Schedule 1.

Land and Environment Court Amendment (Court Fees) Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

### [1] Schedule 1 Court fees

Omit item 21. Insert instead:

21	Opening, or keeping open, the office of the registrar:	469.00
	(a) on a Saturday, Sunday or public holiday, or	
	(b) on any other day before 8.30 am or after 5 pm	

### [2] Schedule 1, item 23

Omit the item. Insert instead:

23	To issue a subpoena (for production, to give evidence, or both)	53.00
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## Local Government (Tendering) Amendment Regulation 2003

under the

Local Government Act 1993

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

ANTHONY BERNARD KELLY, M.L.C.,  
Minister for Local Government

### Explanatory note

The object of this Regulation is to facilitate the use of electronic communication for local council tendering, in particular by requiring tenderers to use appropriate means to prevent their tenders being tampered with. The Regulation also clarifies the meaning of “formal tender document” for the purposes the *Local Government (Tendering) Regulation 1999*.

This Regulation is made under the *Local Government Act 1993*, including section 748 (the general power to make regulations) and section 55.

Clause 1            Local Government (Tendering) Amendment Regulation 2003

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## **Local Government (Tendering) Amendment Regulation 2003**

under the

Local Government Act 1993

### **1 Name of Regulation**

This Regulation is the *Local Government (Tendering) Amendment Regulation 2003*.

### **2 Amendment of Local Government (Tendering) Regulation 1999**

The *Local Government (Tendering) Regulation 1999* is amended as set out in Schedule 1.

Local Government (Tendering) Amendment Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 2)

### [1] Clause 4 Definitions

Insert in appropriate order in clause 4 (1):

*data storage device* has the same meaning as it has in the *Electronic Transactions Act 2000*.

*electronic means* includes electronic communication within the meaning of the *Electronic Transactions Act 2000*.

*formal tender document* means a standard form document issued by a council for completion by tenderers in connection with the submission of tenders to the council.

### [2] Clause 4

Insert at the end of the clause:

**Note.** Part 2 of the *Electronic Transactions Act 2000* facilitates the use of electronic communication as a means of effecting certain transactions, such as contracts.

### [3] Clause 11 Tender documents

Insert after clause 11 (1) (c):

, and

(d) indicate whether formal tender documents must be submitted in relation to the tender and, if so, how they may be obtained.

### [4] Clause 14

Omit the clause. Insert instead:

#### 14 Submission of tenders

(1) A tender must be submitted in writing, by facsimile transmission or (subject to subclause (2)) by electronic means.

## Local Government (Tendering) Amendment Regulation 2003

## Schedule 1 Amendments

- 
- (2) A tender may not be submitted by electronic means:
- (a) if guidelines are in force under section 23A of the Act with respect to the transmission of tenders by electronic means, unless its submission by electronic means is authorised by, and effected in accordance with, those guidelines, and
  - (b) in any other case, unless its submission by electronic means is effected in a secure form (such as an encrypted document) that ensures that it cannot subsequently be altered.
- (3) Unless sent by facsimile transmission or electronic means, a tender must be sent or delivered in a sealed envelope.
- (4) If a tender is sent by facsimile transmission or electronic means and printed out on receipt, an appropriate person must place the tender in a sealed envelope immediately after it is printed out.

**[5] Clause 15 Custody of tenders after receipt**

Insert “(other than tenders that have submitted by facsimile transmission or electronic means but have not been printed out)” after “tenders” in clause 15 (1) (b) (i).

**[6] Clause 15 (3)**

Insert after clause 15 (2):

- (3) Tenders received by facsimile transmission or electronic means and stored on a data storage device must be stored in such a manner (whether by means of password protection or otherwise) that they are accessible to nobody other than an appropriate person.

**[7] Clause 16 Opening of tenders**

Omit “remove the envelopes containing the tenders from the council’s tender box and open them” from clause 16 (1).

Insert instead “open the tenders”.

**[8] Clause 18 Consideration of tenders**

Insert “(being a tender that does not include formal tender documents)” after “that subclause” in clause 18 (4).



Local Government (Tendering) Amendment Regulation 2003

Amendments

Schedule 1

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**[9] Clause 20 Notification of acceptance of successful tender**

Omit “by post” from clause 20 (a).



# Local Government (Elections) Amendment Regulation 2003

under the

Local Government Act 1993

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

ANTHONY BERNARD KELLY, M.L.C.,  
Minister for Local Government

## Explanatory note

The object of this Regulation is to make a number of amendments to the *Local Government (Elections) Regulation 1998*, including amendments as to the directions to be included on ballot-papers and amendments consequent on the commencement of section 310A of the *Local Government Act 1993*. Section 310A allows postal votes to be accepted in a council election if they are received before 6 pm on the first business day following the day of an election so long as they indicate that they were completed before the close of the poll in the election.

This Regulation is made under the *Local Government Act 1993*, including section 748 (the general power to make regulations) and section 310A.

Clause 1 Local Government (Elections) Amendment Regulation 2003

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## **Local Government (Elections) Amendment Regulation 2003**

under the

Local Government Act 1993

### **1 Name of Regulation**

This Regulation is the *Local Government (Elections) Amendment Regulation 2003*.

### **2 Commencement**

This Regulation commences on 26 September 2003.

### **3 Amendment of Local Government (Elections) Regulation 1998**

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

Local Government (Elections) Amendment Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

### [1] Clause 4 Definitions

Insert in alphabetical order in clause 4 (1):

*close of the poll*, in relation to an election, means 6 pm on the day on which the election is held.

### [2] Clause 47 Issue of postal ballot-paper

Insert “, the date of the election” after “relates” in clause 47 (1) (c).

### [3] Clause 48 Postal voting procedure

Omit clause 48 (4). Insert instead:

(4) The elector is then to deliver or send the envelope, or have it delivered or sent, so as to reach the returning officer before 6 pm on the first business day following election day.

(4A) An envelope containing or purporting to contain a postal ballot-paper is taken to have been received by the returning officer if it is delivered to the senior deputy returning officer at any polling place between 8 am and 6 pm on election day.

### [4] Clause 49

Omit the clause. Insert instead:

#### 49 Closing time for postal vote

A postal vote that does not reach the returning officer before 6 pm on the first business day following election day is not valid and must not be counted.

### [5] Clause 50 Receipt of postal ballot-papers

Omit clause 50 (1).

### [6] Clause 50 (2)

Insert “the first business day following” after “6 pm on”.

## Local Government (Elections) Amendment Regulation 2003

## Schedule 1 Amendments

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**[7] Clause 68 Scrutineers**

Omit clause 68 (1) and (2). Insert instead:

- (1) Each candidate may, by instrument in writing signed by the candidate, appoint scrutineers to be present at each place at which polling is carried out, ballot-papers are scrutinised or votes are counted.
- (2) In the case of candidates belonging to a group, such an appointment may be made by any or all of them.

**[8] Clause 68 (6) and (7)**

Insert after clause 68 (5):

- (6) Nothing in this clause entitles a candidate or group to be represented by more than one scrutineer at any one place at which polling is carried out, ballot-papers are scrutinised or votes are counted.
- (7) The separate tables or stations within any building, room or other location at which polling is carried out, ballot-papers are scrutinised or votes are counted are taken to be separate places for the purposes of subclause (6).

**[9] Clause 77 Persons present at scrutiny and count**

Omit “in a polling place and the principal polling place during the scrutiny and counting and recounting of the ballot-papers and the declaration of the election”.

Insert instead “at each place at which polling is carried out, ballot-papers are scrutinised or votes are counted”.

**[10] Clause 81 Checking of ballot-papers in sealed envelopes**

Omit “produce the postal votes received from the senior deputy returning officers,” from clause 81 (1).

**[11] Clause 81 (1A)**

Insert after clause 81 (1):

- (1A) Postal votes received after the close of the poll but before 6 pm on the first business day following election day are to be dealt with in the same way as postal votes received before the close of the poll.

Local Government (Elections) Amendment Regulation 2003

Amendments

Schedule 1

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**[12] Clause 81 (2) (b)**

Insert “and the Form 8 declaration on the envelope has been duly signed and witnessed” after “on the roll”.

**[13] Clause 82 Finalising the count**

Omit clause 82 (e). Insert instead:

- (e) deliver or send written notification to the candidates of the result of the count as soon as practicable after the result is ascertained.

**[14] Clause 82 (2)**

Insert at the end of clause 82:

- (2) For the purpose of ascertaining the result of the count, the returning officer may cause some or all of the ballot-papers to be sent to a central counting office administered by the Electoral Commissioner to be counted in accordance with arrangements approved by the Electoral Commissioner.

**[15] Clause 116 Postponed and adjourned elections**

Omit “up to the time of the closing of the poll on” from clause 116 (b).

Insert instead “up to 6 pm on the first business day following”.

**[16] Schedule 8, Form 4**

Omit the paragraphs numbered 1, 2 and 3, together with the italicised headings immediately above those paragraphs.

Insert instead:

***Directions for Voting***

*(Here insert the following directions if only one candidate is to be elected)*

Place the number “1” in the square next to the candidate of your choice.

If you wish to vote for any more candidates, place consecutive numbers starting with “2” in the squares next to those candidates in order of your preferences for them. *(This second direction should only be inserted if there are more than 2 candidates)*

*(Here insert the following directions if 2 or more candidates are to be elected)*

## Local Government (Elections) Amendment Regulation 2003

## Schedule 1 Amendments

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Place the numbers (*here insert the sequence of numbers that corresponds to the number of candidates to be elected*) in the squares next to the (*here insert the number of candidates to be elected*) candidates in order of your preferences for them.

If you wish to vote for any more candidates, place consecutive numbers starting with (*here insert the next number after the number of the candidates to be elected*) in the squares next to those candidates in order of your preferences for them. (*This second direction should only be inserted if there are at least 2 more candidates than candidates to be elected*)

**[17] Schedule 8, Form 5**

Omit the paragraphs numbered 1, 2 and 3, together with the italicised headings immediately above those paragraphs.

Insert instead:

***Directions for Voting***

Place the numbers (*here insert the sequence of numbers that corresponds to the number of candidates to be elected*) in the squares next to the (*here insert the number of candidates to be elected*) candidates in order of your preferences for them.

If you wish to vote for any more candidates, place consecutive numbers starting with (*here insert the next number after the number of the candidates to be elected*) in the squares next to those candidates in order of your preferences for them. (*This second direction should only be inserted if there are at least 2 more candidates than candidates to be elected*)

**[18] Schedule 8, Form 6**

Omit “or” wherever occurring adjacent to the voting squares above the groups of candidates listed under the heading “*Directions for Voting*”.

**[19] Schedule 8, Form 6**

Omit the two paragraphs beginning “After marking”, together with the italicised headings immediately above those paragraphs.

Local Government (Elections) Amendment Regulation 2003

Amendments

Schedule 1

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**[20] Schedule 8, Form 8**

Omit the Form. Insert instead:

**Form 8 Postal vote declaration and declaration where  
name not on roll**

(Clauses 48 and 74)

Application No

*(official use only)*

I ..... declare that:

*(insert full name in BLOCK letters)*

- 1 I have not already voted in connection with the forthcoming election being held on ..... in the ..... ward of ..... *(local government area)*.
- 2 I am still entitled to vote at the election and the address of the land to which my voting entitlement relates (as resident, non-resident owner, occupier or ratepaying lessee) is:  
..... *(full address)*
- 3 To the best of my knowledge and belief I am enrolled on the New South Wales or Commonwealth electoral roll.
- 4 The postal vote to which this declaration relates was completed before the close of the poll in the election.

If or because my name is not on the roll of electors being used at the election, in accordance with section 305 of the *Local Government Act 1993* I claim to be entitled to vote at the election.

Date .....

Signature .....

**Witnessing of declaration**

**Postal votes**

I am at least 18 years old and am not a candidate or an agent of a candidate at the abovementioned election, and

I am satisfied as to the identity of the elector, and



Local Government (Elections) Amendment Regulation 2003

Schedule 1 Amendments

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I have seen the elector sign the declaration, and  
I know, or have satisfied myself by reasonable inquiry, that the statements contained  
in the declaration are true.  
The declaration was made before the close of the poll in the election.

Date ..... Signature .....

Address of witness

**Voting at polling place**

I, the returning officer/substitute returning officer/senior deputy returning officer,  
have seen the elector sign the declaration.

Date ..... Signature .....



# Local Courts (Civil Claims) Amendment (Court Fees) Regulation 2003

under the

Local Courts (Civil Claims) Act 1970

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Courts (Civil Claims) Act 1970*.

BOB DEBUS, M.P.,  
Attorney General

## Explanatory note

The object of this Regulation is to amend the *Local Courts (Civil Claims) Regulation 2000* in order:

- (a) to introduce a corporate rate (being twice the individual rate) for certain fees payable in relation to proceedings in the Local Court, and
- (b) to introduce a fee of \$100 (in the case of a corporation) or \$50 (in any other case) for the examination of a judgment debtor by a registrar, and
- (c) to introduce a fee of \$110 (in the case of a corporation) or \$55 (in any other case) for filing a notice of motion under Part 15 of the *Local Courts (Civil Claims) Rules 1988* in respect of an action commenced in the General Division, and
- (d) to remove a fee for filing an application or notice of motion to set aside a decision made in the filing party's absence, and
- (e) to clarify that certain fees for service or execution are payable for each address at which the service or execution is effected or attempted.

This Regulation is made under the *Local Courts (Civil Claims) Act 1970*, including section 85 (Regulations—court fees).

Clause 1 Local Courts (Civil Claims) Amendment (Court Fees) Regulation 2003

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## **Local Courts (Civil Claims) Amendment (Court Fees) Regulation 2003**

under the

Local Courts (Civil Claims) Act 1970

### **1 Name of Regulation**

This Regulation is the *Local Courts (Civil Claims) Amendment (Court Fees) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 1 October 2003.

### **3 Amendment of Local Courts (Civil Claims) Regulation 2000**

The *Local Courts (Civil Claims) Regulation 2000* is amended as set out in Schedule 1.

Local Courts (Civil Claims) Amendment (Court Fees) Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

### [1] Clause 3

Omit the clause. Insert instead:

#### 3 Definitions

In this Regulation:

*corporation* has the same meaning as in section 57A of the *Corporations Act 2001* of the Commonwealth.

*the Act* means the *Local Courts (Civil Claims) Act 1970*.

### [2] Clause 4 Fees

Insert after clause 4 (1):

- (1A) However, a reference in that Schedule to a corporation does not include a reference to a corporation that produces evidence, satisfactory to a registrar:
  - (a) that its turnover, in the financial year of the corporation immediately preceding the financial year in which the fees are to be taken, was less than \$200,000, or
  - (b) if the corporation has not been in existence for a full financial year—that its turnover in its first financial year is likely to be less than \$200,000.
- (1B) A reference in Schedule 1 to a fee payable in the case of a corporation is a reference to a corporation on whose behalf a request is made to file a document or render a service.

## Local Courts (Civil Claims) Amendment (Court Fees) Regulation 2003

## Schedule 1 Amendments

**[3] Schedule 1**

Omit the Schedule. Insert instead:

**Schedule 1 Court fees**

(Clause 4)

		\$
1	Filing a statement of claim:	
(a)	in respect of a claim for an amount not exceeding \$3,000	122.00 (in the case of a corporation) or 61.00 (in any other case)
(b)	in respect of a claim for an amount exceeding \$3,000 but not exceeding \$10,000	160.00 (in the case of a corporation) or 80.00 (in any other case)
(c)	in respect of a claim for an amount exceeding \$10,000	304.00 (in the case of a corporation) or 152.00 (in any other case)
2	Filing a notice of cross-claim or a third or subsequent party notice:	
(a)	in respect of a claim for an amount not exceeding \$3,000	122.00 (in the case of a corporation) or 61.00 (in any other case)
(b)	in respect of a claim for an amount exceeding \$3,000 but not exceeding \$10,000	160.00 (in the case of a corporation) or 80.00 (in any other case)
(c)	in respect of a claim for an amount exceeding \$10,000	304.00 (in the case of a corporation) or 152.00 (in any other case)
3	Filing a notice of motion under Part 15 of the <i>Local Courts (Civil Claims) Rules 1988</i> in respect of an action commenced in the General Division	110.00 (in the case of a corporation) or 55.00 (in any other case)

## Local Courts (Civil Claims) Amendment (Court Fees) Regulation 2003

## Amendments

## Schedule 1

	\$
4 Filing a certificate or certified copy of conviction or order	122.00 (in the case of a corporation) or 61.00 (in any other case)
5 Filing an application for an order under section 18A (1) of the <i>Arbitration (Civil Actions) Act 1983</i> for the rehearing of an action referred for arbitration. This amount is subject to any rules providing for the refund of the whole or any part of the amount	538.00 (in the case of a corporation) or 269.00 (in any other case)
6 Making a copy of any document or part of a document, other than as prescribed by Item 8, for each page (minimum fee of \$10.00)	2.00
7 Supply of duplicate tape recording of sound-recorded evidence, for each cassette	34.00
8 For each copy of the transcript of any proceedings:	
(a) for each page, where the matter being transcribed is under 3 months old (minimum fee for 1 to 8 pages of \$62.00)	7.30
(b) for each page, where the matter being transcribed is 3 months old or older (minimum fee for 1 to 8 pages of \$72.00)	8.40
9 Except as provided by item 10, service or attempted service by an officer of the Sheriff of any process or other document, including service by post and preparation of affidavit of service—for each address at which service of the process or other document is effected or attempted	42.00
10 Service or attempted service of a statement of claim by post—for each address at which service is effected or attempted	27.00

## Local Courts (Civil Claims) Amendment (Court Fees) Regulation 2003

## Schedule 1 Amendments

	\$
11 Filing an application for a certificate of judgment (otherwise than pursuant to the <i>Service and Execution of Process Act 1992</i> of the Commonwealth)	22.00 (in the case of a corporation) or 11.00 (in any other case)
12 (a) To issue a subpoena for production	54.00 (in the case of a corporation) or 27.00 (in any other case)
(b) To issue a subpoena for production and to give evidence	54.00 (in the case of a corporation) or 27.00 (in any other case)
(c) To issue a subpoena to give evidence	22.00 (in the case of a corporation) or 11.00 (in any other case)
13 Execution or attempted execution of a writ of execution or warrant to apprehend a judgment debtor—for each address at which execution of the writ or warrant is effected or attempted	53.00
14 Disbursements in executing or attempting to execute a writ of execution, including a fee for keeping possession	} As prescribed by the scale of fees under the <i>Sheriff Act 1900</i>
15 Levy on writ of execution	
16 For work undertaken in preparing for a sale of land on instructions from a judgment creditor—if sale does not proceed	
17 Examination of a judgment debtor by a registrar	100.00 (in the case of a corporation) or 50.00 (in any other case)



# Motor Vehicle Repairs Amendment (Repair Work) Regulation 2003

under the

Motor Vehicle Repairs Act 1980

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

REBA PAIGE MEAGHER, M.P.,  
Minister for Fair Trading

## Explanatory note

The objects of this Regulation are:

- (a) to prescribe classes of work as **repair work** for the purposes of the *Motor Vehicle Repairs Act 1980*, and
- (b) to provide that an applicant for a licence under the Act must have, or employ at least one person who has, a tradesperson's certificate in respect of the class of repair work for which the application is made.

This Regulation is made under the *Motor Vehicle Repairs Act 1980* (as amended by the *Motor Trade Legislation Amendment Act 2001*) including the definition of **repair work** in section 4 (1) and sections 18 and 89 (the general regulation-making power).



Clause 1 Motor Vehicle Repairs Amendment (Repair Work) Regulation 2003

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## **Motor Vehicle Repairs Amendment (Repair Work) Regulation 2003**

under the

Motor Vehicle Repairs Act 1980

### **1 Name of Regulation**

This Regulation is the *Motor Vehicle Repairs Amendment (Repair Work) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 1 October 2003.

### **3 Amendment of Motor Vehicle Repairs Regulation 1999**

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

Motor Vehicle Repairs Amendment (Repair Work) Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

### [1] Part 1A

Insert after clause 4:

### Part 1A Repair work

#### 4A Classes of repair work

- (1) For the purposes of the definition of *repair work* in section 4 (1) of the Act, the work of each of the following is prescribed as a class:
  - (a) an automotive electrician who works from a fixed workshop,
  - (b) an automotive electrician who works from a mobile workshop,
  - (c) a body maker,
  - (d) a brake mechanic,
  - (e) an exhaust repairer,
  - (f) a front end specialist,
  - (g) a liquefied petroleum gas mechanic,
  - (h) a motor cycle mechanic,
  - (i) a motor mechanic who works from a fixed workshop,
  - (j) a motor mechanic who works from a mobile workshop,
  - (k) a natural gas mechanic,
  - (l) a panelbeater,
  - (m) a radiator repairer,
  - (n) a transmission specialist,
  - (o) a vehicle painter who works from a fixed workshop,
  - (p) a vehicle painter who works from a mobile workshop.
- (2) In this clause:

*automotive electrician* means a person who repairs electrical equipment, systems or circuits in motor vehicles.

## Motor Vehicle Repairs Amendment (Repair Work) Regulation 2003

## Schedule 1 Amendments

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**body maker** means a person who makes motor vehicle bodies (otherwise than in the course of manufacturing new motor vehicles) or who repairs motor vehicle bodies.

**brake mechanic** means a person who repairs brake equipment or systems in motor vehicles.

**exhaust repairer** means a person who repairs exhaust systems on motor vehicles, but does not include a person who repairs any mechanical or electrical system or circuit or any electronic device associated with, or any component of the engine of, a motor vehicle.

**front end specialist** means a person who repairs the steering or suspension systems of motor vehicles.

**liquefied petroleum gas** means a liquid or gaseous substance that is a mixture of hydrocarbons basically consisting of butanes or butenes or propane or propene, or any mixture of all or any of them.

**liquefied petroleum gas equipment** means pipes, fittings, apparatus or appliances used for, or designed for use in, the conveyance or consumption of liquefied petroleum gas in motor vehicles.

**liquefied petroleum gas mechanic** means a person who installs liquefied petroleum gas equipment in motor vehicles or who repairs liquefied petroleum gas equipment in motor vehicles.

**motor cycle mechanic** means a person who performs the work of a motor mechanic only on motor cycles.

**motor mechanic** means a person who repairs the engines or transmissions or the fuel, induction, exhaust, electrical, steering, suspension, cooling or braking systems, of motor vehicles.

**natural gas** means a liquid or gaseous substance which is a mixture of hydrocarbons basically consisting of methane.

**natural gas equipment** means pipes, fittings, apparatus or appliances used for, or designed for use in, the conveyance or consumption of natural gas in motor vehicles.

**natural gas mechanic** means a person who installs natural gas equipment in motor vehicles or who repairs natural gas equipment in motor vehicles.

Motor Vehicle Repairs Amendment (Repair Work) Regulation 2003

Amendments

Schedule 1

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*panelbeater* means a person who repairs the structural components, frames or panel work of motor vehicles.

*radiator repairer* means a person who repairs the radiators, heating equipment, thermostats or fuel tanks of motor vehicles.

*transmission specialist* means a person who repairs the gears, clutches, driveshafts and differentials of motor vehicles and the controlling systems for those parts in motor vehicles.

*vehicle painter* means a person who paints motor vehicles.

**[2] Clause 14A**

Insert after clause 14:

**14A Prescribed resources in relation to applicants for licences**

For the purposes of section 18 (1) (g) and (3) (f) of the Act, an applicant for a licence in respect of a particular class of repair work must have, or employ at least one other person who has, a tradesperson's certificate in respect of that class of repair work.



New South Wales

# Protected Estates Regulation 2003

under the

Protected Estates Act 1983

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Protected Estates Act 1983*.

BOB DEBUS, M.P.,  
Attorney General

## Explanatory note

The object of this Regulation is to repeal and remake the *Protected Estates Regulation 1995 (the 1995 Regulation)*, due to be repealed on 1 September 2003 by section 10 of the *Subordinate Legislation Act 1989*. The repeal was postponed by an order of the Governor under section 11 of that Act.

This Regulation contains provisions with respect to the following:

- (a) the fees payable to the Protective Commissioner under the *Protected Estates Act 1983 (the Act)*—clause 4,
- (b) the information to be provided:
  - (i) to a person detained in a hospital under the *Mental Health Act 1990*, and
  - (ii) to the nearest relative, guardian and friends of that person,concerning the person's capability to manage his or her affairs—clause 5 and Schedules 1 and 2,
- (c) the form of certain orders made under the Act—clause 6 and Schedule 3,
- (d) the matters of which the Protective Commissioner is to be notified in respect of certain protected persons (for example, the protected person's discharge from a hospital)—clauses 7 and 8,
- (e) the decisions of the Protective Commissioner in connection with the exercise of the Protective Commissioner's functions in managing the estates of protected persons that are reviewable by the Administrative Decisions Tribunal—clause 9,

## Protected Estates Regulation 2003

Explanatory note

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- (f) the monetary limit on the Protective Commissioner's discretion to deal with the estate of a deceased protected person in certain circumstances (for example, if probate of the will of the deceased protected person has not been obtained)—clause 10.

This Regulation also contains matters of a formal nature—clauses 1–3 and 11.

This Regulation differs from the 1995 Regulation in only one substantial respect. Clause 4 adopts a revised fee structure from that contained in the equivalent clause (clause 4) of the 1995 Regulation. Specifically, the new clause 4 adopts a fee structure similar to that used by some private sector trustee companies.

This Regulation is made under the *Protected Estates Act 1983*, including section 81 (the general regulation-making power) and the various other sections mentioned in the Regulation.

This Regulation is made in connection with the staged repeal of subordinate legislation under the *Subordinate Legislation Act 1989*.

## Protected Estates Regulation 2003

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Clause 1 Protected Estates Regulation 2003

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## Protected Estates Regulation 2003

under the

Protected Estates Act 1983

### 1 Name of Regulation

This Regulation is the *Protected Estates Regulation 2003*.

### 2 Commencement

This Regulation commences on 1 October 2003.

### 3 Definitions

(1) In this Regulation:

*medical superintendent* has the same meaning as it has in the *Mental Health Act 1990*.

*the Act* means the *Protected Estates Act 1983*.

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

### 4 Fees payable to the Protective Commissioner: section 8

(1) For the purposes of section 8 of the Act, the prescribed fees payable to the Protective Commissioner are as follows:

(a) for the management of a protected person's estate:

(i) for the first year—2.1% of the value of the estate, and

(ii) for every subsequent year—1.1% of the value of the estate,

(b) for the management of an investment for a protected person in an investment fund—0.5% per annum of the value of the investment,

(c) on the net annual income of a protected person in respect of whom a manager of the estate has been appointed—4% per annum,



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- (d) for the investigation, preparation or lodgment of a return required by a taxation authority in respect of an estate in which the Protective Commissioner acts—such reasonable fee for the investigation, preparation or lodgment as the Protective Commissioner may fix,
- (e) for the development of a financial plan for a protected person in respect of whom a manager of the estate has been appointed—such reasonable fee as the Protective Commissioner may fix,
- (f) for filing, examination and passing of accounts—such fee (not exceeding \$100) as the Protective Commissioner may fix,
- (g) for any other service provided, or any other disbursement incurred, by the Protective Commissioner in the administration of an estate—such reasonable fee as the Protective Commissioner may fix.
- (2) The Protective Commissioner must certify to the manager of an estate subject to management under the Act:
- (a) the annual amount of the fee payable to the Protective Commissioner under subclause (1) (c), and
- (b) the name of the person who is required to pay the fee, and
- (c) the time within which the fee is to be paid.
- (3) The Protective Commissioner may, in addition to any fee prescribed under subclause (1), charge the amount of any GST payable in respect of the service for which the fee is payable.
- (4) Subclause (3) does not permit the Protective Commissioner to charge an amount that is greater than:
- (a) 10% of the maximum amount payable to the Protective Commissioner apart from that subclause, or
- (b) the amount permitted under the New Tax System Price Exploitation law,
- whichever is the lesser.
- (5) In this clause:
- GST** has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth.

Clause 5 Protected Estates Regulation 2003

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*New Tax System Price Exploitation law* means:

- (a) the New Tax System Price Exploitation Code, as applied as a law of New South Wales by the *Price Exploitation Code (New South Wales) Act 1999*, or
- (b) Part VB of the *Trade Practices Act 1974* of the Commonwealth.

*value*, in relation to a protected person's estate, means the gross amount of the value of the assets (whether real or personal) of the estate without deduction of debts or liabilities secured or unsecured, but does not include the value of the protected person's principal place of residence.

**5 Information relating to Magistrate's inquiry as to patient's capability to manage affairs: section 15**

- (1) For the purposes of section 15 (a) of the Act, the prescribed information to be given is that specified in Schedule 1.
- (2) For the purposes of section 15 (b) of the Act, the prescribed information to be given is that specified in Schedule 2.

**6 Form of order or interim order that estate be managed under the Act**

- (1) A Magistrate or the MHRT is to complete a notice of an order or interim order made by the Magistrate or the MHRT that the estate of a person be subject to management under the Act.
- (2) The notice is to be in the form specified in Schedule 3.

**7 Medical superintendent to notify Protective Commissioner of certain orders**

- (1) The medical superintendent of a hospital must give written notice to the Protective Commissioner of the making of an order or interim order by a Magistrate or the MHRT to the effect that the estate of a patient be subject to management under the Act.
- (2) The medical superintendent must give the written notice within 7 days of the making of any such order and must attach a copy of the order to the notice.

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**8 Medical superintendent to notify Protective Commissioner of certain events**

The medical superintendent of a hospital must, as soon as practicable, give written notice to the Protective Commissioner of the occurrence of any of the following events in respect of a patient whose estate is or was subject to management under the Act:

- (a) the patient's discharge from the hospital,
- (b) the patient's transfer from the hospital,
- (c) the patient's absence with or without leave from the hospital,
- (d) the patient's return to the hospital from leave,
- (e) the patient's death at the hospital.

**9 Review by ADT of estate management decisions of Protective Commissioner**

All decisions made by the Protective Commissioner in connection with the exercise of the Protective Commissioner's functions under Division 3 of Part 3 of the Act are prescribed for the purposes of section 28A of the Act.

**10 Restriction on Protective Commissioner's discretion to deal with certain estates—prescribed amount: section 42 (1) (a) (i)**

For the purposes of section 42 (1) (a) (i) of the Act, the prescribed amount is \$10,000.

**11 Repeal and saving**

- (1) The *Protected Estates Regulation 1995* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Protected Estates Regulation 1995*, had effect under that Regulation continues to have effect under this Regulation.

Protected Estates Regulation 2003

Schedule 1 Information to be given to person detained

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## **Schedule 1 Information to be given to person detained**

(Clause 5 (1))

If the Magistrate directs that you are to be detained in a hospital, the Magistrate will then decide if you are able to manage your property and affairs.

You have the right to have a barrister or solicitor represent you before the Magistrate. If you do not want a barrister or solicitor, you can have another person of your choice represent you, but you can only do this if the Magistrate agrees.

If the Magistrate thinks that you are able to manage your property and affairs, you can continue to do so. However, if you wish, you can have the Protective Commissioner manage your property and affairs. You can ask the medical superintendent to arrange for the Protective Commissioner to do this.

If the Magistrate decides that you are not able to manage your property and affairs, the Magistrate will order that your property and affairs be managed by the Protective Commissioner.

If you do not agree with the Magistrate's decision that your property and affairs should be managed by the Protective Commissioner, you have the right to appeal to the Supreme Court.

Protected Estates Regulation 2003

Information to be given to nearest relative, guardian and friends of person detained Schedule 2

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## **Schedule 2 Information to be given to nearest relative, guardian and friends of person detained**

(Clause 5 (2))

If the Magistrate considers the patient should be further detained, the Magistrate will also consider whether or not the patient is able to manage his or her property and affairs.

If the Magistrate considers that the patient is able to manage his or her property and affairs, then the patient can continue to do so. The patient can ask that his or her property and affairs be managed by the Protective Commissioner.

If the Magistrate is not satisfied that the patient can manage his or her property and affairs, then the Magistrate will make an order that the Protective Commissioner manage the patient's property and affairs.

If the patient does not agree with the Magistrate's decision that his or her property and affairs should be managed by the Protective Commissioner, the patient has a right to appeal to the Supreme Court.

Protected Estates Regulation 2003

Schedule 3 Notice of order or interim order for management

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**Schedule 3 Notice of order or interim order for management**

(Clause 6)

An order\*/interim order\* has been made today that the estate of

.....

[name]

be subject to management under the *Protected Estates Act 1983*.

Date .....

[Signature and name of Magistrate]\*

[Signatures and names of Members of Mental Health Review Tribunal]\*

[\* Delete if inapplicable]



New South Wales

# Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Drinking While Driving) Regulation 2003

under the

Road Transport (Safety and Traffic Management) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Safety and Traffic Management) Act 1999*.

CARL SCULLY, M.P.,  
Minister for Roads

## Explanatory note

The object of this Regulation is amend the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* to create an offence of consuming alcohol while driving a motor vehicle on a road.

This Regulation is made under the *Road Transport (Safety and Traffic Management) Act 1999*, including section 71 (the general power to make regulations).

Clause 1 Road Transport (Safety and Traffic Management) (Road Rules)  
Amendment (Drinking While Driving) Regulation 2003

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## **Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Drinking While Driving) Regulation 2003**

under the

Road Transport (Safety and Traffic Management) Act 1999

### **1 Name of Regulation**

This Regulation is the *Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Drinking While Driving) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 13 October 2003.

### **3 Amendment of Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999**

The *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* is amended by inserting after clause 47D:

#### **47E Drinking while driving prohibited**

The driver of a motor vehicle must not consume alcohol while driving the motor vehicle on a road.

Maximum penalty: 20 penalty units.





New South Wales

# Road Transport (Driver Licensing) Amendment (Drinking While Driving) Regulation 2003

under the

Road Transport (Driver Licensing) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Driver Licensing) Act 1998*.

CARL SCULLY, M.P.,  
Minister for Roads

## Explanatory note

The object of this Regulation is to provide that the demerit points incurred for consuming alcohol while driving a motor vehicle on a road in contravention of clause 47E of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* are as follows:

- (a) 3 demerit points for offences that are not committed over a long weekend,
- (b) 4 demerit points for offences committed over a long weekend.

This Regulation is made under the *Road Transport (Driver Licensing) Act 1998*, including sections 15 and 19 (the general power to make regulations).

Clause 1 Road Transport (Driver Licensing) Amendment (Drinking While Driving)  
Regulation 2003

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## Road Transport (Driver Licensing) Amendment (Drinking While Driving) Regulation 2003

under the

Road Transport (Driver Licensing) Act 1998

### 1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (Drinking While Driving) Regulation 2003*.

### 2 Commencement

This Regulation commences on 13 October 2003.

### 3 Amendment of Road Transport (Driver Licensing) Regulation 1999

The *Road Transport (Driver Licensing) Regulation 1999* is amended by inserting in Part 2 of Schedule 1 after the matter relating to clause 47D of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*, in Columns 1, 2, 3 and 4, respectively:

Driver consume alcohol while driving	3	4	Clause 47E of <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i>
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New South Wales

# Road Transport (General) (Penalty Notice Offences) Amendment (Drinking While Driving) Regulation 2003

under the

Road Transport (General) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 1999*.

CARL SCULLY, M.P.,  
Minister for Roads

## Explanatory note

The object of this Regulation is to prescribe the offence under clause 47E of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* of consuming alcohol while driving a motor vehicle on a road to be a penalty notice offence.

This Regulation is made under the *Road Transport (General) Act 1999*, including sections 15 and 71 (the general power to make regulations).

Clause 1 Road Transport (General) (Penalty Notice Offences) Amendment (Drinking While Driving) Regulation 2003

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## **Road Transport (General) (Penalty Notice Offences) Amendment (Drinking While Driving) Regulation 2003**

under the

Road Transport (General) Act 1999

### **1 Name of Regulation**

This Regulation is the *Road Transport (General) (Penalty Notice Offences) Amendment (Drinking While Driving) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 13 October 2003.

### **3 Amendment of Road Transport (General) (Penalty Notice Offences) Regulation 2002**

The *Road Transport (General) (Penalty Notice Offences) Regulation 2002* is amended by inserting in Schedule 2 before the matter relating to clause 48 (1) of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*, in Columns 1, 2 and 3, respectively:

Clause 47E

1

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New South Wales

# Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Mobility Parking Scheme) Regulation 2003

under the

Road Transport (Safety and Traffic Management) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Safety and Traffic Management) Act 1999*.

CARL SCULLY, M.P.,  
Minister for Roads

## Explanatory note

The object of this Regulation is to amend the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* to make further provision with respect to the issue and use of mobility parking scheme authorities by or for persons with disabilities.

This Regulation is made under the *Road Transport (Safety and Traffic Management) Act 1999*, including section 71 (the general regulation-making power) and clauses 1 (k), 2 and 9 of Schedule 1.

Clause 1            Road Transport (Safety and Traffic Management) (Road Rules)  
                         Amendment (Mobility Parking Scheme) Regulation 2003

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## **Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Mobility Parking Scheme) Regulation 2003**

under the

Road Transport (Safety and Traffic Management) Act 1999

### **1 Name of Regulation**

This Regulation is the *Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Mobility Parking Scheme) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 29 September 2003.

### **3 Amendment of Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999**

The *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* is amended as set out in Schedule 1.

Road Transport (Safety and Traffic Management) (Road Rules)  
Amendment (Mobility Parking Scheme) Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

[1] **Clause 80 Unauthorised use and revocation of mobility parking scheme authorities**

Omit the clause.

[2] **Part 6 Parking permits and mobility parking scheme authorities**

Omit Division 2. Insert instead:

**Division 2 Mobility parking scheme authorities**

**Subdivision 1 Interpretation**

**125 Definitions**

In this Division:

*holder* of a scheme authority, or an expired or revoked scheme authority, means the person or organisation to whom or to which the scheme authority has been or was issued.

*interstate or overseas authority* means a document issued by an authority of another State or Territory, or of a foreign country, to indicate:

- (a) that a specified person is a disabled person who has the benefit of parking concessions in that State, Territory or country, or
- (b) that a specified vehicle is used for the purpose of conveying disabled persons and has the benefit of parking concessions in that State, Territory or country.

*mobility parking scheme* means the scheme for the issue of scheme authorities set out in this Division.

*organisation* means a corporation or an unincorporated association of persons.

*scheme authority* means a mobility parking scheme authority issued under this Division.

Road Transport (Safety and Traffic Management) (Road Rules)  
Amendment (Mobility Parking Scheme) Regulation 2003

Schedule 1 Amendments

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## **Subdivision 2 Issue of scheme authorities**

### **126 Authority may issue mobility parking scheme authorities**

The Authority may, on application under this Division, issue a mobility parking scheme authority:

- (a) for use by a disabled person, or
- (b) for use by an organisation in connection with the conveyance of disabled persons.

### **126A Form of scheme authority**

- (1) A scheme authority must show:
  - (a) a unique identifying number that has been allocated by the Authority, and
  - (b) the full name of the holder of the scheme authority, and
  - (c) the category of scheme authority issued, and
  - (d) the expiry date of the scheme authority.
- (2) A scheme authority may also show any of the following:
  - (a) a photograph of the individual to whom it has been issued,
  - (b) the date of birth of the individual to whom it has been issued,
  - (c) the residential, business or other address for service of the holder of the scheme authority,
  - (d) the signature (or a reproduction of the signature) of an individual to whom it has been issued,
  - (e) any other information that the Authority considers appropriate.
- (3) A scheme authority may be categorised and colour coded as follows:
  - individual authority for disabled person—blue
  - temporary authority for disabled person with temporary disability—red
  - organisational authority for the conveyance of disabled persons—green



Road Transport (Safety and Traffic Management) (Road Rules)  
Amendment (Mobility Parking Scheme) Regulation 2003

Amendments

Schedule 1

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**126B Conditions of scheme authorities**

- (1) A scheme authority is subject to the following conditions:
- (a) A person in charge of a vehicle must not display a scheme authority issued to an individual unless the person:
    - (i) is the individual to whom it has been issued, or
    - (ii) has express or implied permission to use it from the individual, or
    - (iii) is otherwise using it for the individual's benefit.
  - (b) A person in charge of a vehicle must not display a scheme authority issued to an organisation unless the person has express or implied permission from the organisation (or the governing body of the organisation) to use the scheme authority.
  - (c) A person in charge of a vehicle displaying a scheme authority must ensure that it is displayed unobscured at the bottom or top-left hand corner of the vehicle's windscreen, or on any fixed, pivoted or hinged window on the left hand (passenger) side of the vehicle. If this is not practicable, it should be placed in an area where the whole of it may be viewed from outside the vehicle. The side marked "THIS SIDE UP" must face out.
  - (d) If a scheme authority is issued to an individual, a person in charge of a vehicle transporting the individual must ensure that the scheme authority is displayed only when the vehicle is being used to transport the individual.
  - (e) If a scheme authority is issued to an organisation, a person in charge of a vehicle used to transport disabled persons for the organisation must ensure that the scheme authority is displayed only when the vehicle is being used to transport disabled persons.
  - (f) A person in charge of a vehicle must not use a scheme authority to visit, or run errands for, a disabled person when that person is not being transported in the vehicle.
  - (g) A person in charge of a vehicle must not display a scheme authority that has been defaced or otherwise altered or where one or more of the personal or organisational details on the scheme authority (for example, the authority number or expiry date) is illegible.

Road Transport (Safety and Traffic Management) (Road Rules)  
Amendment (Mobility Parking Scheme) Regulation 2003

Schedule 1 Amendments

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- (2) A scheme authority is also subject to such other conditions as may be imposed on the holder of the scheme authority by the Authority.
- (3) A condition imposed by the Authority on a scheme authority under subclause (2) does not have effect until written notice of the condition is given to the holder of the scheme authority.

**126C When scheme authority ceases to be in force**

A scheme authority ceases to be in force on the expiry of the scheme authority unless it is sooner revoked by the Authority under this Division.

**Subdivision 3 Applications for scheme authorities**

**126D Procedure to obtain scheme authority**

- (1) The applicant for a scheme authority must be:
  - (a) in the case of an application for a scheme authority for an individual—the individual or a person that the Authority is satisfied acts on behalf of the individual, or
  - (b) in the case of an application for a scheme authority for an organisation—an individual authorised in writing by the organisation (or the governing body of the organisation) to apply for the scheme authority on its behalf.
- (2) An applicant for the issue of a scheme authority must give the Authority:
  - (a) a completed application form in the form approved by the Authority, and
  - (b) particulars necessary to identify the applicant and the applicant's residential or business address, including any evidence that the Authority may reasonably require to verify those particulars (for example, evidence of the person's address on the electoral roll), and
  - (c) where the applicant is making the application on behalf of an individual or organisation:
    - (i) such documents or other evidence of the applicant's authority to make the application as is specified by the application form or otherwise required by the Authority, and

Road Transport (Safety and Traffic Management) (Road Rules)  
Amendment (Mobility Parking Scheme) Regulation 2003

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Schedule 1

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- (ii) particulars necessary to identify the individual or organisation on behalf of whom or which the application is made and the individual's or organisation's residential, business or other address for service, including any evidence that the Authority may reasonably require to verify those particulars (for example, evidence of the individual's address on the electoral roll), and
  - (d) any documents or other evidence (including medical certificates) specified by the application form, and
  - (e) the fee (if any) fixed under clause 126E for the category of scheme authority sought.

**126E Fees for applications for scheme authorities**

- (1) The Authority may, by order published in the Gazette, fix fees, or amend or revoke fees, for services provided by the Authority in connection with the issue of scheme authorities.
- (2) Without limiting subclause (1):
  - (a) different fees may be fixed for different categories of authorities, and
  - (b) different fees may be fixed for different categories of applicants.
- (3) In fixing any fee under subclause (1), the Authority must have regard to the following matters:
  - (a) the costs (or estimated costs) associated with the establishment and administration of the mobility parking scheme over such period as the Authority may determine (the *specified administration period*),
  - (b) the actual or estimated number of applicants for scheme authorities and participants in the mobility parking scheme during the specified administration period,
  - (c) any increases in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.
- (4) The Authority may in a particular case waive the requirement for a fee or reduce a fee.

Road Transport (Safety and Traffic Management) (Road Rules)  
Amendment (Mobility Parking Scheme) Regulation 2003

Schedule 1 Amendments

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**126F Surrender of current or expired scheme authority if new authority obtained**

- (1) If an applicant for a scheme authority holds a current scheme authority or possesses an expired scheme authority, the applicant must surrender that authority to the Authority before the issue of a new scheme authority.
- (2) Despite subclause (1), the Authority may exempt a person from surrendering a current or expired scheme authority if the Authority is satisfied that it would be unreasonable, in the circumstances, to require that authority to be surrendered.

**126G Authority may require the taking of photographs**

- (1) The Authority may (but need not) require an applicant for a scheme authority to have his or her photograph taken.
- (2) However, the Authority must not require an applicant for a scheme authority to have his or her photograph taken if the Authority is satisfied:
  - (a) the applicant is under 16 years of age, or
  - (b) the applicant suffers from a significant facial disfigurement, or
  - (c) the applicant cannot attend a motor registry to be photographed because of the severity of the applicant's disabilities.
- (3) For the purposes of making a determination under subclause (2) (b) or (c), the Authority may require the applicant to provide supporting documentation from a medical practitioner.

**126H Purposes for which photographs may be kept and used**

- (1) A photograph of a person taken for the purposes of this Division may be kept and used by the Authority only for one or more of the following purposes:
  - (a) to reproduce the likeness of the person on a scheme authority,
  - (b) to assist in determining the identity of the person in connection with an application for a new scheme authority,

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- (c) for the purpose of investigating the commission of, or conducting criminal proceedings for, an offence concerning parking or a scheme authority.
  - (2) A photograph may be used for a purpose set out in this clause at the time that the photograph is provided or taken or at any later time.

**126I Release of photographs prohibited**

- (1) The Authority must ensure that a photograph taken for the purposes of this Division, and any photographic image or other matter contained in any database of such photographs, is not released except:
  - (a) to the Police Service, or
  - (b) to an authority of another State or Territory or a foreign country that has responsibility for issuing interstate or overseas authorities or for the enforcement of parking offences, or
  - (c) for the purpose of the conduct of any criminal proceedings for an offence concerning parking or a scheme authority, or
  - (d) to the Sheriff, for the purpose of any fine recovery proceedings, or
  - (e) as provided under any other law, or
  - (f) to the person whose likeness is shown in the photograph or on the database.
- (2) Any release authorised by subclause (1) (a)–(d) must be in accordance with any protocol approved by the Privacy Commissioner.

**Subdivision 4 Use of scheme authorities**

**126J Relaxation of parking restrictions**

- (1) The driver of a vehicle that is displaying a scheme authority, in the manner specified by the conditions of the scheme authority, and that is being used:
  - (a) for the conveyance of the disabled person to whom the scheme authority was issued, or

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- (b) for the conveyance of disabled persons by the organisation to which the scheme authority was issued, may park the vehicle otherwise than in accordance with a permissive parking sign.
- (2) The maximum period for which a vehicle may be parked otherwise than in accordance with a permissive parking sign pursuant to subclause (1) is:
- (a) 30 minutes, if the maximum period allowed by the sign is less than 30 minutes, and
  - (b) 2 hours, if the maximum period allowed by the sign is 30 minutes, and
  - (c) an unlimited period of time, if the maximum period allowed by the sign is more than 30 minutes.
- (3) This clause applies to a disabled person to whom an interstate or overseas authority has been issued in the same way as it applies to a person to whom a scheme authority has been issued.

**126K Use of scheme authorities in contravention of conditions**

A person in charge of a vehicle must not display a scheme authority in or on the vehicle in contravention of any condition of the scheme authority.

Maximum penalty: 20 penalty units.

**126L Reproducing, copying, defacing, altering or destroying scheme authorities**

A person must not, without the permission of the Authority, reproduce, copy, deface, alter or destroy a scheme authority.

Maximum penalty: 20 penalty units.

**126M Return of scheme authorities issued to individuals who have ceased to be disabled persons**

An individual who holds a scheme authority and who ceases to be a disabled person during the currency of the authority must, as soon as is reasonably practicable after ceasing to be a disabled person, return the scheme authority to the Authority.

Maximum penalty: 20 penalty units.

Road Transport (Safety and Traffic Management) (Road Rules)  
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**126N Production of scheme authorities and other documents to authorised officers**

- (1) An authorised officer may direct the person in charge of a vehicle that is displaying a scheme authority or an interstate or overseas authority (or a document or other thing that purports to be such an authority) to remove the authority, document or thing from the vehicle and give it to the officer if:
  - (a) the vehicle is stopped in a parking area for people with disabilities (within the meaning of rule 203 of the *Australian Road Rules*), or
  - (b) the vehicle is parked contrary to a permissive parking sign.
- (2) A person to whom a direction is given under subclause (1) must immediately comply with that direction.

Maximum penalty: 20 penalty units.

- (3) In this clause, *authorised officer* means:
  - (a) a police officer, or
  - (b) a person:
    - (i) who is employed by a local council, or
    - (ii) who is subject to the control and direction of a local council,

and who is an authorised person (within the meaning of the *Local Government Act 1993*) for the purposes of section 679 of that Act.

**Subdivision 5 Expiry and revocation of scheme authorities**

**126O Expiry of scheme authorities**

- (1) A scheme authority expires at the end of the day that is specified on the scheme authority as the expiry date for the authority.

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- (2) The Authority may, by written notice given to the holder of an expired scheme authority, require the holder of the expired scheme authority to return it to the Authority.

**Note.** Section 44 of the *Road Transport (General) Act 1999* makes provision for how notices to individuals and corporations under this Regulation may be given or served by the Authority. Clause 12A of the *Road Transport (General) Regulation 1999* makes provision for how notices to unincorporated associations for the purposes of this Division may be given or served by the Authority.

- (3) If a notice referred to in subclause (2) is given in relation to an expired scheme authority:
- (a) where the holder of the expired scheme authority is an individual or an organisation that is incorporated—the individual or organisation must immediately return it to the Authority as soon as is reasonably practicable after receiving the notice, or
  - (b) where the holder of the expired scheme authority is an organisation that is unincorporated—the person in possession of the expired authority must immediately return it to the Authority as soon as is reasonably practicable after becoming aware that the notice has been given.

Maximum penalty (subclause (3)): 20 penalty units.

**126P Revocation of scheme authorities**

- (1) The Authority may at any time revoke a scheme authority:
  - (a) for a failure to comply with the conditions of the scheme authority, or
  - (b) for any other misuse of the scheme authority, or
  - (c) for any other reason.
- (2) If the Authority decides to revoke a scheme authority, the Authority must give the holder of the scheme authority written notice of:
  - (a) the reasons for the proposed revocation, and
  - (b) the action (if any) that must be taken by the holder of the scheme authority in order to avoid or reverse the revocation, and



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- (c) the date after service of the notice on which the revocation takes effect.

**Note.** Section 44 of the *Road Transport (General) Act 1999* makes provision for how notices to individuals and corporations under this Regulation may be given or served by the Authority. Clause 12A of the *Road Transport (General) Regulation 1999* makes provision for how notices to unincorporated associations for the purposes of this Division may be given or served by the Authority.

- (3) A notice under subclause (2) must also state that the holder of the scheme authority will no longer be authorised to use the scheme authority on its revocation.
- (4) A scheme authority is revoked in accordance with the terms of a notice given under this clause unless the Authority, by further written notice to the holder of the scheme authority, withdraws the notice.
- (5) The Authority may decide to revoke a scheme authority without the holder of the scheme authority having been provided with an opportunity to show cause why the scheme authority should not be revoked.
- (6) If a scheme authority is revoked:
- (a) where the holder of the revoked scheme authority is an individual or an organisation that is incorporated—the individual or organisation must return it to the Authority as soon as is reasonably practicable after the revocation, or
- (b) where the holder of the revoked scheme authority is an organisation that is unincorporated—the person in possession of the scheme authority must return it to the Authority as soon as is reasonably practicable after becoming aware of the revocation.

Maximum penalty (subclause (6)): 20 penalty units.

## Subdivision 6      General

### 126Q    Transitional provisions regarding existing authorities

- (1) In this clause:

***amending Regulation*** means the *Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Mobility Parking Scheme) Regulation 2003*.

Road Transport (Safety and Traffic Management) (Road Rules)  
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*existing authority* means a mobility parking scheme authority issued under clause 125 of this Regulation before the commencement of the amending Regulation and that was in force immediately before that commencement.

- (2) Any existing authority continues in force as a scheme authority under this Division after the commencement of the amending Regulation.
- (3) The provisions of this Division (as inserted by the amending Regulation) extend to an existing authority as if the authority had been issued under this Division, subject to the following:
  - (a) the authority expires on the date specified on the authority for its expiry, unless it is sooner revoked under this Division,
  - (b) the provisions of clause 126A (Form of scheme authority) do not apply to the authority,
  - (c) any condition that applied to the authority continues to apply to the authority except to the extent that the condition is inconsistent with the conditions referred to in clause 126B (1).
- (4) Any notice revoking an existing authority issued to the holder of the existing authority under clause 80 (2) before its repeal by the amending Regulation that was to have effect on or after the date of the repeal is taken to be a notice duly issued under clause 126P and has effect in accordance with its terms.

**[3] Dictionary**

Omit the definition of *mobility parking scheme authority* from Part 1.

Insert instead:

*mobility parking scheme authority* means an authority issued under Division 2 of Part 6.



New South Wales

# Road Transport (General) (Penalty Notice Offences) Amendment (Mobility Parking Scheme) Regulation 2003

under the

Road Transport (General) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 1999*.

CARL SCULLY, M.P.,  
Minister for Roads

## Explanatory note

The objects of this Regulation are:

- (a) to increase from \$152 to \$383 the penalty payable if a penalty notice is issued for an offence under rule 203 (1) of the *Australian Road Rules* of stopping in a parking area for people with disabilities without a permit, and
- (b) to prescribe certain offences under Division 2 of Part 6 of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* relating to mobility parking scheme authorities to be penalty notice offences.

This Regulation is made under the *Road Transport (General) Act 1999*, including sections 15 and 71 (the general regulation-making power).

Clause 1 Road Transport (General) (Penalty Notice Offences) Amendment (Mobility Parking Scheme) Regulation 2003

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## **Road Transport (General) (Penalty Notice Offences) Amendment (Mobility Parking Scheme) Regulation 2003**

under the

Road Transport (General) Act 1999

### **1 Name of Regulation**

This Regulation is the *Road Transport (General) (Penalty Notice Offences) Amendment (Mobility Parking Scheme) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 29 September 2003.

### **3 Amendment of Road Transport (General) (Penalty Notice Offences) Regulation 2002**

The *Road Transport (General) (Penalty Notice Offences) Regulation 2002* is amended as set out in Schedule 1.

Road Transport (General) (Penalty Notice Offences) Amendment (Mobility Parking Scheme) Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

### [1] Schedule 2 Penalty notice offences

Omit “152” from column 3 of the matter relating to Rule 203 (1) of the *Australian Road Rules*.

Insert instead “383”.

### [2] Schedule 2

Insert after the matter relating to 123A (1) of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*:

Clause 126K	1, 12	383
Clause 126L	1, 12	383
Clause 126M	1, 12	383
Clause 126N (2)	1, 12	383
Clause 126O (3)	1, 12	383
Clause 126P (6)	1, 12	383



# Road Transport (General) Amendment (Mobility Parking Scheme) Regulation 2003

under the

Road Transport (General) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 1999*.

CARL SCULLY, M.P.,  
Minister for Roads

## Explanatory note

The object of this Regulation is to amend the *Road Transport (General) Regulation 1999* to insert provisions relating to the giving of notices to, or the service of notices on, unincorporated associations of persons under Division 2 of Part 6 of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*.

This Regulation is made under the *Road Transport (General) Act 1999*, including sections 44 (3) and 71 (the general regulation-making power).

Clause 1            Road Transport (General) Amendment (Mobility Parking Scheme)  
                         Regulation 2003

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## **Road Transport (General) Amendment (Mobility Parking Scheme) Regulation 2003**

under the

Road Transport (General) Act 1999

### **1 Name of Regulation**

This Regulation is the *Road Transport (General) Amendment (Mobility Parking Scheme) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 29 September 2003.

### **3 Amendment of Road Transport (General) Regulation 1999**

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

Road Transport (General) Amendment (Mobility Parking Scheme)  
Regulation 2003

Amendment

Schedule 1

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## Schedule 1 Amendment

(Clause 3)

### Clause 12A

Insert after clause 12:

**12A Notices to unincorporated associations in connection with mobility parking scheme authorities**

The Authority may give a notice to, or serve a notice on, an unincorporated association of persons under the provisions of Division 2 of Part 6 of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* by sending the notice by post or by some other means to the address for service of the association that is specified in its application form for a mobility parking scheme authority under that Division or subsequently notified to the Authority.





New South Wales

# Road Transport (Driver Licensing) Amendment (Medical Examinations) Regulation 2003

under the

Road Transport (Driver Licensing) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Driver Licensing) Act 1998*.

CARL SCULLY, M.P.,  
Minister for Roads

## Explanatory note

The object of this Regulation is to amend the *Road Transport (Driver Licensing) Regulation 1999* to replace the existing separate publications setting out standards for the conduct of medical examinations to determine the medical fitness of persons to hold licences to drive heavy and lighter vehicles with a single publication covering drivers of all vehicles.

This Regulation is made under the *Road Transport (Driver Licensing) Act 1998*, including sections 19 (the general regulation-making power) and 20.

Clause 1      Road Transport (Driver Licensing) Amendment (Medical Examinations)  
Regulation 2003

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## **Road Transport (Driver Licensing) Amendment (Medical Examinations) Regulation 2003**

under the

Road Transport (Driver Licensing) Act 1998

### **1 Name of Regulation**

This Regulation is the *Road Transport (Driver Licensing) Amendment (Medical Examinations) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 1 October 2003.

### **3 Amendment of Road Transport (Driver Licensing) Regulation 1999**

The *Road Transport (Driver Licensing) Regulation 1999* is amended as set out in Schedule 1.

Road Transport (Driver Licensing) Amendment (Medical Examinations)  
Regulation 2003

Amendment

Schedule 1

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## Schedule 1 Amendment

(Clause 3)

### Clause 31 Tests and medical examinations of licensed drivers

Omit clause 31 (2). Insert instead:

- (2) A medical examination required by a notice under this clause must be conducted in accordance with the medical standards for licensing and clinical management guidelines set out in the publication *Assessing Fitness to Drive* published by AUSTROADS Inc and approved by the Australian Transport Council, as in force from time to time.



# Road Transport (General) (Penalty Notice Offences) Amendment (Authorised Officers) Regulation 2003

under the

Road Transport (General) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 1999*.

CARL SCULLY, M.P.,  
Minister for Roads

## Explanatory note

The object of this Regulation is to allow authorised officers employed in the Office of State Revenue, in the Treasury, to issue penalty notices under road transport legislation and other legislation. The Regulation is made as a consequence of the transfer of the functions of the Infringement Processing Bureau from NSW Police to the Office of State Revenue.

This Regulation is made under the *Road Transport (General) Act 1999*, including section 3 (1) (definition of *authorised officer*), section 15 (Penalty notice for certain offences) and section 71 (the general regulation-making power).

Clause 1 Road Transport (General) (Penalty Notice Offences) Amendment  
(Authorised Officers) Regulation 2003

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## **Road Transport (General) (Penalty Notice Offences) Amendment (Authorised Officers) Regulation 2003**

under the

Road Transport (General) Act 1999

### **1 Name of Regulation**

This Regulation is the *Road Transport (General) (Penalty Notice Offences) Amendment (Authorised Officers) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 1 October 2003.

### **3 Amendment of Road Transport (General) (Penalty Notice Offences) Regulation 2002**

The *Road Transport (General) (Penalty Notice Offences) Regulation 2002* is amended as set out in Schedule 1.

Road Transport (General) (Penalty Notice Offences) Amendment  
(Authorised Officers) Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

### [1] Clause 3 Definitions

Omit the definition of *Infringement Processing Bureau* from clause 3 (1).

### [2] Schedule 1 Authorised officers

Omit paragraph (b) of the definition of *Class 1 officer*. Insert instead:

- (b) a person who is employed in the Office of State Revenue in the Treasury and who is authorised by the Chief Commissioner of State Revenue for the purposes of this Regulation.



New South Wales

# Supreme Court Amendment (Court Fees) Regulation 2003

under the

Supreme Court Act 1970

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Supreme Court Act 1970*.

BOB DEBUS, M.P.,  
Attorney General

## Explanatory note

The object of this Regulation is to amend the *Supreme Court Regulation 2000* in order:

- (a) to introduce a uniform fee to open or keep open the registry or part of the registry or to open or keep open an office of a clerk of the Court elsewhere in the State, outside of the normal business hours of the registry or office, of \$938 (in the case of a corporation) or \$469 (in any other case), and
- (b) to introduce a uniform fee for issuing a subpoena of \$106 (in the case of a corporation) or \$53 (in any other case), and
- (c) to clarify certain matters in relation to the payment of a hearing fee.

This Regulation is made under the *Supreme Court Act 1970*, including section 130 (Fees and percentages).

Clause 1 Supreme Court Amendment (Court Fees) Regulation 2003

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## **Supreme Court Amendment (Court Fees) Regulation 2003**

under the

Supreme Court Act 1970

### **1 Name of Regulation**

This Regulation is the *Supreme Court Amendment (Court Fees) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 1 October 2003.

### **3 Amendment of Supreme Court Regulation 2000**

The *Supreme Court Regulation 2000* is amended as set out in Schedule 1.



Supreme Court Amendment (Court Fees) Regulation 2003

Amendments

Schedule 1

## Schedule 1 Amendments

(Clause 3)

### [1] Clause 12 Action available if hearing allocation or hearing fee not paid

Insert “or continue to hear” after “refuse to hear”.

### [2] Schedule 1 Court fees

Insert “or a registrar” after “the Court” in the matter relating to Note 2 in item 6.

### [3] Schedule 1, item 6

Omit the matter relating to Note 4. Insert instead:

**Note 4.** If a matter is heard by a judge and jury, a hearing fee may be payable in addition to the daily jury retention fee.

### [4] Schedule 1, item 8

Omit the item. Insert instead:

- |   |   |   |
|---|---|---|
| 8 | To open or keep open the registry or part of the registry or to open or keep open an office of a clerk of the Court elsewhere in the State: | 938 (in the case of a corporation) or 469 (in any other case) |
|   | (a) on a Saturday, Sunday or public holiday, or   |   |
|   | (b) on any other day before 9 am or after 5 pm  |   |

**Note.** No fee is payable in criminal proceedings.

## Supreme Court Amendment (Court Fees) Regulation 2003

Schedule 1 Amendments

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**[5] Schedule 1, item 23**

Omit the item. Insert instead:

23	To issue a subpoena (for production, to give evidence, or both)	106 (in the case of a corporation) or 53 (in any other case)
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## Orders

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# Motor Accidents (Determination of Non-Economic Loss) Order No 14

under the

Motor Accidents Act 1988

I, John Della Bosca, the Minister for Commerce, in pursuance of section 80 of the *Motor Accidents Act 1988*, make the following Order.

Dated, this 23rd day of September 2003.

JOHN DELLA BOSCA, M.L.C.,  
Minister for Commerce

### Explanatory note

The object of this Order is to adjust the amounts that may be awarded for damages for non-economic loss to persons who have been injured as a consequence of a motor accident.

Section 80 of the *Motor Accidents Act 1988* requires the Minister to declare the amounts on or before 1 October in each year. The amounts are indexed by reference to movements in average weekly earnings.

An amount specified in this Order applies to the exclusion of the corresponding amount specified in section 79 or 79A of the *Motor Accidents Act 1988*.

Clause 1 Motor Accidents (Determination of Non-Economic Loss) Order No 14

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## **Motor Accidents (Determination of Non-Economic Loss) Order No 14**

under the

Motor Accidents Act 1988

### **1 Name of Order**

This Order is the *Motor Accidents (Determination of Non-Economic Loss) Order No 14*.

### **2 Commencement**

This Order commences on 1 October 2003.

### **3 Section 79—Determination of non-economic loss (accidents occurring before midnight on 26.9.95)**

#### **(1) Section 79 (3)**

It is declared that the maximum amount that may be awarded for the non-economic loss of an injured person as a consequence of a motor accident that occurred before midnight on 26 September 1995 is \$329,000.

#### **(2) Section 79 (4)**

It is declared that if the amount of non-economic loss of any such injured person is assessed to be \$26,500 or less, no damages for non-economic loss shall be awarded.

#### **(3) Section 79 (5)**

It is declared that if the amount of damages that may be awarded for non-economic loss in accordance with section 79 of the *Motor Accidents Act 1988* is more than \$26,500 but less than \$100,500, the following deductions shall be made from that amount:

- (a) if the amount of damages is less than \$72,500—the amount to be deducted is \$26,500,
- (b) if the amount of damages is not less than \$72,500—the amount to be deducted is \$26,500 or \$26,500 reduced by \$1,000 for every \$1,000 by which the amount of damages exceeds \$72,500.

Motor Accidents (Determination of Non-Economic Loss) Order No 14

Clause 4

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**4 Section 79A (5)—Determination of non-economic loss (accidents occurring after midnight on 26.9.95)**

It is declared that the maximum amount that may be awarded for non-economic loss of an injured person as a consequence of a motor accident that occurred after midnight on 26 September 1995 is \$329,000.



New South Wales

## Motor Accidents Compensation (Determination of Loss) Order No 4

under the

Motor Accidents Compensation Act 1999

I, John Della Bosca, the Minister for Commerce, in pursuance of section 146 of the *Motor Accidents Compensation Act 1999*, make the following Order.

Dated, this 23rd day of September 2003.

JOHN DELLA BOSCA, M.L.C.,  
Minister for Commerce

### Explanatory note

The object of this Order is to adjust the amount that may be awarded for damages:

- (a) for past or future economic loss in relation to persons who have been injured or killed as a consequence of a motor accident, and
- (b) for non-economic loss to persons who have been injured as a consequence of a motor accident.

Section 146 of the *Motor Accidents Compensation Act 1999* requires the Minister to declare the amounts on or before 1 October in each year. The amounts are indexed by reference to movements in average weekly earnings.

An amount specified in this Order applies to the exclusion of the corresponding amount specified in section 125 or 134 of the *Motor Accidents Compensation Act 1999*.

Clause 1 Motor Accidents Compensation (Determination of Loss) Order No 4

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## **Motor Accidents Compensation (Determination of Loss) Order No 4**

under the

Motor Accidents Compensation Act 1999

### **1 Name of Order**

This Order is the *Motor Accidents Compensation (Determination of Loss) Order No 4*.

### **2 Commencement**

This Order commences on 1 October 2003.

### **3 Section 125: Damages for past or future economic loss—maximum for loss of earnings etc**

It is declared that, in the case of an award under section 125 (1) of the *Motor Accidents Compensation Act 1999*, the court is to disregard the amount (if any) by which an injured or deceased person's net weekly earnings would (but for the injury or death) have exceeded \$3,021.

### **4 Section 134: Maximum amount of damages for non-economic loss**

It is declared that the maximum amount that may be awarded for non-economic loss of an injured person as a consequence of a motor accident is \$329,000.



New South Wales

## **Public Sector Employment and Management (Public Trust Office) Order 2003**

under the

Public Sector Employment and Management 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 66 and Chapter 4 of the *Public Sector Employment and Management Act 2002*, make the following Order.

Dated, this 24th day of September 2003.

By Her Excellency's Command,

BOB CARR, M.P.,  
Premier



Clause 1            Public Sector Employment and Management (Public Trust Office) Order  
2003

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## **Public Sector Employment and Management (Public Trust Office) Order 2003**

under the

Public Sector Employment and Management Act 2002

### **1 Name of Order**

This Order is the *Public Sector Employment and Management (Public Trust Office) Order 2003*.

### **2 Abolition of Department and transfer of branches**

- (1) All branches are removed from the Public Trust Office and added to the Attorney General's Department.
- (2) The Public Trust Office is abolished as a Department of the Public Service.

### **3 Amendment of Public Sector Employment and Management Act 2002**

The *Public Sector Employment and Management Act 2002* is amended as set out in Schedule 1.

Public Sector Employment and Management (Public Trust Office) Order  
2003

Amendments

Schedule 1

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## **Schedule 1 Amendments**

(Clause 3)

### **[1] Schedule 1 Departments**

Omit the matter relating to the Public Trust Office.

### **[2] Schedule 2 Executive positions (other than non-statutory SES positions)**

Omit "Public Trustee," from Part 1.

# OFFICIAL NOTICES

## Appointments

### CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence of the Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Assistant Treasurer, and Minister for the Central Coast

PURSUANT to section 36 of the Constitution Act, 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable M. R. EGAN, M.L.C., Treasurer, Minister for State Development, and Vice-President of the Executive Council, to act for and on behalf of the Special Minister of State, Minister for Commerce, Minister for Industrial Relations, and Minister for the Central Coast, as on and from 27 September 2003, with a view to him performing the duties of the Honourable J. J. DELLA BOSCA, M.L.C., during his absence from duty.

BOB CARR, M.P.,  
Premier

The Cabinet Office, Sydney  
24 September 2003

### CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence of the Minister for Infrastructure and Planning, and Minister for Natural Resources

PURSUANT to section 36 of the Constitution Act, 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable M. R. EGAN, M.L.C., to act for and on behalf of the Minister for Infrastructure and Planning, and Minister for Natural Resources, as on and from 27 September 2003, with a view to him performing the duties of the Honourable C. J. KNOWLES, M.P., during his absence from duty.

BOB CARR, M.P.,  
Premier

The Cabinet Office, Sydney  
24 September 2003

### EXHIBITED ANIMALS PROTECTION ACT 1986

#### APPOINTMENT

I, IAN MACDONALD, M.L.C., NSW Minister for Agriculture and Fisheries, pursuant to section 6 (4) (c) of the Exhibited Animals Protection Act 1986, hereby appoint Graham WILSON as a member of the Exhibited Animals Advisory Committee for a term commencing on the date hereof and expiring on 28 August 2006.

Dated this 9th day of September 2003.

IAN MACDONALD, M.L.C.,  
NSW Minister For Agriculture And Fisheries

### VALUATION OF LAND ACT 1916

Rescission of Appointment to Act as Valuer-General  
Office of the Valuer-General

HER Excellency, the Governor, with the advice of the Executive Council has rescinded the appointment of Mr Kerry William LISTER, Chief Valuer, Land and Property Information Division, Department of Lands, to act as Valuer-General for the period from Monday, 1 September 2003 to Wednesday, 17 September 2003, inclusive.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

### VALUATION OF LAND ACT 1916

Rescission of Appointment to Act as Valuer-General  
Office of the Valuer-General

HER Excellency, the Governor, with the advice of the Executive Council has rescinded the appointment of Mr Kerry William LISTER, Chief Valuer, Land and Property Information Division, Department of Lands, to act as Valuer-General for the period from Wednesday, 17 September 2003 to Friday, 3 October 2003, inclusive.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

### VALUATION OF LAND ACT 1916

Appointment of Acting Valuer-General  
Office of the Valuer-General

HER Excellency, the Governor, with the advice of the Executive Council has been pleased to appoint Mr Kerry William LISTER, Chief Valuer, Land and Property Information Division, Department of Lands, to act as Valuer-General for the period from Thursday, 25 September 2003 to Friday, 17 October 2003, inclusive.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

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## NSW Agriculture

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### STOCK DISEASES ACT 1923

Notification No. 1778

Revocation of “Wyworrie” and “Wyworrie Trust”  
Quarantine Areas

I, IAN MACDONALD, M.L.C., Minister for Agriculture and Fisheries, pursuant to sections 3 (2) (a) and 10 of the Stock Diseases Act 1923, Notification No. 1705-OJD published in the *Government Gazette* No. 106 of 28 June 2002 at page 4936 and Notification No. 1747-OJD published in the *Government Gazette* No. 201 of 1 November 2002 at page 9367.

IAN MACDONALD, M.L.C.,  
NSW Minister for Agriculture and Fisheries

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## NSW Fisheries

### FISHERIES MANAGEMENT ACT 1994

#### FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2002

##### Clause 48 (1) – Notice of Aquaculture Lease Consolidation

THE Minister has consolidated the following Aquaculture Leases:

OL62/101 and OL73/137 to create AL03/001 within the estuary of Crookhaven River, having an area of 1.5867 hectares to Harry WOOD, Barry ALLEN and Brian ALLEN of Greenwell Point, NSW, expiring on 18 December 2007.

STEVE DUNN,  
Director-General,  
NSW Fisheries.

### FISHERIES MANAGEMENT ACT 1994

#### FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2002

##### Clause 39 (4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following Class 1 Aquaculture Leases:

OL72/165 within the estuary of Manning River, having an area of 0.6688 hectares to Gary RUPRECHT and Errol RUPRECHT of Mitchells Island, NSW, for a term of 15 years expiring on 3 July 2018.

AL03/004 within the estuary of Merimbula Lake, having an area of 0.6043 hectares to Mr Jack COLE of Cobargo, NSW, for a term of 15 years expiring on 17 May 2019.

OL57/207 within the estuary of Manning River, having an area of 1.1485 hectares to Mr Jason BLOOMFIELD of Mitchells Island, NSW, for a term of 15 years expiring on 17 June 2018.

OL86/239 within the estuary of Wallis Lake, having an area of 0.4158 hectares to Desmond RALSTON and Doreen RALSTON of Tuncurry, NSW, for a term of 15 years expiring on 2 July 2019.

OL87/166 within the estuary of Port Stephens, having an area of 2.5710 hectares to Andrew BUCHAN and Maryla BUCHAN of Soldiers Point, NSW, for a term of 15 years expiring on 10 March 2018.

OL88/075 within the estuary of the Brisbane Waters, having an area of 1.6304 hectares to Mr Allan Dugald FERGUSON and Mrs Judith Therese FERGUSON of Empire Bay, NSW, for a term of 15 years expiring on 30 July 2019.

OL57/251 within the estuary of Manning River, having an area of 0.9891 hectares to Mr Dallas CURRIE of Manning Point, NSW, for a term of 15 years expiring on 9 September 2018.

OL74/111 within the estuary of Merimbula Lake, having an area of 6.0322 hectares, to PITT WARN PTY LTD of Pambula, NSW, for a term of 15 years expiring on 12 May 2019.

OL87/140 within the estuary of Merimbula Lake, having an area of 3.8884 hectares to PITT WARN PTY LTD of Pambula, NSW, for a term of 15 years expiring on 15 May 2009.

OL84/147 within the estuary of Clyde River, having an area of 0.4380 hectares to David Charles WESTMAN of Batemans Bay, NSW, for a term of 15 years expiring on 12 June 2018.

OL59/142 within the estuary of Port Stephens, having an area of 1.5719 hectares to Johannes DE KOEYER and Pauline DE KOEYER of Lemon Tree Passage, NSW, for a term of 15 years expiring on 30 April 2019.

OL74/035 within the estuary of Port Stephens, having an area of 0.6361 hectares to Johannes DE KOEYER and Pauline DE KOEYER of Lemon Tree Passage, NSW, for a term of 15 years expiring on 11 January 2019.

OL74/004 within the estuary of Wallis Lake, having an area of 0.8172 hectares to Mr Trevor Allan DENT of Tuncurry, NSW, for a term of 15 years expiring on 4 June 2019.

OL74/280 within the estuary of Macleay River, having an area of 0.5357 hectares to John BARNETT and Christine BARNETT of Kempsey, NSW, for a term of 15 years expiring on 17 June 2019.

OL87/072 within the estuary of Wallis Lake, having an area of 1.9797 hectares to MS VERDICH & SONS PTY LTD of Forster, NSW, for a term of 15 years expiring on 2 July 2019.

OL73/285 within the estuary of Port Stephens, having an area of 0.5525 hectares to Mr Dean Michael JOHNSON of Karuah, NSW, for a term of 15 years expiring on 13 November 2018.

OL74/024 within the estuary of Wallis Lake, having an area of 1.9088 hectares to Mr Graham James Moore BARCLAY of Forster, NSW, for a term of 15 years expiring on 11 August 2019.

STEVE DUNN,  
Director-General,  
NSW Fisheries.

### FISHERIES MANAGEMENT ACT 1994

#### FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2002

##### Clause 49 (8) – Notice of Aquaculture Lease Subdivision

THE Minister has subdivided the following Aquaculture Leases:

OL80/266 within the estuary of Port Stephens has been subdivided into 2 oyster leases referred to as:

AL01/005 having an area of 2.5184 hectares,

AL01/006 having an area of 0.8479 hectares,

for Graham Edward DESSENT and Lynette DESSENT of Soldiers Point, NSW, 2317.

The subdivided leases will expire on 13 April 2011.

STEVE DUNN,  
Director General,  
NSW Fisheries.

F92/1142

#### FISHERIES MANAGEMENT ACT 1994

##### Notification under Section 8 – Fishing Closure

##### General Trout Closure

I Steve Dunn, prohibit the taking of all species of fish from the waters specified in Schedules A-G below. Except that as specified under the Schedules, the methods of fishing may be used to take the bag limit and possession limit of trout, salmon and other fish, during the open season described, from those waters listed.

This prohibition is effective for a period of up to five years from the date of publication, unless sooner varied or revoked by notification of Director-General of NSW Fisheries.

For the purposes of this Notification the following conditions apply:

- (1) A rod is deemed to be attended if it is within ten (10) metres and in the sight of the person in possession of that rod.
- (2) An artificial lure or artificial fly, whether fitted with one or more hooks, is deemed to be a single hook
- (3) A person must not be in possession of more than one rod and line with hooks attached, in on or adjacent to any of the waters included in Schedules A, B and C of this Notification.
- (4) A person must not be in possession of any rod and line with hooks other than artificial flies or artificial lures attached, in on or adjacent to the waters included in Schedules A and B of this Notification.
- (5) A person must not be in possession of more than two rods and line with hooks attached, in on or adjacent to any of the waters included in Schedules D, E and F of this Notification.
- (6) A person must not be in possession of more than five hoop or lift nets, in on or adjacent to any of the waters included in Schedule G of this Notification. Schedule G of this Notification is an exception to Schedule F of this Notification.

STEVE DUNN,  
Director-General,  
NSW Fisheries

#### SCHEDULE A

##### *(Blue Ribbon Streams)*

##### *Daily Bag and Possession Limit*

A daily bag limit of 2, and possession limit of 4, comprised of a single species or a combination of the species Atlantic salmon (*Salmo salar*), brook trout (*Salvelinus fontinalis*), brown trout (*Salmo trutta*) and rainbow trout

(*Oncorhynchus mykiss*). For other fish species no bag and possession limits apply unless specified in the Table to Division 3, or protected under Division 1 (Clause 6), of the *Fisheries Management (General) Regulation 2002*.

##### *Permitted Method*

One attended rod and line with not more than two hooks, being artificial flies or artificial lures, attached.

##### *Open Season*

Saturday of October (Labour Day) long weekend to Monday of June (Queen's birthday) long weekend, inclusive.

##### *Waters*

All the waters listed below and the tributaries upstream from where they enter the backed-up waters, of all impoundments contained therein. The backed-up waters of those impoundments are not included (see Schedule D).

##### (1) *Southern NSW Trout Waters:*

- |                     |   |
|---------------------|---|
| BOBUNDARA CREEK     | County of Wellesley. The whole of the waters of Bobundara Creek and its tributaries upstream from the Maffra Cooma Road crossing.   |
| EUCUMBENE RIVER     | County of Wallace. The whole of the waters of the Eucumbene River, its creeks and tributaries upstream from the dam wall of Lake Eucumbene and including Providence Portal.   |
| KYBEYAN RIVER       | County of Beresford. The whole of the waters of the Kybeyan River, its creeks and tributaries upstream from its junction with, but not including, the Numeralla River.  |
| MACLAUGHLIN RIVER   | County of Wellesley. The whole of the waters of the MacLaughlin River, its creeks and tributaries upstream from its junction, but not including, the Snowy River.   |
| MOWAMBA RIVER       | County of Wallace. The whole of the waters of the Mowamba River (or Moonbah River), its creeks and tributaries upstream from its junction, but not including, the Snowy River.  |
| SWAMPY PLAINS RIVER | County of Selwyn. The whole of the waters of the Swampy Plains River, its creeks and tributaries downstream of the southern (upstream) boundary of Khancoban Station and upstream from its junction, but not including, the Murray River. |
| THREDBO RIVER       | County of Wallace. The whole of the waters of the Thredbo River (or Crackenback River), its creeks and tributaries  |



upstream from where it enters the backed-up waters of Lake Jindabyne, but not including that portion of the Thredbo River from the upstream extremity of the public reserve known as "Paddy's Corner", upstream for a distance of 2.4 kilometres (being those waters immediately adjacent to the Gaden Trout Hatchery or the waters of Sawpit Creek).

(II) *Central NSW Trout Waters:*

BELL RIVER	County of Wellington. The whole of the waters of the Bell River, its creeks and tributaries upstream from the Belgravia Road crossing.
MEADOW CREEK	County of Wellington. The whole of the waters of the Meadow Creek (or Molong Creek) and its tributaries upstream from its junction, but not including, Borenore Creek.

SCHEDULE B

(*Catch and Release Areas*)

Daily Bag and Possession Limit

A daily bag limit of 0, and possession limit of 0, comprised of a single species or a combination of the species Atlantic salmon (*Salmo salar*), brook trout (*Salvelinus fontinalis*), brown trout (*Salmo trutta*) and rainbow trout (*Oncorhynchus mykiss*). All of the trout and salmon species listed above must be immediately returned to the water with the least possible injury. For other fish species no bag and possession limits apply unless specified in the Table to Division 3, or protected under Division 1 (Clause 6), of the *Fisheries Management (General) Regulation 2002*.

Permitted Method

One attended rod and line with not more than two hooks, being artificial flies or artificial lures, attached.

Open Season

Saturday of October (Labour Day) long weekend to Monday of June (Queen's birthday) long weekend, inclusive.

Waters

All the waters listed below and the tributaries.

BOBUNDARA CREEK	County of Wellesley. The whole of the waters of Bobundara Creek and its tributaries downstream of the Maffra Cooma Road crossing and upstream from its junction with, but not including, the Snowy river (note: upstream section listed under Schedule A).
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SCHEDULE C

(*General Trout Rivers*)

Daily Bag and Possession Limit

A daily bag limit of 5, and possession limit of 10, comprised of a single species or a combination of the species Atlantic salmon (*Salmo salar*), brook trout (*Salvelinus fontinalis*), brown trout (*Salmo trutta*) and rainbow trout (*Oncorhynchus mykiss*). For other fish species no bag and possession limits apply unless specified in the Table to Division 3, or protected under Division 1 (Clause 6), of the *Fisheries Management (General) Regulation 2002*.

Permitted Method

One attended rod and line with not more than two hooks.

Open Season

Saturday of October (Labour Day) long weekend to Monday of June (Queen's birthday) long weekend, inclusive.

Waters

All the waters listed below and the tributaries upstream from where they enter the backed-up waters, of all impoundments contained therein. The backed-up waters of those impoundments (see Schedule D) and the waters listed in Schedules A and B are not included.

(I) *Southern NSW Trout Waters:*

BEMBOKA RIVER	County of Auckland. The whole of the waters of Bemboka River, its creeks and tributaries upstream its junction with, and including, Tantawangalo Creek.
GOODRADIGBEE RIVER	County of Buccleuch. The whole of the waters of the Goodradigbee River, its creeks and tributaries upstream from where it enters the backed-up waters of Burrinjuck Dam.
INGEGOODBEE RIVER	County of Wallace. The whole of the waters of the Ingeegoodbee River, its creeks and tributaries upstream from the Victorian border.
MACPHERSONS SWAMP CREEK	County of Buccleuch. The whole of the waters of the Macphersons Creek and tributaries upstream from where it enters the backed-up waters of Burrinjuck Dam.
MOLONGLO RIVER	County of Murray. The whole of the waters of the Molonglo River, its creeks and tributaries upstream from the railway bridge at Burbong.
MURRAY RIVER	County of Selwyn. The whole of the waters of the Murray River, its creeks and tributaries upstream from the road bridge at Tintalra.

MURRUMBIDGEE RIVER	County of Cowley. The whole of the waters of the Murrumbidgee River, its creeks and tributaries upstream from its junction with, including, the Bredbo River.	CUDGEGONG RIVER	County of Phillip. The whole of the waters of the Cudgegong River, its creeks and tributaries downstream of the wall of Windermere Dam and upstream from the Lawson Park Weir (Mudgee).
QUEANBEYAN RIVER	County of Murray. The whole of the waters of the Queanbeyan River, its creeks and tributaries upstream of the fence boundary of the Googong Dam Reservoir (about 1 kilometres downstream of the wall of Googong Dam).	GUINECOR CREEK	County of Argyle. The whole of the waters of Guinecor Creek and its tributaries upstream from its junction with, but not including, the Wollondilly River.
SHOALHAVEN RIVER	County of Murray. The whole of the waters of the Shoalhaven River, its creeks and tributaries upstream from its junction with, and including, the Mongarlowe River.	KOWMUNG RIVER	County of Westmoreland. The whole of the waters of the Kowmung River, its creeks and tributaries upstream from its junction with, and including, Morong Creek (note: there is an exclusion zone of 3 kilometres around Lake Burragorang).
SNOWY RIVER	County of Wallace. The whole of the waters of the Snowy River, its creeks and tributaries upstream of the Victorian border.	LACHLAN RIVER	County of Bathurst. The whole of the waters of the Lachlan River, its creeks and tributaries upstream from the Cowra-Young road bridge.
TUMUT RIVER	County of Buccleuch. The whole of the waters of the Tumut River, its creeks and tributaries upstream from its junction with, but not including, the Murrumbidgee River.	MACQUARIE RIVER	County of Bathurst. The whole of the waters of the Macquarie River, its creeks and tributaries upstream from its junction with, and including, Lewis Ponds Creek.
TUROSS RIVER	County of Dampier. The whole of the waters of the Tuross River, its creeks and tributaries upstream from the Tuross Falls.	WOLLONDILLY RIVER	County of Argyle. The whole of the waters of the Wollondilly River, its creeks and tributaries upstream from its junction with, and including, the Tarlo River (note: there is an exclusion zone of 3 kilometres around Lake Burragorang).
<i>(II) Central NSW Trout Waters:</i>			
BELL RIVER	County of Wellington. The whole of the waters of the Bell River, its creeks and tributaries upstream from its junction with, and including, the Molong River.	<i>(III) Northern NSW Trout Waters:</i>	
BELUBULA RIVER	County of Bathurst. The whole of the waters of the Belubula River, its creeks and tributaries upstream from the Cherry Tree Falls low level road bridge near Canowindra.	APSLEY RIVER	County of Vernon. The whole of the waters of the Apsley River, its creeks and tributaries upstream from its junction with, and including, the Tia River.
BOREE CREEK	County of Ashburnham. The whole of the waters of the Boree Creek and its tributaries upstream from its junction with, but not including, Mandagery Creek.	BARNARD RIVER	County of Hawes. The whole of the waters of the Barnard River, its creeks and tributaries upstream from its junction with, and including, Gulf Creek.
COXS RIVER	County of Westmoreland. The whole of the waters of the Coxs River, its creeks and tributaries upstream from its junction with, but not including, Little River (note: there is an exclusion zone of 3 kilometres around Lake Burragorang).	BARRINGTON RIVER	County of Gloucester. The whole of the waters of the Barrington River, its creeks and tributaries upstream from its junction with, and including, the Moppy River.
		BEARDY WATERS	County of Gough. The whole of the waters Beardy Waters, its creeks and tributaries upstream from its junction with, and including, Furracabad Creek.



BLICKS RIVER	County of Fitzroy. The whole of the waters of the Blicks River, its creeks and tributaries upstream from the road bridge at Dundarrabin.	GWYDIR RIVER	County of Hardinge. The whole of the waters of the Gwydir River, its creeks and tributaries downstream of Copeton Dam and upstream of its junction with, but not including, Dingo Creek.
CARTERS BROOK	County of Durham. The whole of the waters of Carters Brook, its creeks and tributaries upstream from its junction with, and including, Stewarts Brook.	HORTON RIVER	County of Murchison. The whole of the waters of the Horton River, its creeks and tributaries upstream from its junction with, and including, Cut Road Creek.
CHANDLER RIVER	County of Clarke. The whole of the waters of the Chandler River, its creeks and tributaries upstream from its junction with, and including, the Wollomombi River.	HUNTER RIVER	County of Brisbane. The whole of the waters of the Hunter River, its creeks and tributaries upstream from its junction with, but not including, Pages Creek.
COBARK RIVER	County of Gloucester. The whole of the waters of the Cobark River, its creeks and tributaries upstream from its junction with, and including, the Dilgry River.	LAURA CREEK	County of Hardinge. The whole of the waters of Laura Creek and its tributaries of the ford at Baldeslie Station.
COOPLACURRIPA	County of Hawes. The whole of the waters of the Cooplacurripa River, its creeks and tributaries upstream from its junction with, and including, the Mummel River.	MACDONALD RIVER	County of Vernon. The whole of the waters of the Macdonald River, its creeks and tributaries upstream of the New England Highway road bridge at Bendemeer.
DEEPWATER RIVER	County of Gough. The whole of the waters of the Deepwater River, its creeks and tributaries upstream of the New England Highway road bridge near Deepwater.	MCINTYRE RIVER	County of Gough. The whole of the waters of the McIntyre River, its creeks and tributaries upstream from the road bridge at Elsmore.
DUNGOWAN CREEK	County of Parry. The whole of the waters of Dungowan Creek and its tributaries upstream from the road crossing near Ogunbil Station.	MANNING RIVER	County of Gloucester. The whole of the waters of the Manning River, its creeks and tributaries upstream from the Gummi Trail crossing.
GEORGES CREEK	County of Hardinge. The whole of the waters of Georges Creek and its tributaries upstream from its junction with, and including, Louisa Creek.	MOONAN BROOK	County of Durham. The whole of the waters of Moonan Brook and its tributaries upstream from its junction with, but not including, the Hunter River.
GLOUCESTER RIVER	County of Gloucester. The whole of the waters of the Gloucester River, its creeks and tributaries upstream from its junction with, and including, Sharpes Creek.	MOREDUN CREEK	County of Hardinge. The whole of the waters of Moredun Creek and its tributaries upstream of the ford immediately below its junction with Limestone Creek.
GUY FAWKES RIVER	County of Gresham. The whole of the waters of the Guy Fawkes River, its creeks and tributaries upstream from its junction with, but not including, the Aberfoyle River.	MULLA MULLA CREEK	County of Parry. The whole of the waters of Mulla Mulla Creek and its tributaries upstream from its junction with, but not including, the Cockburn River.
GWYDIR RIVER	County of Hardinge. The whole of the waters of the Gwydir River, its creeks and tributaries upstream of the road bridge at Torryburn.	MYALL CREEK	County of Hawes. The whole of the waters of Myall Creek and its tributaries upstream from its junction with, and including, Tuggolo Creek.

NOWENDOC RIVER	County of Hawes. The whole of the waters of the Nowendoc River, its creeks and tributaries upstream from Nowendoc Falls.	Table to Division 3, or protected under Division 1 (Clause 6), of the <i>Fisheries Management (General) Regulation 2002</i> .
		<u>Permitted Method</u>
NYMBOIDA RIVER	County of Sandon. The whole of the waters of the Nymboida River, its creeks and tributaries upstream from its junction with, and including, Wild Cattle Creek.	Two attended rods each with a line with not more than two hooks attached.
		<u>Open Season</u>
		All year.
OAKY RIVER	County of Clarke. The whole of the waters of the Oaky River, its creeks and tributaries upstream from where it enters the backed-up waters of Oaky River Dam.	
		<u>Waters</u>
		The backed-up waters, of all impoundments contained in those waters listed in Schedules A, B and C including Beardy Waters, Pejar Dam, Geehi Dam, Carcoar Dam, Lake Canobolas, Cochrane Dam, Lake Lyell, Oberon Dam, Tooma Dam, Tumut Ponds, Malpas Dam, Googong Dam, Guthega Lake, Happy Jacks Pondage, Ben Chifley Dam, Red Ground Dam (Crookwell water supply), Jounama Pondage, Captains Flat Dam, Khancoban Pondage, Talbingo Dam, Tantangara Dam, Three Mile Dam, Lake Wallace, Island Bend Dam, Tumut 2 Pondage, Murray 2 Pondage.
OBAN RIVER	County of Clarke. The whole of the waters of the Oban River (or Ann River), its creeks and tributaries upstream from its junction with, but not including, the Sara River.	
OMADALE BROOK	County of Durham. The whole of the waters of Omadale Brook and its tributaries upstream from its junction with, and including, Polblue Creek.	The backed-up waters of Fitzroy Falls Dam, Wentworth Falls Lake, Sheba Dams and Dumaresq Dam are included.  The backed-up waters of Black Lake (see Schedule E), Wyangala Dam and Blowering Dam are not included.
STYX RIVER	County of Clarke. The whole of the waters of the Styx River, its creeks and tributaries upstream of the road crossing on the Armidale-Bellbrook road, but not including that portion of the Serpentine River upstream from Serpentine Falls to the Point Lookout road crossing (being those waters immediately adjacent to the Dutton Trout Hatchery).	
		————— SCHEDULE E (Trophy Trout Dams) <u>Daily Bag and Possession Limit</u>
		A daily bag limit of 2, and possession limit of 4, comprised of a single species or a combination of the species Atlantic salmon ( <i>Salmo salar</i> ), brook trout ( <i>Salvelinus fontinalis</i> ), brown trout ( <i>Salmo trutta</i> ) and rainbow trout ( <i>Oncorhynchus mykiss</i> ). For other fish species no bag and possession limits apply unless specified in the Table to Division 3, or protected under Division 1 (Clause 6), of the <i>Fisheries Management (General) Regulation 2002</i> .
SWANBROOK CREEK	County of Gough. The whole of the waters Swanbrook Creek and its tributaries upstream of the Kings Plain road crossing near Inverell.	
		<u>Permitted Method</u>
		Two attended rods each with a line with not more than two hooks attached.
		<u>Open Season</u>
		All year.
WELLINGROVE CREEK	County of Gough. The whole of the waters of Wellingrove Creek and its tributaries upstream from the Gwydir Highway road bridge.	
		<u>Waters</u>
		BLACK LAKE County of Wellesley. The whole of the waters of Black Lake.

—————  
SCHEDULE D

(General Trout Dams)

Daily Bag and Possession Limit

A daily bag limit of 10, and possession limit of 20, comprised of a single species or a combination of the species Atlantic salmon (*Salmo salar*), brook trout (*Salvelinus fontinalis*), brown trout (*Salmo trutta*) and rainbow trout (*Oncorhynchus mykiss*). For other fish species no bag and possession limits apply unless specified in the

—————  
Permitted Method

Two attended rods using artificial lure or artificial fly fishing only, from shore areas only (the use of Powerbait or any other artificial or manufactured bait product is not permitted), fishing is not permitted from any vessel or floating platform.

Open Season

All year during the period from an hour before sunrise to 3 hours after sunset each day only.

Waters

F92/529

THOMPSONS CREEK DAM County of Cook. The whole of the waters of Thompsons Creek Dam (near Lithgow).

## SCHEDULE F

(Snowy Trout Strategy - Lakes )

Daily Bag and Possession Limit

A daily bag limit of 5, and possession limit of 10, comprised of a single species or a combination of the species Atlantic salmon (*Salmo salar*), brook trout (*Salvelinus fontinalis*), brown trout (*Salmo trutta*) and rainbow trout (*Oncorhynchus mykiss*). For other fish species no bag and possession limits apply unless specified in the Table to Division 3, or protected under Division 1 (Clause 6), of the *Fisheries Management (General) Regulation 2002*.

Permitted Method

Two attended rods each with a line with not more than two hooks attached.

Open Season

All year.

Waters

The whole of the waters of Lake Jindabyne and Lake Eucumbene.

*Condition:* The waters, methods, time period, bag and possession limits listed below in Schedule G are an exception to Schedule F of this Notification.

## SCHEDULE G

(Lake Jindabyne and Lake Eucumbene)

Exception to Schedule F of this Notification

Daily Bag and Possession Limit

A daily bag limit of 200, and possession limit of 200, for the freshwater yabby (*Cherax destructor*). For other fish species no bag and possession limits apply unless specified in the Table to Division 3, or protected under Division 1 (Clause 6), of the *Fisheries Management (General) Regulation 2002*.

Permitted Method

Five (5) hoop or lift nets, per person, as per clause 47(1)(a) and (c) of the Regulation, if the net complies with the description specified in the Table of clause 47 of the Regulation.

Open Season

All year.

Waters

The whole of the waters of Lake Jindabyne and Lake Eucumbene.

**FISHERIES MANAGEMENT ACT 1994**

## Section 8 Notification - Fishing Closure

## Wonboyn River

I, STEVE DUNN, prohibit the taking of fish by the method of fishing described in Column 1 of the Schedule to this notification, from the waters described in Column 2 of the Schedule.

This prohibition is effective for a period of up to five years from the date of publication, unless sooner varied or revoked by notification of Director-General of NSW Fisheries.

STEVE DUNN,  
Director-General, NSW Fisheries

## SCHEDULE

## Wonboyn River netting closure

Column 1  
MethodColumn 2  
Waters

By means of the hoop or lift net as prescribed by clause 48 of the *Fisheries Management (General) Regulation 2002*.

The whole of the waters of Wonboyn River, including Broadwater, together with all its tributaries upward to its source from its confluence with the waters of the South Pacific Ocean.

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# Department of Infrastructure, Planning and Natural Resources

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## Infrastructure and Planning



New South Wales

## **Bathurst Local Environmental Plan 1997 (Amendment No 7)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S03/00629/S69)

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

Clause 1 Bathurst Local Environmental Plan 1997 (Amendment No 7)

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## **Bathurst Local Environmental Plan 1997 (Amendment No 7)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Bathurst Local Environmental Plan 1997 (Amendment No 7)*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to omit development for the purpose of outbuildings from the list of development that can be carried out without development consent in Zone No 1 (b) and 1 (c) under *Bathurst Local Environmental Plan 1997*, as such development will be exempt development, and
- (b) to make reference to revised development control plans dealing with exempt and complying development in the City of Bathurst, and
- (c) to formalise the process for seeking an exemption from the operation of a provision that requires development consent for development within a heritage conservation area or affecting a heritage item or relic.

### **3 Land to which plan applies**

This plan applies to all land within the City of Bathurst.

### **4 Amendment of Bathurst Local Environmental Plan 1997**

*Bathurst Local Environmental Plan 1997* is amended as set out in Schedule 1.

Bathurst Local Environmental Plan 1997 (Amendment No 7)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 6 Zoning control table

Omit “outbuildings with a gross floor area of 30 square metres or less (constructed with exteriors of non-reflective materials),” from item 2 of the matter relating to Zone No 1 (b) in the Table to the clause.

### [2] Clause 6, Table

Omit “, outbuildings with a gross floor area of 30 square metres or less (constructed with exteriors of non-reflective materials and in accordance with any relevant development control plan)” from item 2 of the matter relating to Zone No 1 (c).

### [3] Clause 19A What is exempt and complying development?

Omit “21 July 1999” wherever occurring. Insert instead “21 May 2003”.

### [4] Clause 20 Protection of heritage items, heritage conservation areas and relics

Omit clause 20 (2). Insert instead:

- (2) Development consent is not required by this clause if:
  - (a) the proponent has notified the Council in writing of the proposed development, and
  - (b) the Council has formed the opinion that the proposed development would not adversely affect the heritage significance of the heritage item, relic or heritage conservation area, and
  - (c) the Council has advised the proponent in writing before the development is carried out that it is satisfied that development consent is not required because of the exception created by this subclause.



## **Botany Local Environmental Plan 1995 (Amendment No 25)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/00125/S69)

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

Clause 1 Botany Local Environmental Plan 1995 (Amendment No 25)

---

## **Botany Local Environmental Plan 1995 (Amendment No 25)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Botany Local Environmental Plan 1995 (Amendment No 25)*.

### **2 Aims of plan**

- (1) This plan aims to amend *Botany Local Environmental Plan 1995* to ensure that land uses in respect of part of the land to which this plan applies are in accordance with the cumulative risk contour identified in the document published in 1996 entitled *Port Botany Safety Study Overview Report*.
- (2) This plan also aims to provide for the carrying out of development for the purpose of commercial premises within an existing commercial building located on part of the land, being Unit 21, 1801 Botany Road, Banksmeadow. The commercial premises may not necessarily be used for commercial activities connected with the operation of the Port of Botany as a port.

### **3 Land to which plan applies**

This plan applies to land situated in the City of Botany Bay, generally bounded by Botany Road, Excell Street, McPherson Street and Beauchamp Road, Botany and Banksmeadow, including Unit 21, 1801 Botany Road, Banksmeadow.

### **4 Amendment of Botany Local Environmental Plan 1995**

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



Botany Local Environmental Plan 1995 (Amendment No 25)

Amendments

Schedule 1

---

## Schedule 1 Amendments

(Clause 4)

### [1] Clause 40 Savings and transitional

Insert at the end of clause 40 (3):

Botany Local Environmental Plan 1995 (Amendment No 25)

### [2] Schedule 2 Development for certain additional purposes

Omit “commercial uses,” from the matter relating to the land bounded generally by Botany Road, Excell Street, McPherson Street and Beauchamp Road, Botany.

### [3] Schedule 2

Insert at the end of the Schedule:

- Land, being part of Lot 1, DP 873898, known as Unit 21, 1801 Botany Road, Banksmeadow—commercial premises.



New South Wales

## **Byron Local Environmental Plan 1988 (Amendment No 100)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G92/00478/PC)

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

Clause 1 Byron Local Environmental Plan 1988 (Amendment No 100)

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## **Byron Local Environmental Plan 1988 (Amendment No 100)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Byron Local Environmental Plan 1988 (Amendment No 100)*.

### **2 Aims of plan**

This plan aims to rezone the land to which this plan applies from partly Zone No 2 (a) (the Residential Zone) and partly Zone No 7 (b) (the Coastal Habitat Zone) to partly Zone No 7 (j) (the Scientific Zone) and partly Zone No 8 (a) (the National Parks and Nature Reserve Zone) under *Byron Local Environmental Plan 1988*.

### **3 Land to which plan applies**

This plan applies to land within the local government area of Byron, in the vicinity of Paterson Street, Byron Bay, as shown edged heavy black on the map marked “Byron Local Environmental Plan 1988 (Amendment No 100)” deposited in the office of Byron Council.

### **4 Amendment of Byron Local Environmental Plan 1988**

*Byron Local Environmental Plan 1988* is amended by inserting in appropriate order in the definition of *the map* in the Dictionary the following words:

Byron Local Environmental Plan 1988 (Amendment No 100)



## **Camden Local Environmental Plan No 126**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P01/00341/S69)

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

Clause 1 Camden Local Environmental Plan No 126

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## **Camden Local Environmental Plan No 126**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Camden Local Environmental Plan No 126*.

### **2 Aims of plan**

This plan aims to reclassify the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993 (the 1993 Act)* to enable the land to be used as a public road.

### **3 Land to which plan applies**

This plan applies to Lot 1, DP 822334 and known as 66A Byron Road, Leppington, as shown edged heavy black on the map marked "Camden Local Environmental Plan No 126" deposited in the office of Camden Council.

### **4 Amendment of Camden Local Environmental Plan No 48**

*Camden Local Environmental Plan No 48* is amended as set out in Schedule 1.

Camden Local Environmental Plan No 126

Amendments

Schedule 1

---

## Schedule 1 Amendments

(Clause 4)

### [1] Clause 39

Insert after clause 38:

#### **39 Classification and reclassification of public land as operational**

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

Camden Local Environmental Plan No 126

Schedule 1 Amendments

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**[2] Schedule 4**

Insert after Schedule 3:

**Schedule 4 Classification and reclassification of public land as operational**

(Clause 39)

**Part 1 Land classified, or reclassified, as operational land—no interests changed**

Locality	Description
Leppington	
66A Byron Road	Lot 1, DP 822334

**Part 2 Land classified, or reclassified, as operational land—interests changed**

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged



## **Canterbury Local Environmental Plan No 148—Campsie Precinct (Amendment No 11)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S03/00942/S69)

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



Clause 1 Canterbury Local Environmental Plan No 148—Campsie Precinct  
(Amendment No 11)

---

## Canterbury Local Environmental Plan No 148—Campsie Precinct (Amendment No 11)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of plan

This plan is *Canterbury Local Environmental Plan No 148—Campsie Precinct (Amendment No 11)*.

### 2 Aim of plan

The aim of this plan is to rezone certain land at Campsie to the Residential “C” Zone under *Canterbury Local Environmental Plan No 148—Campsie Precinct*.

### 3 Land to which plan applies

This plan applies to land known as 1 and 2 South Parade, Campsie, being Lots 1 and 2 in DP 2785, as shown coloured light scarlet with red edging on the map marked “Canterbury Local Environmental Plan No 148—Campsie Precinct (Amendment No 11)” deposited in the office of the Council of the City of Canterbury.

### 4 Amendment of Canterbury Local Environmental Plan No 148—Campsie Precinct

*Canterbury Local Environmental Plan No 148—Campsie Precinct* is amended by inserting in appropriate order in the definition of *the map* in clause 5:

Canterbury Local Environmental Plan No 148—Campsie Precinct (Amendment No 11)



## Canterbury Local Environmental Plan No 202

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S03/00184/S69)

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

Clause 1            Canterbury Local Environmental Plan No 202

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## **Canterbury Local Environmental Plan No 202**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Canterbury Local Environmental Plan No 202*.

### **2 Aims of plan**

This plan aims to clarify the permissible residential uses on the land to which this plan applies, being certain land in and near Earlwood within Zone No 2 (a) under the *Canterbury Planning Scheme Ordinance*.

### **3 Land to which plan applies**

This plan applies to land generally east of a line drawn from Cooks River south along Cup and Saucer Creek through to its intersection with William Street, then westerly along William Street to Bexley Road and then generally southerly to Wolli Creek, as shown edged heavy black on the map marked "Canterbury Local Environmental Plan No 202" deposited in the office of the Council of the City of Canterbury.

### **4 Amendment of Canterbury Planning Scheme Ordinance**

The *Canterbury Planning Scheme Ordinance* is amended as set out in Schedule 1.

Canterbury Local Environmental Plan No 202

Amendment

Schedule 1

---

## **Schedule 1 Amendment**

(Clause 4)

### **Clause 62J**

Omit the clause. Insert instead

#### **62J Town houses and villa homes on certain land within Zone No 2 (a)**

- (1) This clause applies to certain land within Zone No 2 (a), in and near Earlwood, being land generally east of a line drawn from Cooks River south along Cup and Saucer Creek through to its intersection with William Street, then westerly along William Street to Bexley Road and then generally southerly to Wolli Creek, as shown edged heavy black on the map marked "Canterbury Local Environmental Plan No 202".
- (2) Despite any other provision of this Ordinance, development for the purpose of town houses or villa homes (or both) may not be carried out on land to which this clause applies.



## Hastings Local Environmental Plan 2001 (Amendment No 24)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G96/00252/S69; E.350.10.277)

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

Clause 1 Hastings Local Environmental Plan 2001 (Amendment No 24)

---

## **Hastings Local Environmental Plan 2001 (Amendment No 24)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Hastings Local Environmental Plan 2001 (Amendment No 24)*.

### **2 Aims of plan**

This plan aims to allow, with the consent of Hastings Council, the carrying out of development for the purpose of cluster housing on the land to which this plan applies, being land within Zone 2 (a4) Low Density Residential under *Hastings Local Environmental Plan 2001*.

### **3 Land to which plan applies**

This plan applies to Lot 2, DP 262236, 4 Highfields Circuit, Port Macquarie, as shown edged heavy black and with a vertical stipple on the map marked "Hastings Local Environmental Plan 2001 (Amendment No 24)" deposited in the office of Hastings Council.

### **4 Amendment of Hastings Local Environmental Plan 2001**

*Hastings Local Environmental Plan 2001* is amended as set out in Schedule 1.

Hastings Local Environmental Plan 2001 (Amendment No 24)

Amendments

Schedule 1

---

## Schedule 1 Amendments

(Clause 4)

### [1] Schedule 3 Development of specific sites

Insert at the end of the Schedule under the headings “**Land**” and “**Additional development permitted**”, respectively:

Lot 2, DP 262236, 4 Highfields Circuit, Port Macquarie, as shown edged heavy black and with a vertical stipple on the map marked “Hastings Local Environmental Plan 2001 (Amendment No 24)”	Development for the purpose of cluster housing.
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### [2] Schedule 6 Zones and zoning map amendments

Insert in appropriate order in Part 2 of the Schedule:

Hastings Local Environmental Plan 2001 (Amendment No 24)



## **Marrickville Local Environmental Plan 2001 (Amendment No 20)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S03/00836/S69)

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



Clause 1           Marrickville Local Environmental Plan 2001 (Amendment No 20)

---

## **Marrickville Local Environmental Plan 2001 (Amendment No 20)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Marrickville Local Environmental Plan 2001 (Amendment No 20)*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to rezone the land to which this plan applies from partly the General Industrial 4 (A) zone and partly the Residential 2 (B) zone to the Residential 2 (C) zone under *Marrickville Local Environmental Plan 2001*, and
- (b) to broaden, with the consent of Marrickville Council, the range of permissible uses of the land to include a shop or one commercial premises, and
- (c) to set controls on the use of the land, and
- (d) to promote the economic use of the land.

### **3 Land to which plan applies**

This plan applies to land situated in the local government area of Marrickville, being Lots 1 and 2, DP 998331, Lot 1, DP 783201 and Lot 1, DP 85441, and known as 1 Goodsell Street, St Peters, as shown coloured pink with red edging and lettered “2 (C)” on the map marked “Marrickville Local Environmental Plan 2001 (Amendment No 20)—Zoning Map” deposited in the office of Marrickville Council.

### **4 Amendment of Marrickville Local Environmental Plan 2001**

*Marrickville Local Environmental Plan 2001* is amended as set out in Schedule 1.

Marrickville Local Environmental Plan 2001 (Amendment No 20)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Schedule 1 Definitions

Insert in appropriate order in the definition of *the additional uses development and site specific development controls map*:

Marrickville Local Environmental Plan 2001 (Amendment No 20)—Additional Uses Development and Site Specific Development Controls Map

### [2] Schedule 1, definition of “the map”

Insert in appropriate order:

Marrickville Local Environmental Plan 2001 (Amendment No 20)—Zoning Map

### [3] Schedule 2 Additional uses development and site specific development controls

Insert after the matter relating to 2G Gladstone Street, Newtown, in Columns 1 and 2, respectively:

**1 Goodsell Street, St Peters**

Lots 1 and 2, DP 998331, Lot 1, DP 783201 and Lot 1, DP 85441, as shown coloured magenta on the map marked “Marrickville Local Environmental Plan 2001 (Amendment No 20)—Additional Uses Development and Site Specific Development Controls Map”.

The *additional uses development* for the purpose of one shop only or one commercial premises located only in the southeast corner of the site, but only if the gross floor area of the shop or the commercial premises will not exceed 50 square metres.

Development for the purpose of a residential flat building (whether or not the residential flat building includes the shop or the commercial premises referred to in this item), but only if the following *site specific development controls* are complied with:

- (a) the floor space ratio of all buildings on the land will not exceed 2.04:1,
- (b) the total number of dwellings will not exceed 41,

## Marrickville Local Environmental Plan 2001 (Amendment No 20)

## Schedule 1 Amendments

- 
- (c) the development is designed to step up in height from the western part of the site to the eastern part of the site to create an articulated facade to Goodsell Street and the railway station, in the following manner:
- (i) the western part of the residential flat building (when viewed from Goodsell Street) is to be two to three storeys in appearance, with a height not exceeding RL 26.64,
  - (ii) the central part of the residential flat building is to be three to four storeys in appearance, with a height not exceeding RL 32.20,
  - (iii) the eastern part of the residential flat building (adjacent to the pathway to the railway station) is to be up to five storeys in appearance, with a height not exceeding RL 35.85.



## **Parramatta Local Environmental Plan 2001 (Amendment No 7)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P02/00065/S69)

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

Clause 1 Parramatta Local Environmental Plan 2001 (Amendment No 7)

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## **Parramatta Local Environmental Plan 2001 (Amendment No 7)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Parramatta Local Environmental Plan 2001 (Amendment No 7)*.

### **2 Aims of plan**

This plan aims to bring under the provisions of *Parramatta Local Environmental Plan 2001 (the principal plan)* certain land at North Wentworthville that was “deferred area” (within the meaning of clause 5 (2) of the principal plan) at the time of the making of the principal plan.

### **3 Land to which plan applies**

This plan applies to land situated in the City of Parramatta, being certain land in North Wentworthville, as shown edged heavy red and distinctively coloured and lettered on the map marked “Parramatta Local Environmental Plan 2001 (Amendment No 7)” deposited in the office of Parramatta City Council.

### **4 Amendment of Parramatta Local Environmental Plan 2001**

*Parramatta Local Environmental Plan 2001* is amended by inserting in appropriate order in the definition of *zoning map* in the Dictionary the following words:

Parramatta Local Environmental Plan 2001 (Amendment No 7)



## **Ryde Local Environmental Plan No 134**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S03/01010/S69)

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

Clause 1 Ryde Local Environmental Plan No 134

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## **Ryde Local Environmental Plan No 134**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Ryde Local Environmental Plan No 134*.

### **2 Aims of plan**

This plan aims to rezone the land to which this plan applies from Special Uses "A" (Church) to Zone No 2 (a) Residential "A" under the *Ryde Planning Scheme Ordinance*.

### **3 Land to which plan applies**

This plan applies to land situated in the City of Ryde, being Lot 43, DP 25524, and known as 45 Blenheim Road, North Ryde, as shown coloured light scarlet and edged heavy black on the map marked "Ryde Local Environmental Plan No 134" deposited in the office of the Council of the City of Ryde.

### **4 Amendment of Ryde Planning Scheme Ordinance**

The *Ryde Planning Scheme Ordinance* is amended by inserting in appropriate order in the definition of *scheme map* in clause 3 (1) the following words:

Ryde Local Environmental Plan No 134



## **Tweed Local Environmental Plan 2000 (Amendment No 38)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G02/00181/PC)

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



Clause 1 Tweed Local Environmental Plan 2000 (Amendment No 38)

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## **Tweed Local Environmental Plan 2000 (Amendment No 38)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Tweed Local Environmental Plan 2000 (Amendment No 38)*.

### **2 Aims of plan**

The aims of this plan are to amend *Tweed Local Environmental Plan 2000* to clarify certain provisions relating to the subdivision of land within the Tweed local government area and to incorporate matters for consideration by the consent authority when determining a development application relating to land within Zone 7 (f).

### **3 Land to which plan applies**

This plan applies to all land to which *Tweed Local Environmental Plan 2000* applies.

### **4 Amendment of Tweed Local Environmental Plan 2000**

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

Tweed Local Environmental Plan 2000 (Amendment No 38)

Amendments

Schedule 1

---

## Schedule 1 Amendments

(Clause 4)

### [1] Clause 19 General

Omit clause 19 (1). Insert instead:

(1) **Objective**

- to provide a comprehensive system of planning controls for the subdivision of land in the Tweed local government area.

(1A) Despite Part 2 but subject to this Part, a person must not subdivide land without consent.

### [2] Clause 20 Subdivision in Zones 1 (a), 1 (b), 7 (a), 7 (d) and 7 (l)

Insert “7 (a),” after “1 (b2),” in clause 20 (2) (a).

### [3] Clause 20 (4)

Omit the subclause. Insert instead:

(4) For the purposes of subclauses (2) and (3):

- (a) land is taken to be within Zone 1 (b1) if it is shown on the zone map by the marking “1 (b1)”, and
- (b) land is taken to be in Zone 1 (b2) if it is shown on the zone map by the marking “1 (b2)”.

### [4] Clause 21A

Insert after clause 21:

#### 21A Subdivision in Zone 7 (f)

(1) **Objectives**

- to protect the ecological or scenic values of coastal lands,
- to protect land that may be susceptible to coastal erosion processes from inappropriate development.

(2) Consent may be granted to the subdivision of land within Zone 7 (f) only if:

- (a) the area of each allotment created is at least 40 hectares, or

Tweed Local Environmental Plan 2000 (Amendment No 38)

Schedule 1 Amendments

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- (b) the consent authority is satisfied that the allotment will be used for a purpose, other than for an agricultural or a residential purpose, for which consent could be granted.

**[5] Clause 27 Development in Zone 7 (f) Environmental Protection (Coastal Lands)**

Omit clause 27 (2). Insert instead:

- (2) In deciding whether to grant consent to development in Zone 7 (f), the consent authority must consider:
  - (a) the provisions of any plan of management adopted by the Council under the *Local Government Act 1993* that is applicable to the land, and
  - (b) the impact of the development on the behaviour of the sea, or an arm of the sea, or any bay, inlet, lagoon, lake, body of water, river, stream or watercourse, and
  - (c) the impact of the development on any beach or dune or the bed, bank, shoreline, foreshore, margin or flood plain of the sea or any bay, inlet, lagoon, lake, body of water, river, stream or watercourse, and
  - (d) the impact of the development on the landscape or scenic quality of the locality, and
  - (e) the impact of the development on any native vegetation.



## **Uralla Local Environmental Plan 1988 (Amendment No 13)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/02056/S69)

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

Clause 1           Uralla Local Environmental Plan 1988 (Amendment No 13)

---

## **Uralla Local Environmental Plan 1988 (Amendment No 13)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Uralla Local Environmental Plan 1988 (Amendment No 13)*.

### **2 Aims of plan**

This plan aims to rezone the land to which this plan applies from Zone No 1 (d) (the Rural Residential Zone) to Zone No 1 (c) (the Rural Small Holdings Zone) under *Uralla Local Environmental Plan 1988*.

### **3 Land to which plan applies**

This plan applies to land in the vicinity of Gostwyck Road and Gostwyck Street, Uralla, Parish of Uralla and County of Sandon, as shown edged heavy black and lettered "1 (c)" on the map marked "Uralla Local Environmental Plan 1988 (Amendment No 13)" deposited in the office of the Uralla Shire Council.

### **4 Amendment of Uralla Local Environmental Plan 1988**

*Uralla Local Environmental Plan 1988* is amended by inserting in appropriate order in the definition of *the map* in clause 5 (1) the following words:

Uralla Local Environmental Plan 1988 (Amendment No 13)



New South Wales

## **Warringah Local Environmental Plan 2000 (Classification and Reclassification of Public Land)— (Amendment No 6)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S03/01080/S69)

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

Clause 1                    Warringah Local Environmental Plan 2000 (Classification and  
Reclassification of Public Land)—(Amendment No 6)

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## **Warringah Local Environmental Plan 2000 (Classification and Reclassification of Public Land)— (Amendment No 6)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Warringah Local Environmental Plan 2000 (Classification and Reclassification of Public Land)—(Amendment No 6)*.

### **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 Lots 1 and 2, DP 130602, being a laneway between Oaks Avenue and Pacific Parade, Dee Why, as shown edged heavy black on Sheet 9 of the map marked “Warringah Local Environmental Plan 2000 (Classification and Reclassification of Public Land)” deposited in the office of Warringah Council.

### **4 Amendment of Warringah Local Environmental Plan 2000 (Classification and Reclassification of Public Land)**

*Warringah Local Environmental Plan 2000 (Classification and Reclassification of Public Land)* is amended as set out in Schedule 1.

Warringah Local Environmental Plan 2000 (Classification and  
Reclassification of Public Land)—(Amendment No 6)

Amendment

Schedule 1

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## Schedule 1 Amendment

(Clause 4)

### **Schedule 1 Classification and reclassification of public land as operational land**

Insert in Part 1 in alphabetical order of locality in Columns 1 and 2,  
respectively:

#### **Dee Why**

Laneway between Oaks Avenue  
and Pacific Parade

Lots 1 and 2, DP 130602, as shown edged  
heavy black on Sheet 9 of the map marked  
“Warringah Local Environmental Plan 2000  
(Classification and Reclassification of Public  
Land)”.





## Woollahra Local Environmental Plan 1995 (Amendment No 40)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/01428/S69)

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

Clause 1            Woollahra Local Environmental Plan 1995 (Amendment No 40)

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## **Woollahra Local Environmental Plan 1995 (Amendment No 40)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Woollahra Local Environmental Plan 1995 (Amendment No 40)*.

### **2 Aims of plan**

The aim of this plan is to allow, with the consent of Woollahra Municipal Council, the carrying out of development on part of the land to which this plan applies for the additional use of a cafe.

### **3 Land to which plan applies**

This plan applies to Lot 1, DP 229634, and known as No 257 Glenmore Road, Paddington.

### **4 Amendment of Woollahra Local Environmental Plan 1995**

*Woollahra Local Environmental Plan 1995* is amended by inserting at the end of Schedule 2 the following words:

Land being Lot 1, DP 229634, and known as No 257 Glenmore Road, Paddington—cafe on the ground floor of the premises used in conjunction with, but subordinate to, a bakery use.

## Natural Resources

### WATER ACT 1912

#### Notice of Restrictions Under Section 22(B)

THE Water Administration Ministerial Corporation notifies licence and authority holders of the restrictions on the taking and using of water from the Lower Darling Regulated River as follows:

1. Irrigation licences and authorities used to irrigate permanent plantings (viticulture and horticulture) established before 30 June 2003, may only pump that quantity of water as set out in Attachment A.
2. Non-permanent plantings will not be permitted to be irrigated during the period of the restriction.
3. Water diverted for licensed stock and domestic purposes, or under Basic Rights, must not be used for commercial irrigation purposes.
4. The restriction imposed by this Notice operates from the date of its publication in the *Government Gazette* and remains in force until a further Notice amending or cancelling it is published.
5. The restriction applies to all licences and authorities referred to in 1 above held on properties on the Darling River, from adjacent to "Billilla" homestead on Lot 3671, DP 766053, County of Livingstone, downstream to the north east corner of Lot 11, DP 756952, Parish of Menindee, County of Wentworth. The restriction also applies to Copi Hollow.

This notice replaces the previous notice published in the *Government Gazette* on Friday, 8 August 2003.

Dated this day 16th of September 2003.

Signed for the Water Administration Ministerial Corporation:

KAYE DALTON,  
Acting Regional Director,  
Murray Region,  
Department of Infrastructure, Planning  
and Natural Resources  
(by delegation).

Attachment A

<b>Permanent Plantings</b>	<b>Total Water Available from 1 October 2003 to 31 December 2003</b>
Vines	4.0 ML/ha *
Citrus	5.0 ML/ha *
Other Orchard	7.0 ML/ha *
All Other	0.0 ML/ha

\* ha means the area of land under that crop as at 30 June 2003.

GA2:494946.

### WATER ACT 1912

#### Notice Under Section 22B

#### Water Extraction Suspensions

Tenterfield Creek, Bluff River, Mole River, Deepwater River and their Tributaries and Effluents

THE Department of Infrastructure, Planning and Natural Resources pursuant to section 22B of the Water Act 1912, being satisfied that the quantity of water available or likely to be available in Tenterfield Creek, Bluff River, Mole River, Deepwater River and the tributaries and effluents of the aforementioned streams is insufficient to meet all requirements with respect to the taking of water therefrom, hereby gives notice to all holders of permits, authorities and licences issued under Part 2 of the Water Act, that as from 26 September 2003, extraction of water other than for stock and domestic and town water supply purposes is hereby suspended until further notice.

Dated this 26th day of September 2003.

GA2:472105.

RANDALL HART,  
Regional Director,  
Barwon Region.

### WATER ACT 1912

#### Notice Under Section 22B

#### Water Extraction Suspension

Wallamore Anabranche of the Peel River

THE Department of Infrastructure, Planning and Natural Resources pursuant to section 22B of the Water Act 1912, being satisfied that the quantity of water available or likely to be available in the Wallamore Anabranche of the Peel River and the tributaries and effluents of the aforementioned stream, is insufficient to meet all requirements with respect to the taking of water therefrom, hereby gives notice to all holders of permits, authorities and licences issued under Part 2 of the Water Act, that as from 26 September 2003, extraction of water other than for stock and domestic purposes is hereby suspended until further notice.

Dated this 26th day of September 2003.

GA2:472104.

RANDALL HART,  
Regional Director,  
Barwon Region.

### WATER ACT 1912

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

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

*Macquarie River Valley*

Noel James SING for a pump on the Macquarie River, Lot 92, DP 817971, Parish of Murrumbidgee, County of Lincoln, for water supply for stock and domestic purposes and

irrigation of 3.125 hectares (lucerne) (partly replacing existing entitlement by way of permanent transfer) (Reference: 80SL96095).

Thomas James ROSE, Lauraine Joyce ROSE and Andrew James ROSE for a pump on the Macquarie River, Lots 50 and 93, DP 754303, Parish of Coolbaggie, County of Lincoln, for irrigation of 28.75 hectares (lucerne and cash crops) (combining and partly replacing existing entitlements by way of permanent transfer) (Reference: 80SL96124).

Dorothy Nina MILLS for a pump on the Lawson Creek, Lot 31, DP 75427, Parish of Derale, County of Phillip, for water supply for stock and domestic purposes and irrigation of 4 hectares (lucerne) (replacing existing entitlement) (Reference: 80SL96126).

Helen Mary EVANS for a pump on the Cudgegong River, Part Road Reserve adjacent Lot 84, DP 755431, Parish of Galambine, County of Phillip, for water supply for stock and domestic purposes (new licence) (Reference: 80SL96127).

Sue Catherine RICHARDSON for a pump on the Macquarie River, Lot 4, DP 806839, Parish of Timbreebongie, County of Narromine, for irrigation of 162 hectares (partly replacing existing entitlement by way of permanent transfer) (Reference: 80SL96128).

Thomas BROWNE and Beryl May BROWNE for a pump on the Macquarie River, Lots 7, 127, 128, 129, 130, 131, 132 and 158, DP 753233, Parish of Dubbo, County of Gordon, for irrigation of 25.88 hectares (lucerne and cash crops) (combining and replacing existing entitlement by way of permanent transfer) (Reference: 80SL96129).

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

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

GA2:306596.

FRED HUNDY,  
Water Access Manager,  
Macquarie.

Department of Infrastructure, Planning and  
Natural Resources,  
PO Box 717, Dubbo, NSW 2830.

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### WATER ACT 1912

Notice Under Section 22B

Pumping Suspensions

South and Buckra-Bendinni Creeks and their Tributaries

THE Department of Infrastructure, Planning and Natural Resources pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in South and Buckra-Bendinni Creeks and their tributaries is insufficient

to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Thursday, 24 September 2003 and until further notice, the right to pump water 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 24th day of September 2003.

GA2:467910.

G. LOLLBACK,  
Resource Access Manager,  
North Coast Region,  
Grafton.

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### WATER ACT 1912

Notice Under Section 22B

Pumping Suspensions

Acacia Creek and its Tributaries

THE Department of Infrastructure, Planning and Natural Resources pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Acacia Creek and its tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Thursday, 24 September 2003 and until further notice, the right to pump water 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 24th day of September 2003.

GA2:467912.

G. LOLLBACK,  
Resource Access Manager,  
North Coast Region,  
Grafton.

**WATER ACT 1912**

## Notice Under Section 22B

## Pumping Restrictions

Missabotti Creek and North Arm Nambucca River and their Tributaries

THE Department of Infrastructure Planning and Natural Resources pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Missabotti Creek and the North Arm of Nambucca River and their tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Thursday, 24 September 2003 and until further notice, the right to pump water is RESTRICTED to a maximum of eight hours in any twenty four hour period between the hours of 8:00 p.m. – 8:00 a.m.

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 24th day of September 2003.

GA2:467911.

G. LOLLBACK,  
Resource Access Manager,  
North Coast Region,  
Grafton.

**WATER ACT 1912**

## Notice Under Section 22B

## Pumping Restrictions

Alumy Creek, Southgate Creek, Franks Creek and their Tributaries

THE Department of Infrastructure Planning and Natural Resources pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Alumy Creek, Southgate Creek, Franks Creek and their tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Friday, 19 September 2003 and until further notice, the right to pump water is RESTRICTED to a maximum of ten hours in any twenty four hour period between the hours of 5:00 a.m. – 10:00 a.m. and 5:00 p.m. – 10:00 p.m.

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 18th day of September 2003.

GA2:467908.

G. LOLLBACK,  
Resource Access Manager,  
North Coast Region,  
Grafton.

**WATER ACT 1912**

## Notice Under Section 22B

## Pumping Restrictions

Collins Creek, Fawcetts Creek, Richmond River from Casino to the Risk, Lynchs Creek, Gradys Creek and their Tributaries

THE Department of Infrastructure Planning and Natural Resources pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Collins Creek, Fawcetts Creek, Richmond River from Casino to the Risk, Lynchs Creek, Gradys Creek and their tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Saturday, 20 September 2003 and until further notice, the right to pump water is RESTRICTED to a maximum of six hours in any twenty four hour period between the hours of 6:00 a.m. – 10:00 a.m. and 5:00 p.m. – 9:00 p.m.

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 19th day of September 2003.

GA2:467909.

G. LOLLBACK,  
Resource Access Manager,  
North Coast Region,  
Grafton.

**WATER ACT 1912**

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

Avraham MISHTLER for a pump on the Tweed River, Lot 13, DP 835413, Parish of Dunbible, County of Rous, for irrigation of 0.5 hectares (new licence — allocation entitlement by way of permanent transfer) (Reference: 6322047)(GA2:467902).

Any enquiries regarding the above should be directed to the undersigned (telephone: [02] 6640 2000).

Written objections specifying the grounds thereof must be lodged within the 28 days of this publication as prescribed by the Act.

G. LOLLBACK,  
Resource Access Manager,  
North Coast Region.

Department of Infrastructure, Planning and  
Natural Resources,  
Locked Bag 10, Grafton NSW 2460.

**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*

CSR LIMITED (READYMIX) for a bore on Lot 111, DP 754881, Parish of Googong, County of Murray, for industrial purposes (sand and gravel washing) (new licence) (Reference: 40BL189648).

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 24 October 2003, as prescribed by the Act.

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

Department of Infrastructure, Planning and  
Natural Resources,  
PO Box 156, Leeton, NSW 2705.

**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*

ROMANI PASTORAL CO. for an earth dam and pump on an unnamed watercourse, Lot 29, DP 753590, Parish of Beggan Beggan, County of Harden, for stock watering, recreation purposes and irrigation of 16 hectares (perennial turf) (replacement licence — increase in allocation of 24 megalitres via permanent water transfer) (Reference: 40SL70919).

Peter Thomas MEURER for a pump on the Murrumbidgee River, Lots 4 and 13, DP 751405, Parish of Eunanoreenya, County of Clarendon, for the irrigation of 100.67 hectares (replacement licence — increase in allocation of 238 megalitres via permanent water transfer) (Reference: 40SL70912).

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

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's Regional Director at Leeton within the 28 days as fixed by the Act.

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

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



## Department of Lands

### FAR WEST REGIONAL OFFICE

#### Department of Lands

**45 Wingewarra Street (PO Box 1840), Dubbo, NSW 2830**

**Phone: (02) 6883 3000**

**Fax: (02) 6883 3099**

#### ALTERATION OF PURPOSE OF A WESTERN LANDS LEASE

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

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

—————  
*Administrative District – Bourke; Shire – Bourke;  
Parish – Enngonia; County – Culgoa.*

The purpose of Western Lands Leases 14376, being the land contained within Folio Identifier 1/1057615 has been altered from “Irrigation and Mixed Farming” to “Business Purposes (Cultural Centre)” effective from 22 August 2003.

As a consequence of the alteration of purpose annual rental has been determined at \$600.00 for the next five (5) year period of the term of the lease and the conditions previously annexed to Western Lands Lease 14362 have been revoked and the following conditions have been annexed thereto.

#### CONDITIONS AND RESERVATIONS ATTACHED TO WESTERN LANDS LEASE 14376

- (1) In the conditions annexed to the lease, the expression “the Minister” means the Minister administering the Western Lands Act 1901, and any power, authority, duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of the Department of Infrastructure, Planning and Natural Resources as the Minister may from time to time approve.
  - (2) In these conditions and reservations the expression “the Commissioner” means the Commissioner charged with the administration of the Western Lands Act 1901 (“the Act”) in accordance with section 4(2) of the Act.
  - (3) (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majesty’s Heirs and Successors and the Minister.  
  
(b) The lessee agrees to occupy use and keep the Premises at the risk of the lessee and hereby releases to the full extent permitted by law the Lessor from all claims and demands of every kind resulting from any accident damage or injury occurring therein and the lessee **EXPRESSLY**
- AGREES that the Lessor shall have no responsibility or liability for any loss of or damage to fixtures and/or the personal property of the lessee.
  - (c) The lessee expressly agrees that the obligations of the lessee under this clause shall continue after the expiration or other determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
  - (4) The rent of the lease shall be as determined by the local land board for each period of 5 years of the term of the lease, except where a rent is bid at auction or tendered under section 19C(5) of the Western Lands Act 1901.
  - (5) The rent shall be due and payable annually in advance on 1 July in each year.
  - (6) (a) “GST” means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.  
  
“GST law” includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.  
  
(b) Notwithstanding any other provision of this Agreement:
    - (i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
    - (ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause “taxes”), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
  - (7) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
  - (8) The lessee shall hold and use the land leased bona fide for the lessee’s own exclusive benefit and shall not transfer, convey, assign or sublet the land or any portion thereof without having first obtained the written consent of the Minister.

- (9) The land leased shall be used only for the purpose of Business (Cultural Centre).
- (10) The lessee shall maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (11) All minerals within the meaning of the Mining Act 1992, and all other metals, gemstones and semiprecious stones, which may be in, under or upon the land leased are reserved to the Crown and the lessee shall permit any person duly authorised in that behalf to enter upon the land leased and search, work, win and remove all or any minerals, metals, gemstones and semiprecious stones in, under or upon the land leased.
- (12) Mining operations may be carried on, upon and in the lands below the land leased and upon and in the lands adjoining the land leased and the lands below those lands and metals and minerals may be removed therefrom and the Crown and any lessee or lessees under any Mining Act or Acts shall not be subject to any proceedings by way of injunction or otherwise in respect of or be liable for any damage occasioned by the letting down, subsidence or lateral movement of the land leased or any part thereof or otherwise by reason of the following acts and matters, that is to say, by reason of the Crown or any person on behalf of the Crown or any lessee or lessees, having worked now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for, worked, won or removed or now or hereafter searching for, working, winning or removing any metals or minerals under, in or from the lands lying beneath the land leased or any part thereof, or on, in, under or from any other lands situated laterally to the land leased or any part thereof or the lands lying beneath those lands, and whether on or below the surface of those other lands and by reason of those acts and matters or in the course thereof the Crown reserves the liberty and authority for the Crown, any person on behalf of the Crown and any lessee or lessees from time to time to let down without payment of any compensation any part of the land leased or of the surface thereof.
- (13) The lessee shall comply with the provisions of the Local Government Act 1993, and of the ordinances made thereunder.
- (14) The lessee shall, within 12 months from the date of commencement of the lease or such further period as the Minister may allow, erect business premises on the land in accordance with plans and specifications approved by the Council of the local government area.
- (15) The lessee shall not erect or permit any person to erect any buildings or extend any existing buildings on the land leased except in accordance with plans and specifications approved by the Council of the local Government area.
- (16) The lessee shall ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
- (17) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee shall remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee shall leave the land in a clean and tidy condition free from rubbish and debris.
- (18) Where the Crown has paid a contribution under section 217-219 of the Roads Act 1993 in respect of the land leased, the lessee shall pay to the Crown the amount of that contribution within 3 months of being called upon to do so.
- (19) The lessee shall pay to the Crown the proportional part of the costs of road construction as notified by the Department of Land and Water Conservation within 3 months of the date of gazettal of the granting.
- (20) The lessee shall, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (21) The lessee shall comply with the provisions of the Protection of the Environment Operations Act 1997.

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#### ALTERATION OF PURPOSE OF A WESTERN LANDS LEASE

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

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

*Administrative District – Hillston North;  
Shire – Cobar; Parish – Illewong West and Others;  
County – Blaxland.*

The purpose of Western Lands Leases 1688 and 2607 being the land contained within Folio Identifiers 4708/769388, 4688/769388 and 610/761596 have been altered from “Pastoral Purposes” to “Pastoral Purposes and Recreational Hunting” effective from 1 September 2003.

Annual rental and lease conditions remain unaltered as a consequence of the change of purpose except for the addition of those special conditions published in the *Government Gazette* of 8 March 2002, Folios 1478-1482.

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#### GRANTING OF A WESTERN LANDS LEASE

IT is hereby notified that under the provisions of section 28A of the Western Lands Act 1901, the Western Lands Lease of the land specified has been granted to the undermentioned person.

The lease is subject to the provisions of the Western Lands Act 1901 and the Regulations thereunder, and to the special conditions, provisions, exceptions, covenants and reservations set out hereunder.



The land is to be used only for the purpose for which the lease is granted.

All amounts due and payable to the Crown *must* be paid to the Department of Lands by the due date.

Craig Knowles, M.P.,  
Minister for Infrastructure, Planning  
and Natural Resources

Western Lands Lease No. 14387 granted to Terrence Bernard Johnson and Lorraine Johnson of 405 Old Bourke Road, Cobar 2835, comprising Lot 1, DP 1052342, Folio Identifier 1/1052342 of 3.964 hectares at North Cobar in the Parish of Cobar, County of Robinson, for the purpose of business purposes (dog breeding) for a term in Perpetuity commencing 9 September 2003.

Initial rent will be \$300.00 per annum and re-assessed thereafter annually on 1 April of each year.

Papers: WLL14387.

CONDITIONS AND RESERVATIONS ATTACHED TO  
WESTERN LANDS LEASE No. 14387

- (1) In the conditions annexed to the lease, the expression "the Minister" means the Minister administering the Western Lands Act 1901, and any power, authority, duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of the Department of Land and Water Conservation as the Minister may from time to time approve.
- (2) In these conditions and reservations the expression "the Commissioner" means the Commissioner charged with the administration of the Western Lands Act 1901 ("the Act") in accordance with section 4(2) of the Act.
- (3) (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majesty's Heirs and Successors and the Minister.
  - (b) The lessee agrees to occupy use and keep the Premises at the risk of the lessee and hereby releases to the full extent permitted by law the Lessor from all claims and demands of every kind resulting from any accident damage or injury occurring therein and the lessee **EXPRESSLY AGREES** that the Lessor shall have no responsibility or liability for any loss of or damage to fixtures and/or the personal property of the lessee.
  - (c) The lessee expressly agrees that the obligations of the lessee under this clause shall continue after the expiration or other determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The rent of the lease shall be as determined by the local land board for each period of 5 years of the term of the lease, except where a rent is bid at auction or tendered under Section 19C(5) of the Western Lands Act 1901.
- (5) The rent shall be due and payable annually in advance on 1 July in each year.
- (6) (a) "GST" means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.
  - (b) "GST law" includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.
  - (c) Notwithstanding any other provision of this Agreement:
    - (i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
    - (ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause "taxes"), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
- (7) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (8) The lessee shall hold and use the land leased bona fide for the lessee's own exclusive benefit and shall not transfer, convey, assign or sublet the land or any portion thereof without having first obtained the written consent of the Minister.
- (9) The land leased shall be used only for the purpose of "Business Purposes (Dog Breeding)".
- (10) The lessee shall maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (11) All minerals within the meaning of the Mining Act 1992, and all other metals, gemstones and semiprecious stones, which may be in, under or upon the land leased are reserved to the Crown and the lessee shall permit any person duly authorised in that behalf to enter upon the land leased and search, work, win and remove all or any minerals, metals, gemstones and semiprecious stones in, under or upon the land leased.
- (12) Mining operations may be carried on, upon and in the lands below the land leased and upon and in the lands adjoining the land leased and the lands below those lands and metals and minerals may be removed therefrom and the Crown and any lessee or lessees

under any Mining Act or Acts shall not be subject to any proceedings by way of injunction or otherwise in respect of or be liable for any damage occasioned by the letting down, subsidence or lateral movement of the land leased or any part thereof or otherwise by reason of the following acts and matters, that is to say, by reason of the Crown or any person on behalf of the Crown or any lessee or lessees, having worked now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for, worked, won or removed or now or hereafter searching for, working, winning or removing any metals or minerals under, in or from the lands lying beneath the land leased or any part thereof, or on, in, under or from any other lands situated laterally to the land leased or any part thereof or the lands lying beneath those lands, and whether on or below the surface of those other lands and by reason of those acts and matters or in the course thereof the Crown reserves the liberty and authority for the Crown, any person on behalf of the Crown and any lessee or lessees from time to time to let down without payment of any compensation any part of the land leased or of the surface thereof.

- (13) The lessee shall comply with the provisions of the Local Government Act 1993, and of the ordinances made thereunder.
- (14) The lessee shall comply with the provisions of the Water Management Act 2000 and any regulations made in pursuance of that Act.
- (15) The lessee shall effectively prevent any interference with the amenity of the locality by reason of the emission from the land leased of noise, vibration, smell, fumes, smoke, vapour, steam, soot ash, dust, waste water, waste products, grit or oil or otherwise, and when directed by the Commissioner shall abate that interference forthwith.
- (16) The lessee shall not erect or permit any person to erect any buildings or extend any existing buildings on the land leased except in accordance with plans and specifications approved by the Council of the local Government area.
- (17) The lessee shall ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
- (18) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee shall remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee shall leave the land in a clean and tidy condition free from rubbish and debris.
- (19) Where the Crown has paid a contribution under section 217-219 of the Roads Act 1993 in respect of the land leased, the lessee shall pay to the Crown the amount of that contribution within 3 months of being called upon to do so.
- (20) The lessee shall pay to the Crown the proportional part of the costs of road construction as notified by the Department of Infrastructure, Planning and Natural Resources within 3 months of the date of gazettal of the granting.
- (21) The lessee shall, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (22) The lessee shall comply with the provisions of the Protection of the Environment Operations Act 1997 particularly in relation to disposal of tailwaters or waters which may be contaminated with fertiliser, herbicide or pesticide or similar chemicals.

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

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

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

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#### SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
David Peter GEE.	Hatfield Recreation Reserve Trust.	Reserve No.: 97368. Public Purpose: Public recreation. Notified: 3 August 1984. File No.: WL90 R 25/1.

#### Term of Office

For a term commencing this day and expiring 25 March 2004.

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#### ADDITION TO A WESTERN LANDS LEASE

IT is hereby notified, for public information, that in pursuance of section 35C of the Western Lands Act 1901, the land particularised hereunder has been added to the undermentioned Western Lands Lease.

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

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#### SCHEDULE

Western Lands Lease: 13520.  
Names of Lessee: William John LANDER.  
Area Added: Allotment 2, section 9, DP 58394 of 2023 square metres (Folio Identifier 2/9/758394).  
Total Area Following Addition: Lot 155, DP 725324; Lot 5095, DP 46646; Lot 5104, DP 46648 and Allotment 2, section 9, DP 758394, being 115.0 hectares.  
Date of Addition: 24 September 2003.  
Annual Rental Following Addition: \$150.00.  
Administrative District: Hillston.  
Town: Euabalong West.

**SURRENDER OF A WESTERN LANDS LEASE**

IT is hereby notified for public information, that in pursuance of section 33A of the Western Lands Act 1901, the land particularised hereunder has been surrendered.

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

Western Lands Lease No.: 10855.

Names of Lessee: W J LANDER & CO PTY LIMITED.

Area Surrendered: Allotment 2, section 9, DP 758394.

Folio Identifier: 2/9/758394.

Date of Surrender: 23 September 2003.

Administrative District: Hillston.

Town: Euabalong West.

**GOULBURN OFFICE****Department of Lands**

159 Auburn Street (PO Box 748), Goulburn, NSW 2580

Phone: (02) 4828 6725 Fax: (02) 4828 6730

**ROADS ACT 1993**

Resumption of Land for Road and Closing of a Road

IN pursuance of the provisions of the Roads Act 1993, the land hereunder described in Schedule 1, is resumed for public road purposes and is vested in the Crown as a public crown road. The land hereunder described in Schedule 2, is closed and the land comprised therein ceases to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

**SCHEDULE 1**

*Parish – Bubalahla; County – Georgiana;  
Land District – Crookwell; Shire – Mulwaree.*

DP 10556421, opening of a road within Lot 1, DP 1032918.

File No.: GB02 H 299.

Land Acquired for Road: Lot 1.

Titles Affected and Area Resumed: C.F. 1/1032918 (8433 square metres).

**SCHEDULE 2**

Lot 2, DP 1055642.

File No.: GB02 H 299.

Note: (1) On closing, the land in Lot 2, DP 1055642, remains vested in the Crown as Crown Land.

(2) The land described in Schedule 2 will be used in compensation for the land acquired as described in Schedule 1, for the purposes of this Act.

Residue of Land: Lot 3, DP 1055642.

**REVOCATION OF RESERVATION OF CROWN LAND**

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

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

**SCHEDULE****COLUMN 1**

Land District: Crookwell.  
Local Government Area:  
Crookwell Shire Council.  
Locality: Kangaloolah.  
Reserve No.: 92978.  
Public Purpose: Future  
public requirements.  
Notified: 4 July 1980.  
File No.: GB03 H 129/1.

**COLUMN 2**

The whole being Lot 53,  
DP No. 753039, Parish  
Kangaloolah, County Georgiana,  
of an area of 36.73 hectares.

Note: Sale by way of lease conversion.

**GRAFTON OFFICE**  
**Department of Lands**  
**76 Victoria Street (Locked Bag 10), Grafton, NSW 2460**  
**Phone: (02) 6640 2000 Fax: (02) 6640 2035**

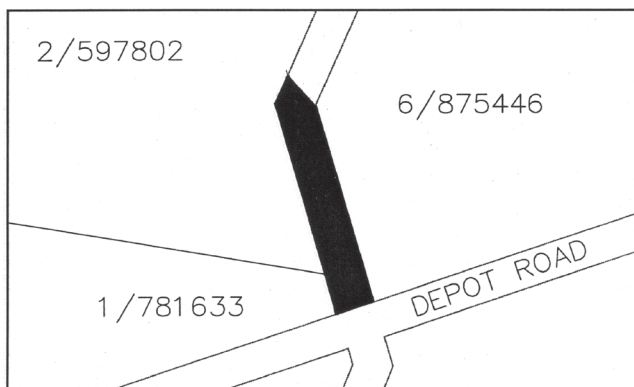
**ERRATUM**

THE notice appearing in the NSW *Government Gazette* of 11 July 2003, Folio 7134, under the heading "Transfer of a Crown road to a Council" in connection with the transfer of a Crown road to Tweed Shire Council is hereby amended by deleting Schedule 1 and replacing it with the following:

SCHEDULE 1

*Parish – Cudgen; County – Rous;*  
*Land District – Murwillumbah; L.G.A. – Tweed.*

Crown public road 20.115 metres wide shown by black colour on the diagram hereunder at Cudgen.



Not to scale  
 Diagrammatic representation only

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**MAITLAND OFFICE**  
**Department of Lands**  
**Newcastle Road (PO Box 6), East Maitland, NSW 2323**  
**Phone: (02) 4937 9300 Fax: (02) 4934 2252**

**ERRATUM**

THE Notice "APPOINTMENT OF TRUST BOARD MEMBERS" published in the *Government Gazette* of the 19 September 2003, Folio 9452, in relation to Walka Water Works Trust contained an error, the reference to Southern Ocean Model Yacht Club Inc should have read Southern Cross Model Yacht Club Inc.

File No.: MD84 R 44/8.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for  
 Natural Resources (Lands)

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**NOWRA OFFICE**  
**Department of Lands**  
**5 O'Keefe Avenue (PO Box 309), Nowra, NSW 2541**  
**Phone: (02) 4428 6900      Fax: (02) 4428 6988**

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for  
 Natural Resources (Lands)

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Timothy O'ROURKE (new member), Heather May MEEK (new member), Christine Joy SWEETING (new member), Helen Marie CAREY (new member), Anthony John WHITBY (re-appointment), Joan WHITBY (re-appointment), Susan BRADLEY (re-appointment).	Rocky Hall Community Centre Trust.	Reserve No.: 97303. Public Purpose: Community centre. Notified: 8 June 1984. File No.: NA84 R 30/1.

Term of Office

For a term commencing the date of this notice and expiring  
 25 September 2008.



**SYDNEY METROPOLITAN OFFICE****Department of Lands**

**Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta 2150  
(PO Box 3935), Parramatta, NSW 2124**

**Phone: (02) 9895 7657 Fax: (02) 9895 6227**

**NOTIFICATION OF CLOSING OF ROADS**

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

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

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Descriptions

*Land District – Metropolitan; L.G.A. – Auburn.*

Lots 100 and 101, DP 1058131 at Auburn, Parish Liberty Plains, County Cumberland.

File No.: MN03 H 3.

Notes: 1] On closing, titles for the land in Lots 100 and 101 remain vested in Auburn Council as operational land.

2] The road is closed subject to the easement for support and shelter as shown in DP 1058131.

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*Land District – Metropolitan; L.G.A. – Sutherland.*

Lot 100, DP 1055983 at Alford's Point, Parish Holsworthy, County Cumberland.

File No.: MN01 H 150.

Note: On closing, title for the land in Lot 100 remains vested in the Crown.

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*Land District – Metropolitan; L.G.A. – Campbelltown.*

Lots 1 and 2, DP 1058497 at Glenfield, Parish Minto, County Cumberland.

File No.: MN02 H 333.

Note: On closing, title for the land in Lots 1 and 2 remain vested in Campbelltown City Council as operational land.

**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.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

**SCHEDULE****COLUMN 1**

Maianbar Foreshore  
(R76792 and R87990)  
Reserve Trust.

**COLUMN 2**

Reserve No.: 76792.  
Public Purpose: Public recreation.  
Notified: 28 May 1954.  
File No.: MN02 RR 96/1.

**DECLARATION OF LAND TO BE CROWN LAND**

PURSUANT to section 138 of the Crown Lands Act 1989, the land described in the Schedule hereunder, is declared to be Crown Land within the meaning of that Act.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

**SCHEDULE**

Land held by The State of New South Wales

*Land District – Metropolitan; Shire – Sutherland;  
Parish – Holsworthy (Sheet 5); County – Cumberland.*

2680 square metres at Lucas Heights being Lot 102, DP 1028645.

File No.: MN90 H 257.

**NECROPOLIS ACT 1901**

IN pursuance of the provisions of the Necropolis Act 1901, with regard to the appointment of members to the Joint Committee of Necropolis Trustees, the person for the time being holding the office of Regional Manager, Sydney/Hunter, Crown Lands NSW, is hereby appointed to that committee in an ex-officio capacity, for a term expiring 30 June 2006.

Note: This appointment is in lieu of the ex-officio appointment of State Manager, Land Access, Crown Lands NSW, notified in the *Government Gazette* of 27 June 2003 (Folios 6364 and 6365).

File No.: MN90 R 1.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

**TAREE OFFICE**  
**Department of Lands**  
**98 Victoria Street (PO Box 440), Taree, NSW 2430**  
**Phone: (02) 6552 2788 Fax: (02) 6552 2816**

**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 thereto in Column 2 of the Schedule.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for  
 Natural Resources (Lands)

SCHEDULE

**COLUMN 1**

Land District: Port Macquarie.  
 Local Government Area: Hastings Council.  
 Locality: Tacking Point.  
 Lot 1, DP 859841; Lot 2, DP 859841; Lot 3, DP 859841.  
 Parish: Macquarie.  
 County: Macquarie.  
 Area: 1.422 hectares.  
 File No.: TE03 R 68.

Note: Any lease or licence current for this land remains unaffected by this notice.

**COLUMN 2**

Reserve No.: 1005128.  
 Public Purpose: Public recreation and coastal environmental protection.

**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.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for  
 Natural Resources (Lands)

SCHEDULE

**COLUMN 1**

Hastings Council.

Kempsey Shire Council.

**COLUMN 2**

Tacking Point Lighthouse Reserve (R1005128) Trust.

Richardsons Crossing Drainage Reserve (R33819) Trust.

**COLUMN 3**

Reserve No.: 1005128.  
 Public Purpose: Public recreation and coastal environmental protection.  
 Notified: This day.

Reserve No.: 33819.  
 Public Purpose: Drainage.  
 Notified: 25 January 1902.  
 File No.: TE03 R 43.

**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.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for  
 Natural Resources (Lands)

SCHEDULE

**COLUMN 1**

Tacking Point Lighthouse Reserve (R1005128) Trust.

Richardsons Crossing Drainage Reserve (R33819) Trust.

**COLUMN 2**

Reserve No.: 1005128.  
 Public Purpose: Public recreation and coastal environmental protection.  
 Notified: This day.  
 File No.: TE03 R 68.

Reserve No.: 33819.  
 Public Purpose: Drainage.  
 Notified: 25 January 1902.  
 File No.: TE03 R 4.

**WITHDRAWAL OF RESERVES FROM CONTROL OF RURAL LANDS PROTECTION BOARD**

IN pursuance of the provisions of section 84 (5) of the Rural Lands Protection Act 1989, the reserves specified hereunder are withdrawn from the control of the Rural Lands Protection Board for the Rural Lands Protection District.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for  
 Natural Resources (Lands)

Description

*Rural Lands Protection District – Gloucester*

Parish Wang Wauk, County Gloucester, Reserve No. 28369 for camping and water.

File No.: TE03 R 59.

Parish Euther, County Gloucester, Reserve No. 38632 for access and camping.

File No.: TE03 R 59.

**ERRATUM**

IN the notice appearing in the *Government Gazette* No. 137 of the 5 September 2003, Folio 9195, under the heading "Notification of Closing of a Road" the following should be added after the words "operational land". "The road is closed subject to restrictions on the use of land created by DP 1057843".

Tony Kelly, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

**ROADS ACT 1993****ORDER**

## Transfer of Crown Road to a Council

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

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

**SCHEDULE 1**

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

Crown Public Roads in the village of Forster being:  
North Lane between Beach and Macintosh Streets;  
Head Lane between Beach and Macintosh Streets;  
Wallis Lane between Little and Macintosh Streets;  
Lake Lane west off Macintosh Street within section 13;  
Elizabeth Lane;  
Cross Lane;  
Lane between Beach and Head Streets (south DP415817);

Cross Street between Townsend and Marcella Streets;  
Likely Street between Strand Street and Miles Close;  
Lane between South Street and Curlew Close;  
Lane north off South Street (west Lot 3, section 26, DP 758422 and Lot 1, DP 342868);  
Breckenridge Street south off South Street for 102m;  
South Street between Macintosh Street and 32m east of Sunset Avenue;  
Godwin Street between South Street and Kularoo Drive;  
Water Street between South Street and Anglers Avenue;  
Divide Street between South Street and Anglers Avenue;  
Likely Street between South Street and Kularoo Drive;  
Garden Street between Water and Likely Streets;  
Anglers Avenue between Water Street and Likely Street;  
Kularoo Drive between Likely Street and Condell Place;  
Bright Street east of The Lakes Way;  
Road between Kularoo Drive and The Lakes Way;  
Wells Street between Likely and Boundary Streets;  
South Street between Likely and Boundary Streets;  
Strand Street along southern boundary Lot 1, DP 119100 (east of Boundary Street);  
Boundary Street between Strand Street and Kularoo Drive;  
Boundary Street between Breeze Parade and The Lakes Way;  
Kenrose Street.

**SCHEDULE 2**

Roads Authority: Great Lakes Council.  
File No.: TE03 H 191.



## Department of Mineral Resources

NOTICE is given that the following applications have been received:

### EXPLORATION LICENCE APPLICATIONS

(T03-0844)

No. 2167, TELMINEX NL (ACN 003 309 911), area of 39 units, for Group 1, dated 17 September, 2003. (Sydney Mining Division).

(T03-0845)

No. 2168, TELMINEX NL (ACN 003 309 911), area of 15 units, for Group 1, dated 17 September, 2003. (Wagga Wagga Mining Division).

(T03-0846)

No. 2169, TELMINEX NL (ACN 003 309 911), area of 25 units, for Group 1, dated 17 September, 2003. (Orange Mining Division).

(T03-0847)

No. 2170, PLATSEARCH NL (ACN 003 254 395) and EAGLEHAWK GEOLOGICAL CONSULTING PTY LTD (ACN 061 324 454), area of 47 units, for Group 1, dated 17 September, 2003. (Broken Hill Mining Division).

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

NOTICE is given that the following applications have been granted:

### ASSESSMENT LEASE APPLICATION

(C97-2195)

Singleton No. 12, now Assessment Lease No. 8, RAVENSWORTH OPERATIONS PTY LIMITED (ACN 098 937 761), Parish of Goorangoola, County of Durham; Parish of Liddell, County of Durham; and Parish of Vane, County of Durham, area of about 754 hectares, for coal, dated 11 July, 2003, for a term until 10 July, 2008. As a result of the grant of this title, Authorisation No. 268 has partly ceased to have effect.

### EXPLORATION LICENCE APPLICATION

(T03-0047)

No. 2092, now Exploration Licence No. 6124, MINEX (SA) PTY LTD (ACN 091 546 691), County of Yancowinna, Map Sheet (7133, 7134), area of 50 units, for Group 1, dated 11 September, 2003, for a term until 10 September, 2005.

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

NOTICE is given that the following application has been withdrawn:

### EXPLORATION LICENCE APPLICATION

(T03-0018)

No. 2065, COMPASS RESOURCES N.L. (ACN 010 536 820), County of Kennedy and County of Narromine, Map Sheet (8432, 8433). Withdrawal took effect on 16 September, 2003.

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

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

(T84-0542)

Exploration Licence No. 2290, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), area of 9 units. Application for renewal received 19 September, 2003.

(T97-1254)

Exploration Licence No. 5368, PEREGRINE MINERAL SANDS N.L. (ACN 009 307 591), area of 15 units. Application for renewal received 19 September, 2003.

(T01-0120)

Exploration Licence No. 5891, DENIS MICHAEL WALSH, area of 1 unit. Application for renewal received 19 September, 2003.

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

### REFUSAL OF APPLICATION FOR RENEWAL

NOTICE is given that the application for renewal in respect of the following authority has been refused:

(T00-0174)

Exploration Licence No. 5866, CURRABUBULA HOLDINGS PTY LTD (IN LIQUIDATION) (ACN 001 135 191), County of Buckland, Map Sheet (9035), area of 10 units. The authority ceased to have effect on 16 September, 2003.

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

### TRANSFERS

(T02-0310)

Mining Lease No. 1280 (Act 1973), formerly held by NORD AUSTRALEX NOMINEES PTY LTD (ACN 001 657 272) and STRAITS MINING PTY LTD (ACN 055 020 614) has been transferred to STRAITS MINING PTY LTD (ACN 055 020 614). The transfer was registered on 10 September, 2003.

(T02-0310)

Mining Lease No. 1383 (Act 1992), formerly held by NORD AUSTRALEX NOMINEES PTY LTD (ACN 001 657 272) and STRAITS MINING PTY LTD (ACN 055 020 614) has been transferred to STRAITS MINING PTY LTD (ACN 055 020 614). The transfer was registered on 10 September, 2003.

(T02-0310)

Mining Purposes Lease No. 294 (Act 1973), formerly held by NORD AUSTRALEX NOMINEES PTY LTD (ACN 001 657 272) and STRAITS MINING PTY LTD (ACN 055 020 614) has been transferred to STRAITS MINING PTY LTD (ACN 055 020 614). The transfer was registered on 10 September, 2003.

(T02-0310)

Mining Purposes Lease No. 295 (Act 1973), formerly held by NORD AUSTRALEX NOMINEES PTY LTD (ACN 001 657 272) and STRAITS MINING PTY LTD (ACN 055 020 614) has been transferred to STRAITS MINING PTY LTD (ACN 055 020 614). The transfer was registered on 10 September, 2003.

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

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**ERRATUM**

THE notice appearing in Government Gazette No. 59, Folio 4036, dated 7 March 2003, in respect of the renewal of Authorisation 72 (Act 1973), should have recorded the area required for renewal as 508 hectares, not 50.83 hectares.

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

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## Roads and Traffic Authority

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

Notice of Compulsory Acquisition of Land at Kariong  
in the Gosford City Council area.

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

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

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SCHEDULE

ALL those pieces or parcels of public road situated in the Gosford City Council area, Parish of Narara and County of Northumberland, shown as:

Lots 1 and 2 Deposited Plan 1051545, Lots 2 and 3 Deposited Plan 264006 and Lot 5 Deposited Plan 264217 and said to be in the possession of Gosford City Council; and

Lots 3 and 4 Deposited Plan 1051545 and said to be in the possession of the Crown.

(RTA Papers 3M3634; RO 10/184.1636)

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

Notice of Compulsory Acquisition of Land at Botany  
in the Botany Bay City Council area.

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

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

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SCHEDULE

All those pieces or parcels of Council public road situated in the Botany Bay City Council area, Parish of Botany and County of Cumberland, shown as:

Lot 16 Deposited Plan 445997, being the whole of the land remaining in Certificate of Title Volume 11238 Folio 191; and

Lot 17 Deposited Plan 445997, being the whole of the land remaining in Certificate of Title Volume 3486 Folio 162.

(RTA Papers FPP 95M5436)

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

Notice of Compulsory Acquisition of Land at Plumpton  
in the Blacktown City Council area

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

D J Lorsch  
Manager Compulsory Acquisition & Road Dedication  
Roads and Traffic Authority of New South Wales

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**SCHEDULE**

ALL that piece or parcel of land situated in the Blacktown City Council area, Parish of Rooty Hill and County of Cumberland, shown as Lot 61 Deposited Plan 1055132, being part of the land in Certificate of Title 4/792478.

The land is said to be in the possession of Blacktown City Council.

(RTA Papers FPP 3M3460; RO 40.12562)

**ROADS ACT 1993**

Notice of Dedication of Land as Public Road  
at Port Macquarie in the Hastings Council area

THE Roads and Traffic Authority of New South Wales, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

D J Lorsch  
Manager Compulsory Acquisition & Road Dedication  
Roads and Traffic Authority of New South Wales

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**SCHEDULE**

All those pieces or parcels of land situated in the Hastings Council area, Parish of Macquarie and County of Macquarie, shown as:

Lots 8, 9 and 10 Deposited Plan 790668;  
Lot 12 Deposited Plan 642952; and  
Lots 17 to 24 inclusive Deposited Plan 794235.

(RTA Papers: FPP 11/196.1332)

## Roads Act 1993

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

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

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

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### Schedule

#### 1. Citation

This Notice may be cited as the Bland Shire Council B-Doubles Notice No 1, 2003.

#### 2. Commencement

This Notice takes effect from the date of gazettal.

#### 3. Effect

This Notice remains in force until 20<sup>th</sup> October 2007 unless it is amended or repealed earlier.

#### 4. Application

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

#### 5. Routes

**B-Double routes within the Bland Shire Council.**

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
BD	000	Emu Street, Wyalong	Newell Highway	Gilbert Street	

## ROADS ACT 1993

### Notice under Clause 17 of the Road Transport (Mass Loading and Access) Regulation 1996.

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

.....  
David Philpott  
General Manager  
Boorowa Council  
(by delegation from the Minister of Roads)

### SCHEDULE

#### 1. Citation

This Notice may be cited as the Boorowa Council B-Doubles notice No.1/2002.

#### 2. Commencement

This Notice takes effect from the date of gazettal.

#### 3. Effect

This Notice remains in force until 20 October 2007 or until the gazettal is amended or repealed.

#### 4. Application

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

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
25	000	Pudman Street, Boorowa	Marsden Street, Boorowa	Scott Street, Boorowa	To be used as detour only when Marsden Street is closed to traffic.
25	000	Scott Street, Boorowa	Pudman Street, Boorowa	Jugiong Street, Boorowa	To be used as detour only when Marsden Street is closed to traffic.
25	000	Jugiong Street, Boorowa	Scott Street, Boorowa	Marsden Street, Boorowa	To be used as detour only when Marsden Street is closed to traffic.

**Roads Act 1993**  
**Notice under the Road Transport (Mass, Loading and Access) Regulation, 1996**

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

Paul O'Sullivan  
General Manager  
Lismore City Council  
(by delegation from the Minister for Roads)

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**SCHEDULE**

***PART 1 — GENERAL***

***1. Citation***

This Notice may be cited as the Lismore City Council 4.6 Metre High Vehicle Route Notice No 1, 2003.

***2. Commencement***

This Notice takes effect on the date of gazettal.

***3. Effect***

This Notice remains in force until September 1, 2008 unless it is amended or repealed earlier.

***4. Application***

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

***5. Limitations***

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

***PART 2 — VEHICLE CLASSES***

***2.1 Class 1 vehicles***

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

indivisible item, or is carrying a large indivisible item, that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;

## 2.2 *Class 2 vehicles*

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

## 2.3 *Class 3 vehicles*

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

## *PART 3 - ROUTES*

### 5. *Routes*

#### 4.6 metre high vehicle routes within the Lismore City Council LGA

Route	Starting point	Finishing point	Conditions
Union Street, Lismore	Elliott Road (SH16)	Casino Street	
Casino Street, Lismore	Union Street	Kyogle Road	
Kyogle Road, Lismore	Casino Street, South Lismore	Richmond Valley Shire Council boundary	
Eltham Road	Lismore-Bangalow Road (MR65)	Houghlahans Creek Road	
Houghlahans Creek Road	Eltham Road	Pearce Road	
Pearce Road	Houghlahans Creek Road	Byron Shire Council boundary	



## Roads Act 1993

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

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



**Graeme Haley**  
**General Manager**  
**Deniliquin Council**  
 (by delegation from the Minister for Roads)

### Schedule

#### 1. Citation

This Notice may be cited as the Deniliquin Council Road Train Notice No 2, 2003.

#### 2. Commencement

This Notice takes effect from the date of gazettal.

#### 3. Effect

This Notice remains in force until further notice.

#### 4. Application

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

#### 5. Routes

Road Train routes within the Deniliquin Council.

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
RT	000	Moonee Swamp Road	Conargo Road	Todd's Lane	

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

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

**Allen J Dwyer**  
**General Manager**  
**Orange City Council**  
**[by delegation from the Minister for Roads]**

**Schedule**

**1. Citation**

This Notice may be cited as the Orange City Council 19 Metre B-Double Notice No 1/2003.

**2. Commencement**

This Notice takes effect from the date of gazettal.

**3. Effect**

This Notice remains in force until 30 June 2007 unless it is amended or repealed earlier.

**4. Application**

This Notice applies to those 19 metre B-Doubles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 1996 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

**5. Routes**

**Part 3 - 19m B-Double routes where gross mass weight exceeds 50 tonnes**

Type	Road No	Road	Starting point	Finishing Point
MR	573	Burrendong Way	Mitchell Highway	6.57 km north
MR	237	Cargo Road	Mitchell Highway	3.66 km west

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

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

Owen Hodgson

16 September 2003

Transport and Traffic Co-ordinator

Liverpool City Council

(by delegation from the Minister for Roads)

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**Schedule**

**1. Citation**

This Notice may be cited as the Liverpool City Council B-Double Notice No 4/ 2003.

**2. Commencement**

This Notice takes effect from the date of gazettal.

**3. Effect**

This Notice remains in force until 1 July 2006 unless it is amended or repealed earlier.

**4. Application**

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

**5. Routes**

**B-Double routes within the Liverpool City Council**

<b>Type</b>	<b>Road</b>	<b>Starting point</b>	<b>Finishing point</b>
25	Badgerys Creek Road, Badgerys Creek	The Northern Road	Pitt Street, Badgerys Creek

## Other Notices

### ASSOCIATIONS INCORPORATION ACT 1984

Transfer of Incorporation Pursuant to Section 48(4)(a)

TAKE NOTICE that the company “The Goulburn Agricultural Pastoral and Horticultural Society Limited” formerly registered under the provisions of the Corporations Act 2001, is now incorporated under the Associations Incorporation Act 1984, as “Goulburn Agricultural Pastoral and Horticultural Society Incorporated” effective 24 September 2003.

R. DONNELLY,  
Delegate of the Commissioner,  
Office of Fair Trading.

### ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 50

TAKE NOTICE that the incorporation of the following association is cancelled by this notice pursuant to section 50 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Kurri Kurri District Rugby League Football Club Incorporated.

COLIN CROSSLAND,  
General Manager,  
Registry of Co-operatives and Associations.

Office of Fair Trading,  
Department of Commerce.  
Dated: 22 September 2003.

### CHILDREN (PROTECTION AND PARENTAL RESPONSIBILITY) ACT 1997

Safer Community Compact — Order

I, the Honourable BOB DEBUS, Attorney General of the State of New South Wales, in pursuance of section 39 (1) of the Children (Protection and Parental Responsibility) Act 1997, do, by this my Order, approve the Junee Community Crime Prevention Plan as a Safer Community Compact for the purposes of Division 3 of Part 4 of that Act.

This Order takes effect on 20 September 2003, remaining in force until 19 September 2006.

Signed at Sydney, this 15th day of September 2003.

BOB DEBUS, M.P.,  
Attorney General

### CHILDREN (PROTECTION AND PARENTAL RESPONSIBILITY) ACT 1997

Safer Community Compact — Order

I, the Honourable BOB DEBUS, Attorney General of the State of New South Wales, in pursuance of section 39 (1) of the Children (Protection and Parental Responsibility) Act

1997, do, by this my Order, approve the Taree Crime Prevention Plan as a Safer Community Compact for the purposes of Division 3 of Part 4 of that Act.

This Order takes effect on 5 September 2003 and remains in force until 4 March 2004.

Signed at Sydney, this 1st day of September 2003.

BOB DEBUS, M.P.,  
Attorney General

### CHILDREN (PROTECTION AND PARENTAL RESPONSIBILITY) ACT 1997

Safer Community Compact — Order

I, the Honourable BOB DEBUS, Attorney General of the State of New South Wales, in pursuance of section 39 (1) of the Children (Protection and Parental Responsibility) Act 1997, do, by this my Order, approve the extension of the Hastings Crime Prevention Strategy as a Safer Community Compact for the purposes of Division 3 of Part 4 of that Act.

This Order takes effect on 30 July 2003 and remains in force until 30 July 2004.

Signed at Sydney, this 25th day of July 2003.

Bob Debus, M.P.,  
Attorney General

### DISTRICT COURT RULES 1973

DIRECTION

BY this Direction made under Part 51A, Rule 1(2) of the District Court Rules 1973, I specify Muswellbrook to be a prescribed place for the purpose of section 63A of the District Court Act 1973, for the week commencing 10 November 2003.

Dated this 15th September 2003.

R. O. BLANCH,  
Chief Judge.

### FIRE BRIGADES ACT 1989

Order Under Section 5 (2)

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 5 (2) of the Fire Brigades Act 1989, do, by this my Order, vary the Orders published in *Government Gazette* No. 37 of 4 March 1983 (Balranald, Boggabri, Condobolin, Coolamon, Hay, Hillston, Inverell, Lake Cargelligo, Quirindi, Tenterfield, Uralla, Walcha and Wee Waa); No. 40 of 15 February 1985 (Guyra); No. 12 of 17 January 1986 (Gunnedah and Moree); and No 136 of 28 August 1987 (Temora); and reconstitute the Fire Districts in the following Schedule and declare that the provisions of the Fire Brigades Act shall apply to the areas described in the Schedule.

Signed at Sydney, this 17th day of September 2003.

By Her Excellency's Command,

TONY KELLY, M.L.C.,  
Minister for Emergency Services

#### SCHEDULE

In this Schedule, a reference to a local government area is a reference to that area with boundaries as at the date of publication of the Order in the *Government Gazette*.

#### **Balranald Fire District**

Comprising the existing Fire District in Balranald Shire, with three additions as delineated on Map No. 212/03/1 kept in the office of the NSW Fire Brigades.

#### **Boggabri Fire District**

Comprising the existing Fire District in Boggabri Shire, with additions and excisions as delineated on Map No. 229/03/1 kept in the office of the NSW Fire Brigades.

#### **Condobolin Fire District**

Comprising the existing Fire District in Lachlan Shire, with extensions and a deletion as delineated on Map No. 259/03/1 kept in the office of the NSW Fire Brigades.

#### **Coolamon Fire District**

Comprising the existing Fire District in Coolamon Shire, with additions as delineated on Map No. 262/03/1 kept in the office of the NSW Fire Brigades.

#### **Gunnedah Fire District**

Comprising the existing Fire District in Gunnedah Shire, with additions and excisions as delineated on Map No. 314/03/1 kept in the office of the NSW Fire Brigades.

#### **Guyra Fire District**

Comprising the existing Fire District in Guyra Shire, with additions as delineated on Map No. 315/03/01 kept in the office of the NSW Fire Brigades.

#### **Hay Fire District**

Comprising the existing Fire District in Hay Shire, with an addition and an excision as delineated on Map No. 321/03/1 kept in the office of the NSW Fire Brigades.

#### **Hillston Fire District**

Comprising the existing Fire District in Carrathool Shire, with additions as delineated on Map No. 323/03/1 kept in the office of the NSW Fire Brigades.

#### **Inverell Fire District**

Comprising the existing Fire District in Inverell Shire, with additions and excisions as delineated on Map No. 331/03/1 kept in the office of the NSW Fire Brigades.

#### **Lake Cargelligo Fire District**

Comprising the existing Fire District in Lachlan Shire Council, with additions and an excision as delineated on Map No. 355/03/1 kept in the office of the NSW Fire Brigades.

#### **Moree Fire District**

Comprising the existing Fire District in Moree Plains Shire, with additions and an excision as delineated on Map No. 381/03/1 kept in the office of the NSW Fire Brigades.

#### **Quirindi Fire District**

Comprising the existing Fire District in Quirindi Shire, with additions and an excision as delineated on Map No. 429/03/1 kept in the office of the NSW Fire Brigades.

#### **Temora Fire District**

Comprising the existing Fire District in Temora Shire, with an addition and an excision as delineated on Map No. 456/03/1 kept in the office of the NSW Fire Brigades.

#### **Tenterfield Fire District**

Comprising the existing Fire District in Tenterfield Shire, with additions and an excision as delineated on Map No. 457/03/1 kept in the office of the NSW Fire Brigades.

#### **Uralla Fire District**

Comprising the existing Fire District in Uralla Shire, with additions as delineated on Map No. 475/03/1 kept in the office of the NSW Fire Brigades.

#### **Walcha Fire District**

Comprising the existing Fire District in Walcha Council, with additions as delineated on Map No. 481/03/1 kept in the office of the NSW Fire Brigades.

#### **Wee Waa Fire District**

Comprising the existing Fire District in Narrabri Shire, with additions and excisions as delineated on Map No. 506/03/1 in the office of the NSW Fire Brigades.

### GEOGRAPHICAL NAMES ACT 1966

Notice of Assignment of Geographical Names and Boundaries for Localities in Cabonne Council Area  
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 fifty five Localities in Cabonne Council area, to be used as the address, as shown on map GNB3691:

Amaroo, Baldry, Belgravia, Bocobra, Boomey, Boree, Borenore, Bowan Park, Byng, Cadia, Canobolas, Canowindra, Cargo, Clergate, Clifton Grove, Copper Hill, Cudal, Cumnock, Emu Swamp, Eugowra, Eulimore, Eurimbla, Four Mile Creek, Garra, Gooloogong, Gowan, Gregra, Gumble, Guyong, Kangarooobie, Kerrs Creek, Larras Lee, Lewis Ponds, Lidster, Long Point, Mandagery, Manildra, March, Molong, Moorbel, Mullion Creek, Murga, Nashdale, Nangar, Nyrang Creek, Obley, Ophir, Spring Hill, Spring Terrace, Summer Hill Creek, Toogong, Vittoria, Windera, Yeoval, Yullundry.

WARWICK WATKINS,  
Chairperson.

Geographical Names Board,  
PO Box 143, Bathurst, NSW 2795.

### HERITAGE ACT 1977

Direction Pursuant to Section 34(1)(A)  
to List an Item on the State Heritage Register  
The Cronulla Sand Dune and Wanda Beach Coastal  
Landscape — SHR No. 1668

IN pursuance of section 34(1)(a) of the Heritage Act 1977, I, the Minister Assisting the Minister for Infrastructure and Planning, having considered a recommendation of the

Heritage Council of New South Wales, direct the Council to list the item of the environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B".

Dated: Sydney, 10th day of September 2003.

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

SCHEDULE "A"

The item known as 'The Cronulla Sand Dune and Wanda Beach Coastal Landscape', situated at Kurnell, on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land shown edged heavy black on the plan catalogued HC 1912 in the office of the Heritage Council of New South Wales.

**HERITAGE ACT 1977**

Order Under Section 57(2)

I, the Minister Assisting the Minister for Infrastructure and Planning on the recommendation of the Heritage Council of New South Wales, in pursuance of section 57(2) of the Heritage Act 1977, do, by this my Order, grant an exemption from section 57(1) of the said Act in respect of the engaging in or carrying out of any activities described in Schedule "C" by the owner, mortgagee or lessee of the land described in Schedule "B" on the item described in Schedule "A".

Dated: Sydney, 10th day of September 2003.

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

SCHEDULE "A"

The property known as 'The Cronulla Sand Dune and Wanda Beach Coastal Landscape', situated at Kurnell, on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land shown edged heavy black on the plan catalogued HC 1912 in the office of the Heritage Council of New South Wales.

SCHEDULE "C"

- (i) Activities associated with the maintenance, rehabilitation and revegetation of Wanda Reserve;
- (ii) Installation of a viewing platform along the frontal dune to Wanda Reserve; and

- (iii) Improvements to the existing maintenance track along the northern boundary of Wanda Reserve to accommodate pedestrian and bicycle traffic.

**HERITAGE ACT 1977**

Direction Pursuant to Section 34(1)(A)  
to List an Item on the State Heritage Register

Rail Paybus FP1, Thirlmere — SHR No. 1673

IN pursuance of section 34(1)(a) of the Heritage Act 1977, I, the Minister Assisting the Minister for Infrastructure and Planning and Minister for Natural Resources, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of the environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the extent described in Schedule "B".

Dated: Sydney, 10th day of September 2003.

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

SCHEDULE "A"

The item known the Rail Paybus FP1, NSW Rail Transport Museum, Thirlmere, comprising the fabric described in Schedule "B".

SCHEDULE "B"

As a movable rolling stock item, the listing pertains to the entire fabric of the item, including all machinery and component parts, as referred to in State Heritage Register No. 1673.

**PESTICIDES ACT 1999**

Notice Under Section 48 (4)

NOTICE is hereby given, pursuant to section 48(4) of the Pesticides Act 1999, that I have granted a Pilot (Pesticide Rating) Licence, particulars of which are stated in the Schedule.

ALAN RITCHIE,  
Manager,  
Dangerous Goods,  
Environment Protection Authority  
(by delegation).

SCHEDULE

Pilot (Pesticide Rating) Licence

Name and address of Licensee	Date of Granting of Licence
Mr Ross Andrew BRENNAN, "Cummins", Wakool, NSW 2710.	24 September 2003.



**PESTICIDES ACT 1999**

Notice Under Section 48 (4)

NOTICE is hereby given, pursuant to section 48(4) of the Pesticides Act 1999, that I have granted an Aircraft (Pesticide Applicator) Licence, particulars of which are stated in the Schedule.

ALAN RITCHIE,  
Manager,  
Dangerous Goods,  
Environment Protection Authority  
(by delegation).

**SCHEDULE**

Aircraft (Pesticide Applicator) Licence

<b>Name and address of Licensee</b>	<b>Date of Granting of Licence</b>
AIR AG PTY LTD (trading as AIR AG/RIVER AG SERVICES), Moree Road, Boggabilla, NSW 2409.	19 September 2003.

**RURAL FIRES ACT 1997**

Bush Fire Danger Period for Temora Rural Fire District

THE Temora Shire Council under section 82 of the NSW Rural Fires Act 1997, the Bush Fire Danger Period within the Temora Shire has been revoked from Monday, 1 October until Wednesday, 15 October 2003.

STEVE HOLDEN,  
Superintendent,  
Temora Rural Fire District.

**RURAL FIRES ACT 1997**

Local Bush Fire Danger Period Variation

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation: Temora Local Government Area.

The Local Bush Fire Danger period has been revoked for the period 1 October until 14 October 2003.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will not be required for the lighting of fire for the purposes of land clearance or fire breaks.

MARK CROSWELLER, AFSM,  
Assistant Commissioner,  
Executive Director,  
Operations and Regional Management  
(delegate).

**RURAL FIRES ACT 1997**

Local Bush Fire Danger Period Variation

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation: Corowa Local Government Area and Berrigan Local Government Area.

The Local Bush Fire Danger period has been revoked for the period 1 October until 30 October 2003.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will not be required for the lighting of fire for the purposes of land clearance or fire breaks.

MARK CROSWELLER, AFSM,  
Assistant Commissioner,  
Executive Director,  
Operations and Regional Management  
(delegate).

**RURAL FIRES ACT 1997**

Local Bush Fire Danger Period Variation

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation: Canobolas/Cowra Zone incorporating Blayney Local Government Area; Orange Local Government Area; Cabonne Local Government Area and Cowra Local Government Area.

The Local Bush Fire Danger period has been revoked for the period 1 October until 30 October 2003.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will not be required for the lighting of fire for the purposes of land clearance or fire breaks.

MARK CROSWELLER, AFSM,  
Assistant Commissioner,  
Executive Director,  
Operations and Regional Management  
(delegate).

**RURAL FIRES ACT 1997**

Local Bush Fire Danger Period Variation

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation: Central West Team incorporating Forbes Local Government Area; Parkes Local Government Area and Weddin Local Government Area.

The Local Bush Fire Danger period has been revoked for the period 1 October until 30 October 2003.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will not be required for the lighting of fire for the purposes of land clearance or fire breaks.

MARK CROSWELLER, AFSM,  
Assistant Commissioner,  
Executive Director,  
Operations and Regional Management  
(delegate).

# TENDERS

## Department of Commerce

### SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

Information in relation to the Department of Commerce proposed, current and awarded tenders is available on:

<http://www.tenders.nsw.gov.au>



## PRIVATE ADVERTISEMENTS

### COUNCIL NOTICES

#### BALRANALD SHIRE COUNCIL

##### ERRATUM

Roads Act 1993, Section 10 (1)

Notice of Dedication of Land as Public Road

THE notice published in the *Government Gazette* on 21st February, 2003, Folio 3125, incorrectly describes the land as Lot 6 part DP 848352. The correct Schedule description is LOT 6 DP 1052692. This notice corrects that error. Dated at Balranald this 24th day of September, 2003. LAURIE CARTER, General Manager, Balranald Shire Council, PO Box 120, Balranald, NSW 2715.

#### COOMA MONARO SHIRE COUNCIL

Local Government Act 1993

Notice of Compulsory Acquisition of Land

THE Cooma Monaro Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines and deposits of minerals within the land, is acquired by the compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of a new cemetery. Dated at Cooma, 9th September, 2003. N. WATT, General Manager, Cooma Monaro Shire Council, c.o. Last and Maxwell, Solicitors, PO Box 190, Cooma, NSW 2630.

Schedule

Lot 1, DP 1033532. [0709]

#### HASTINGS COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that the land described in the Schedule below is dedicated as public road pursuant to section 10 of the Roads Act 1993. B. SMITH, General Manager, Hastings Council, PO Box 84, Port Macquarie, NSW 2444.

Schedule

All that piece or parcel of land being Lot 1 in Deposited Plan 1049640, Parish of Ballengarra, County of Macquarie and situated on Ballengarra-Bransdon Road at Gum Scrub. [0719]

#### LIVERPOOL CITY COUNCIL

Roads Act 1993, Section 10

NOTICE is hereby given that The Council of the City of Liverpool dedicates the lands described in the Schedule below as public road under section 10 of the Roads Act 1993. GENERAL MANAGER, The Council of the City of Liverpool, Locked Bag 7064, Liverpool BC, NSW 1871.

Schedule

All that piece or parcel of land known as Lot 322 in DP 1056677 in The Council of the City of Liverpool, Parish of St Luke, County of Cumberland, and as described in Folio Identifier 322/1056677. [0705]

#### PITTWATER COUNCIL

Local Government Act 1993, Section 50 (4)

Notice of Land Vested in Council as Drainage Reserve at Newport

NOTICE is hereby given by Pittwater Council that pursuant to section 50 (4) of the Local Government Act 1993, the land described in the Schedule below is vested in Council as drainage reserve. Dated 22nd September, 2003, at Warriewood. A. GORDON, General Manager, Pittwater Council, PO Box 882, Mona Vale, NSW 1660.

Schedule

All of the parcel of land marked Drainage Reserve at the south western corner in deposited plan 18415, Parish of Narrabeen, County of Cumberland. [0717]

#### SHELLHARBOUR CITY COUNCIL

##### ERRATUM

IN *Government Gazette* No. 145 of 19th September, 2003, Folio 9479, under the heading Naming of Public Roads, in Stage 2 two road names were incorrectly spelt, Moolawong Place should read Moolawang Place and Gaud Place should read Gadu Place. This notice corrects that error.

#### SHOALHAVEN CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Shoalhaven City Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule A, excepting the interests in the lands described in Schedule B below and excluding mines and minerals in the lands, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of sewerage. Dated at Nowra this 23rd day of September, 2003. R. D. PIGG, General Manager, Shoalhaven City Council, PO Box 42, Nowra, NSW 2541.

Schedule A

Lots 83 and 84 in DP 823256.

Schedule B

1. Right of carriageway variable width over Lot 83, DP 823256, created by DP 823256.
2. Right of carriageway variable width over Lots 84, DP 823256, created by DP 823256.

3. Easement for services 2 wide over Lot 84, DP 823256, created by DP 823256. [0720]

### SUTHERLAND SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

SUTHERLAND Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of a community facility. Dated at Sutherland this 19th day of September, 2003. J. W. RAYNER, General Manager, Sutherland Shire Council, Eton Street, Sutherland, NSW 2232 (PO Box 17, Sutherland, NSW 1499).

Schedule

Lot 102, DP 1028645. [0704]

### URALLA SHIRE COUNCIL

Naming and Renaming of Roads

NOTICE is hereby given under the Roads Act 1993 and Roads (General) Regulation 2000, that Uralla Shire Council has named and renamed the following roads:

Former Name	Name	Location
Mt Lydia Road.	Stanley Vale Lane.	North off Big Ridge Road, Uralla.
Mt Chocolate Road.	Flat Rock Road.	South off Rifle Range Road, Rocky River.
Brechts Lane.	Brechts Road.	Off Eastern Avenue, Kentucky South.
Unnamed Road.	Marsh Lane.	East from Plane Avenue to Marsh Street, Uralla.
Uralla Street.	Uralla Street North.	Uralla Street north of Rocky Creek.
Fitzroy Street.	Fitzroy Street North.	Fitzroy Street north of Hill Street.
King Street.	King Street West.	King Street west of Uralla Street.
Queen Street.	Queen Street North.	Queen Street north of Rocky Creek.
Wood Street.	Wood Street West.	Wood Street west of Rocky Creek.

ROBERT FULCHER, General Manager, Uralla Shire Council, Salisbury Street (PO Box 106), Uralla, NSW 2358. [0703]

### WARRINGAH COUNCIL

Are you highly motivated, priority focused and enjoy using your initiative in a challenging role?

Executive Assistant to the Internal Ombudsman  
\$36,603 to \$46,161 subject to skills and experience

APPLICANTS require: experience in a similar role; experience in conducting research; highly developed interpersonal, communication and computer application skills (Microsoft Office) and the ability to operate effectively in a highly confidential and sensitive environment. The position involves the coordination and management of the Office of the Internal Ombudsman including diary management, file management, preparing correspondence, receiving and documenting complaints and undertaking basic research and investigation. Applications (which close Friday, 3rd October, 2003), may only be accepted if the selection criteria (detailed in the Information Pack), are addressed. Please obtain an "Information Pack" at [www.warringah.nsw.gov.au](http://www.warringah.nsw.gov.au) or from Cleo Rowley on (02) 9942 2623. [0708]

### WYONG SHIRE COUNCIL

Naming of Road in Subdivision

NOTICE is hereby given that in accordance with Part 162.1 of the Roads Act 1993, as amended, Council has named the roads shown hereunder:

Location	Name
Lot 207, DP 873983, Reliance Drive, Tuggerah.	Bounty Close.
Lot 213 and 214, DP 873983, Reliance Drive, Tuggerah.	Teamster Close, Fleet Close.

No objections to the proposed namewere received within the prescribed period of time. J. S. DAWSON, General Manager, PO Box 20, Wyong, NSW 2259. [0706]

### ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of IAN DONOWA late of Bankstown in the State of New South Wales, investor, who died on 5th June, 2002, must send particulars of his claim to the executor, Timothy David Olliffe, c.o. Olliffe & Co., Solicitors, 7/1-5 Jacobs Street, Bankstown, NSW 2200, within one 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 19th August, 2002. OLLIFFE & CO., Solicitors, 7/1-5 Jacobs Street (PO Box 145), Bankstown, NSW 2200 (DX 11213, Bankstown), tel.: (02) 9790 3903. [0694]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MYRA NAOMI BAIGENT late of Lane Cove in the State of New South Wales, who died on 15th November, 2000, must send particulars of his claim to the executor, Laurel Denise Baigent, c.o. A. E. Whatmore, G. C. M. Gee & Co., Solicitors, 5/46 Burns Bay Road, NSW 2066, within one

calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 29th August, 2003. A. E. WHATMORE, G. C. M. GEE & CO., Solicitors, 5/46 Burns Bay Road, NSW 2066 (DX 23306, Lane Cove), tel.: (02) 9427 0400.

[0695]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of IVY MARGARET ROWBOTHAM late of Wingham in the State of New South Wales, who died on 26th July, 2003, must send particulars of the claim to the executrices, Diane Ivy McKern and Frances MacPherson, c.o. McKerns, Lawyers, 43 Isabella Street, Wingham, NSW 2429, within one calendar month from publication of this notice. After that time the executrices may distribute the assets of the estate having regard only to the claims of which at the time of distribution the trustees has notice. Probate was granted in New South Wales on 15th September, 2003. MCKERNS, Lawyers, 43 Isabella Street (PO Box 34), Wingham, NSW 2429 (DX 7021, Taree), tel.: (02) 6557 0922.

[0710]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of FLORENCE ELAINE BRISLANE late of Wingham in the State of New South Wales, who died on 15th July, 2003, must send particulars of the claim to the executor, Barry Phillip Brislane, c.o. McKerns, Lawyers, 43 Isabella Street, Wingham, NSW 2429, within one calendar month from publication of this notice. After that time the executrices may distribute the assets of the estate having regard only to the claims of which at the time of distribution the trustees has notice. Probate was granted in New South Wales on 15th September, 2003. MCKERNS, Lawyers, 43 Isabella Street (PO Box 34), Wingham, NSW 2429 (DX 7021, Taree), tel.: (02) 6557 0922.

[0711]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of VIOLET MAY TOOD late of Flinders Retirement Village, Castle Hill in the State of New South Wales, who died on 3rd July, 2003, must send particulars of his/her claim to the executor, Richard James Todd, c.o. Collins & Thompson, Solicitors, 8 Coronation Street, Hornsby, NSW 2077, within one calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution the executor has notice. Probate was granted in New South Wales on 12th September, 2003. COLLINS & THOMPSON, Solicitors, 8 Coronation Street, Hornsby, NSW 2077 (PO Box 455, Hornsby, NSW 1630), (DX 9691, Hornsby), tel.: (02) 9476 2788.

[0712]

IN the Supreme Court of New South Wales, Sydney Registry, Probate Division.—Notice of intended distribution of estate.—Any person having any claim upon the estate of MARY BYERS (also known as Mary Gregson), late of West Gosford in the State of New South Wales, home duties, who died on 26th June, 2003, must send particulars of his claim to the executor, Michael John Byers, c.o. John G Burton & Associates, Solicitors,

16 Adelaide Street, East Gosford, NSW 2250, within one 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 4th September, 2003. JOHN G BURTON & ASSOCIATES, Solicitors, 16 Adelaide Street (PO Box 4139), East Gosford, NSW 2250 (DX 7263, Gosford), tel.: (02) 4323 4899.

[0714]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of CHARLIE (also known as Carmel) TABONE late of Waldoock Nursing Home, Carlingford in the State of New South Wales, labourer, who died on 20th May, 2003, must send particulars of his/her claim to the executrix, Mary Spiteri, c.o. Low Doherty & Stratford, Solicitors, 9 Campbell Street, Blacktown, NSW 2148, within one calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution the executrix has notice. Probate was granted in New South Wales on 4th September, 2003. LOW DOHERTY & STRATFORD, Solicitors, 9 Campbell Street (PO Box 147), Blacktown, NSW 2148 (DX 8109, Blacktown), tel.: (02) 9622 4644.

[0715]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of CHARLES JOHN RACKHAM late of Dee Why in the State of New South Wales, retired, who died on 3rd August, 2003, must send particulars of their claim to the executrix, Elizabeth Davies Rackham-Hogg, c.o. Stephen R W Reed, Solicitor, Level 18, 68 Pitt Street, Sydney, NSW 2000, within one calendar month from publication of this notice. After that time the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of distribution the executrix has notice. Probate was granted in New South Wales on 11th September, 2003. STEPHEN R W REED, Solicitor, Level 18, 68 Pitt Street, Sydney, NSW 2000 (DX 263, Sydney), tel.: (02) 9221 6700.

[0716]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of GORDON THOMAS GREEN late of 5 Farrar Street, Arncliffe in the State of New South Wales, who died on 7th June, 2003, must send particulars of his claim to the executor, Gary Cleary, c.o. Gary Cleary & Associates, Solicitors, 9 Broken Bay Road, Ettalong Beach, NSW 2257, within one 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 9th September, 2003. GARY CLEARY & ASSOCIATES, Solicitors, 9 Broken Bay Road, Ettalong Beach, NSW 2257 (DX 7279, Gosford), tel.: (02) 4344 1966.

[0713]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of THOMAS JAMES BILBE late of Rozelle in the State of New South Wales, retired technical officer, who died on 2nd June, 2003, must send particulars of the claim to the executor, c.o. Mervyn



Finlay, Thorburn & Marshall, Solicitors, Level 2, 225 Macquarie Street, Sydney, NSW 2000, within one calendar month from publication of this notice. After that time the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 10th September, 2003. MERVYN FINLAY, THORBURN & MARSHALL, Solicitors, Level 2, 225 Macquarie Street, Sydney, NSW 2000 (DX 796, Sydney), tel.: (02) 9223 6544. Reference: DLT:211203. [0718]

### COMPANY NOTICES

NOTICE of general meeting of members.—JPH PTY LIMITED, ACN 008 137 531 (in voluntary liquidation).—Notice is hereby given that a general meeting of members of the company will be held at 9:00 a.m. on Monday, 20th October, 2003, at Level 5, 14 Martin Place, NSW Sydney. Agenda: To hold the final meeting of the company and receive an account of how the winding up has been conducted. Dated this 19th day of September, 2003. By Order of the Board. S. B. HUMPHRYS, Liquidator, c.o. Moore Stephens Wi, Chartered Accountants, CML Building, Level 5, 14 Martin Place, Sydney, NSW 2000, tel.: (02) 9229 7999. [0696]

NOTICE of general meeting of members.—PERRY SECURITIES PTY LIMITED, ACN 007 634 862 (in voluntary liquidation).—Notice is hereby given that a general meeting of members of the company will be held at 9:30 a.m. on Monday, 20th October, 2003, at Level 5, 14 Martin Place, NSW Sydney. Agenda: To hold the final meeting of the company and receive an account of how the winding up has been conducted. Dated this 19th day of September, 2003. By Order of the Board. S. B. HUMPHRYS, Liquidator, c.o. Moore Stephens Wi, Chartered Accountants, CML Building, Level 5, 14 Martin Place, Sydney, NSW 2000, tel.: (02) 9229 7999. [0697]

NOTICE of general meeting of members.—PERRY RESOURCES PTY LIMITED, ACN 007 527 497 (in voluntary liquidation).—Notice is hereby given that a general meeting of members of the company will be held at 9:15 a.m. on Monday, 20th October, 2003, at Level 5, 14 Martin Place, NSW Sydney. Agenda: To hold the final meeting of the company and receive an account of how the winding up has been conducted. Dated this 19th day of September, 2003. By Order of the Board. S. B. HUMPHRYS, Liquidator, c.o. Moore Stephens Wi, Chartered Accountants, CML Building, Level 5, 14 Martin Place, Sydney, NSW 2000, tel.: (02) 9229 7999. [0698]

NOTICE of general meeting of members.—BARANDEME PTY LIMITED, ACN 001 226 562 (in voluntary liquidation).—Notice is hereby given that a general meeting of members of the company will be held at 9:15 a.m. on Monday, 20th October, 2003, at Level 5, 14 Martin Place, NSW Sydney. Agenda: To hold the final meeting of the company and receive an account of how the winding up has been conducted. Dated this 19th day of September, 2003. By Order of the Board. S. B. HUMPHRYS, Liquidator, c.o. Moore Stephens Wi, Chartered Accountants, CML Building, Level 5, 14 Martin Place, Sydney, NSW 2000, tel.: (02) 9229 7999. [0699]

NOTICE of voluntary liquidation.—MACEYS HOLDINGS PTY LIMITED, ACN 000 586 287 (in liquidation).—Notice is hereby given pursuant to section 491(2) of the Corporations Act 2001, that at a general meeting of the abovenamed company, duly convened and held at Suite 12, Westlakes Arcade, 108-112 The Boulevard, Toronto, on 8th September, 2003, the following special resolution passed: “That the company be wound up as a members’ voluntary liquidation and that the assets of the company may be distributed in whole or in part to the members in specie should the liquidators so desire”. Dated this 19th day of September, 2003. IAN PERRY, Liquidator, c.o. K. H. Perry & Co., Chartered Accountants, Suite 12, Westlakes Arcade, 108-112 The Boulevard (PO Box 20), Toronto, NSW 2283, tel.: (02) 4959 5322. [0700]

NOTICE of voluntary liquidation.—MACEYS TRANSPORT PTY LIMITED, ACN 001 003 194 (in liquidation).—Notice is hereby given pursuant to section 491(2) of the Corporations Act 2001, that at a general meeting of the abovenamed company, duly convened and held at Suite 12, Westlakes Arcade, 108-112 The Boulevard, Toronto, on 8th September, 2003, the following special resolution passed: “That the company be wound up as a members’ voluntary liquidation and that the assets of the company may be distributed in whole or in part to the members in specie should the liquidators so desire”. Dated this 19th day of September, 2003. IAN PERRY, Liquidator, c.o. K. H. Perry & Co., Chartered Accountants, Suite 12, Westlakes Arcade, 108-112 The Boulevard (PO Box 20), Toronto, NSW 2283, tel.: (02) 4959 5322. [0701]

NOTICE of voluntary liquidation.—MACEYS PROPERTIES PTY LIMITED, ACN 000 855 541 (in liquidation).—Notice is hereby given pursuant to section 491(2) of the Corporations Act 2001, that at a general meeting of the abovenamed company, duly convened and held at Suite 12, Westlakes Arcade, 108-112 The Boulevard, Toronto, on 8th September, 2003, the following special resolution passed: “That the company be wound up as a members’ voluntary liquidation and that the assets of the company may be distributed in whole or in part to the members in specie should the liquidators so desire”. Dated this 19th day of September, 2003. IAN PERRY, Liquidator, c.o. K. H. Perry & Co., Chartered Accountants, Suite 12, Westlakes Arcade, 108-112 The Boulevard (PO Box 20), Toronto, NSW 2283, tel.: (02) 4959 5322. [0702]

NOTICE of final meeting of members.—E E REYNOLDS HOLDINGS PTY LTD, ACN 000 928 558 (in liquidation).—Notice is hereby given in pursuance of section 509 of the Corporations Law that a general meeting of the company will be held at 24 Bay Street, Rockdale NSW, on Friday, 31st October, 2003, at 9:00 a.m., for the purpose of laying before the members the final accounts of the winding up of the company and to give any explanation thereof. B. P. GALLIE, Liquidator, c.o. Hales Redden, Registered Company Auditors, 24 Bay Street (PO Box 54), Rockdale, NSW 2216, tel.: (02) 9587 0545. [0707]