



# *Government Gazette*

OF THE STATE OF  
NEW SOUTH WALES

**Number 91**  
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## LEGISLATION

### Assents to Acts

#### ACTS OF PARLIAMENT ASSENTED TO

**Legislative Assembly Office, Sydney 13 May 2004**

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

Act No.27 2004 - An Act to revoke the reservation under the National Parks and Wildlife Act 1974 of an area of land as part of Botany Bay National Park and to facilitate its use for the purposes of a helicopter rescue service base; and for other purposes. [**Botany Bay National Park (Helicopter Base Relocation) Bill**]

Act No.28 2004 - An Act to amend the Children (Detention Centres) Act 1987 with respect to the detention of children who fail to comply with bail requirements. [**Children (Detention Centres) Amendment Bill**]

Act No.29 2004 - An Act to amend the Civil Liability Act 2002 to make special provision in connection with certain claims for damages for negligence for death or injury suffered by offenders in custody; and for other purposes. [**Civil Liability Amendment (Offender Damages) Bill**]

Act No.30 2004 - An Act to amend the Freedom of Information Act 1989 to exempt certain documents relating to counter-terrorism and criminal intelligence from disclosure under the Act and to exempt the New South Wales Crime Commission from the operation of the Act in the exercise of certain of its functions; and for other purposes. [**Freedom of Information Amendment (Terrorism and Criminal Intelligence) Bill**]

RUSSELL D. GROVE PSM

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# Proclamations

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## Proclamation

under the

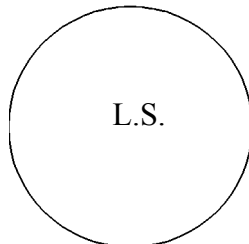
Freedom of Information Amendment (Terrorism and Criminal Intelligence) Act 2004 No 30

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 *Freedom of Information Amendment (Terrorism and Criminal Intelligence) Act 2004*, do, by this my Proclamation, appoint 28 May 2004 as the day on which that Act commences.

Signed and sealed at Sydney, this 26th day of May 2004.

By Her Excellency's Command,



BOB CARR, M.P.,  
Premier

GOD SAVE THE QUEEN!



## Proclamation

under the

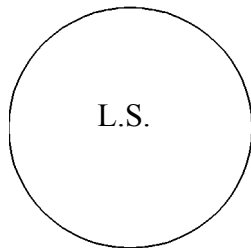
Nurses Amendment Act 2003 No 45

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 (1) of the *Nurses Amendment Act 2003*, do, by this my Proclamation, appoint 1 June 2004 as the day on which Schedule 2.14 and 2.18 [1] and [2] to that Act commence.

Signed and sealed at Sydney, this 26th day of May 2004.

By Her Excellency's Command,



MORRIS IEMMA, M.P.,  
Minister for Health

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to commence Schedule 2.14 and 2.18 [1] and [2] to the *Nurses Amendment Act 2003*. Schedule 2.14 amends the *Physiotherapists Act 2001* to provide for a new regulation-making power with respect to the infection control standards to be followed in the practice of physiotherapy. Schedule 2.18 [1] and [2] amend existing provisions of the *Public Health Act 1991* that restrict the carrying out of spinal manipulation and certain electrophysical treatments to certain health care professionals. The amendments make provision for student health care professionals acting under appropriate supervision to also carry out the procedures.



## Proclamation

under the

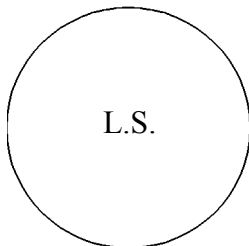
Prevention of Cruelty to Animals Amendment (Tail Docking)  
Act 2004 No 24

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 *Prevention of Cruelty to Animals Amendment (Tail Docking) Act 2004*, do, by this my Proclamation, appoint 1 June 2004 as the day on which that Act commences.

Signed and sealed at Sydney, this 26th day of May 2004.

By Her Excellency's Command,



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

GOD SAVE THE QUEEN!



## Proclamation

under the

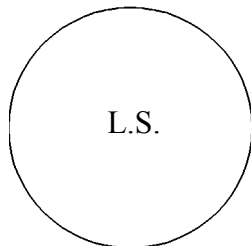
Transport Administration Amendment (New South Wales and Commonwealth Rail Agreement) Act 2004

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 *Transport Administration Amendment (New South Wales and Commonwealth Rail Agreement) Act 2004*, do, by this my Proclamation, appoint 1 June 2004 as the day on which that Act commences.

Signed and sealed at Sydney, this 26th day of May 2004.

By Her Excellency's Command,



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

GOD SAVE THE QUEEN!



## Proclamation

under the

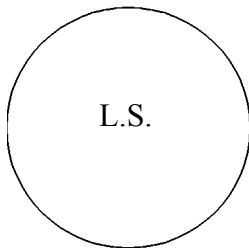
Western Lands Amendment Act 2002 No 68

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 *Western Lands Amendment Act 2002*, do, by this my Proclamation, appoint 1 June 2004 as the day on which Schedule 2 to that Act commences.

Signed and sealed at Sydney, this 19th day of May 2004.

By Her Excellency's Command,



CRAIG KNOWLES, M.P.,  
Minister for Natural Resources

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to commence Schedule 2 to the *Western Lands Amendment Act 2002*.

Schedule 2 repeals and re-enacts Part 6 of the *Western Lands Act 1901*, which deals with the determination and payment of rent under Western Lands leases.

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# Regulations

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## Gas Supply (Miscellaneous Amendments) Regulation 2004

under the

Gas Supply Act 1996

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

FRANK ERNEST SARTOR, M.P.,  
Minister for Energy and Utilities

### Explanatory note

The object of this Regulation is to transfer from the *Gas Supply (General) Regulation 1997* to the *Gas Supply (Natural Gas Retail Competition) Regulation 2001* such provisions of the former regulation as relate to:

- (a) the constitution and procedure of the review panels established to review gas pricing orders made by the Independent Pricing and Regulatory Tribunal, and
- (b) the delegation of functions by the Director-General of the Department of Energy, Utilities and Sustainability.

The former regulation will continue to regulate the carrying out of gasfitting work.

This Regulation is made under the *Gas Supply Act 1996*, including section 83 (the general power to make regulations) and sections 28 and 29.

Clause 1 Gas Supply (Miscellaneous Amendments) Regulation 2004

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## **Gas Supply (Miscellaneous Amendments) Regulation 2004**

under the

Gas Supply Act 1996

### **1 Name of Regulation**

This Regulation is the *Gas Supply (Miscellaneous Amendments) Regulation 2004*.

### **2 Amendment of Gas Supply (General) Regulation 1997**

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

### **3 Amendment of Gas Supply (Natural Gas Retail Competition) Regulation 2001**

The *Gas Supply (Natural Gas Retail Competition) Regulation 2001* is amended as set out in Schedule 2.



Gas Supply (Miscellaneous Amendments) Regulation 2004

Amendment of Gas Supply (General) Regulation 1997

Schedule 1

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**Schedule 1 Amendment of Gas Supply (General)  
Regulation 1997**

(Clause 2)

**[1] Clause 3 Definitions**

Omit the definitions of *gas marketer*, *Marketing Code of Conduct* and *review panel*.

**[2] Parts 4 and 5**

Omit the Parts.

Gas Supply (Miscellaneous Amendments) Regulation 2004

Schedule 2 Amendment of Gas Supply (Natural Gas Retail Competition) Regulation 2001

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## Schedule 2 Amendment of Gas Supply (Natural Gas Retail Competition) Regulation 2001

(Clause 3)

### [1] Clause 3 Definitions

Omit the definition of *Director-General*.

Insert instead:

*Director-General* means the Director-General of the Department of Energy, Utilities and Sustainability.

### [2] Clause 3

Insert in alphabetical order:

*review panel* means a review panel established under section 29 of the Act.

### [3] Part 1A

Insert after Part 1:

## Part 1A Review of Tribunal decisions

### 4A Applications for review: section 28

- (1) An application to the Minister for a review of a decision or a gas pricing order of the Independent Pricing and Regulatory Tribunal:
  - (a) must be in writing, and
  - (b) must state the basis of the application, and
  - (c) must be accompanied by a fee determined by the Minister.
- (2) The Minister must give notice of the application, and of the proposed review:
  - (a) in a daily newspaper circulating throughout New South Wales, or
  - (b) in such other manner as the Minister considers appropriate.

Gas Supply (Miscellaneous Amendments) Regulation 2004

Amendment of Gas Supply (Natural Gas Retail Competition) Regulation 2001 Schedule 2

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**4B Qualifications of members of review panels: section 29**

- (1) A person is not to be appointed to be a member or a deputy of a member of a review panel unless, in the opinion of the Minister, the person has appropriate qualifications or experience having regard to the matter to be investigated by the panel.
- (2) A person is not to be appointed to a review panel if the person:
  - (a) is an employee or an associate of the holder of the authorisation with which the review panel's investigation will be concerned, or
  - (b) has a direct or indirect pecuniary interest in a matter with which the review panel's investigation will be concerned, other than such an interest that the person has merely as a result of being a gas user.

**4C Appointment of deputies of members of review panels**

- (1) The Minister may, from time to time, appoint a person to be the deputy of a member of a review panel.
- (2) In the absence of a member, the member's deputy:
  - (a) may, if available, act in the place of the member, and
  - (b) while so acting, has all the functions of the member and is to be taken to be a member.
- (3) The deputy of the member who is chairperson of the review panel has the functions of the chairperson while acting in the place of the chairperson.
- (4) No act, determination or proceeding of a review panel is invalid merely because at the time of the act, determination or proceeding there is a vacancy in the office of a member of the panel.

**4D Allowances for members of review panels**

A member or deputy of a member of a review panel is entitled to be paid such allowances as the Minister may from time to time determine in respect of the member or deputy.

Gas Supply (Miscellaneous Amendments) Regulation 2004

Schedule 2 Amendment of Gas Supply (Natural Gas Retail Competition) Regulation 2001

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#### **4E General procedure of review panels**

The procedure for:

- (a) the calling of and the conduct of business at meetings of a review panel, and
- (b) the conduct of investigations by a review panel,

is, subject to the Act and this Regulation, to be as determined by the panel.

#### **4F Quorum**

The quorum for a meeting of a review panel is 2 members.

#### **4G Presiding member**

- (1) The chairperson of a review panel (or, in the absence of the chairperson, another member elected to chair the meeting by the members present) is to preside at a meeting of the panel.
- (2) The person presiding at a meeting of a review panel has a deliberative vote and, in the event of an equality of votes, a second or casting vote.

#### **4H Voting**

A decision supported by a majority of the votes cast at a meeting of a review panel at which a quorum is present is the decision of the panel.

#### **4I Determination and payment of costs**

- (1) The costs of and incidental to proceedings before a review panel are, subject to the Act and this Regulation, to be as determined by the panel.
- (2) The costs may include any allowances payable to the members of the panel.
- (3) The liability for the payment of the costs is to be as determined by the Minister on the recommendation of the panel.
- (4) The costs may be recovered by or on behalf of the Minister in a court of competent jurisdiction as a debt due to the Crown.

Gas Supply (Miscellaneous Amendments) Regulation 2004

Amendment of Gas Supply (Natural Gas Retail Competition) Regulation  
2001

Schedule 2

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**[4] Clause 82A**

Insert after clause 82:

**82A Delegations**

The Director-General may delegate to any person the exercise of all or any of the Director-General's functions under this Regulation or any other regulation under the Act, other than this power of delegation.



# Gas Supply (Natural Gas Retail Competition) Amendment (Retailer of Last Resort) Regulation 2004

under the

Gas Supply Act 1996

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

FRANK ERNEST SARTOR, M.P.,  
Minister for Energy and Utilities

## Explanatory note

The object of this Regulation is to amend the *Gas Supply (Natural Gas Retail Competition) Regulation 2001* (*the Regulation*) in relation to *last resort supply arrangements* (within the meaning of the Regulation). Generally, those arrangements (which are provided for in Part 7 of the Regulation) are intended to protect small retail gas customers if their gas supplier is unable to continue supply. Clauses 3 and 66 of the Regulation define the *terms* used below.

Specifically, the amendments made by this Regulation provide that:

- (a) a gas supplier in respect of whom a *last resort supply event* has occurred (an *affected supplier*) must not supply gas to small retail customers once last resort supply arrangements have taken effect, and
- (b) such an affected supplier must provide reasonable assistance to the Minister for Energy and Utilities, the *retailer of last resort* and the administrator of any *retail market business scheme* of which the affected supplier is a member in order to enable those persons to carry out and give effect to last resort supply arrangements, and
- (c) the Minister for Energy and Utilities may, on the application of an affected supplier, permit the affected supplier to recommence supplying gas to small retail customers, and

Gas Supply (Natural Gas Retail Competition) Amendment (Retailer of Last Resort) Regulation 2004

Explanatory note

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- (d) *market operation rules* may be made for or with respect to the circumstances in which an affected supplier may recommence supplying gas to small retail customers and with respect to the rights and obligations of the supplier once that supply has recommenced, and
- (e) standard form customer supply contracts and negotiated customer supply contracts between a supplier and a small retail customer must provide that information concerning the customer may be given to another supplier, the Minister for Energy and Utilities or the administrator of any retail market business scheme of which the supplier under the contract or the retailer of last resort concerned is a member, for the purpose of implementing last resort supply arrangements.

The Regulation also makes a law revision amendment.

This Regulation is made under the *Gas Supply Act 1996*, including section 83 (the general regulation-making power).

Gas Supply (Natural Gas Retail Competition) Amendment (Retailer of Last Resort) Regulation 2004

Clause 1

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## **Gas Supply (Natural Gas Retail Competition) Amendment (Retailer of Last Resort) Regulation 2004**

under the

Gas Supply Act 1996

### **1 Name of Regulation**

This Regulation is the *Gas Supply (Natural Gas Retail Competition) Amendment (Retailer of Last Resort) Regulation 2004*.

### **2 Amendment of Gas Supply (Natural Gas Retail Competition) Regulation 2001**

The *Gas Supply (Natural Gas Retail Competition) Regulation 2001* is amended as set out in Schedule 1.



## Gas Supply (Natural Gas Retail Competition) Amendment (Retailer of Last Resort) Regulation 2004

Schedule 1 Amendments

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**Schedule 1 Amendments**

(Clause 2)

**[1] Clause 66 Definitions**

Insert in appropriate order:

*affected supplier* means a supplier in respect of whom a last resort supply event has occurred.

**[2] Clause 69 Commencement of last resort supply arrangements**

Insert “(which may be the date of the notice or a later date)” after “take effect” in clause 69 (2) (a).

**[3] Clause 69 (6)–(11)**

Omit clause 69 (6). Insert instead:

- (6) On last resort supply arrangements taking effect:
  - (a) the retailer of last resort must implement the last resort supply arrangements applicable to the small retail customers subject to the arrangements, and
  - (b) the affected supplier concerned must not supply gas to any small retail customer, and
  - (c) the affected supplier concerned must provide reasonable assistance to the Minister, the retailer of last resort and the administrator of any retail market business scheme of which the affected supplier is a member in order to enable those persons to carry out their functions under this Part. Such assistance may include assistance in the transfer of customers and the provision of information.
- (7) It is a condition of the authorisation of an affected supplier that the supplier comply with subclause (6) (b).
- (8) Despite subclause (6) (b), the Minister, on the application of an affected supplier whose authorisation has not been cancelled, may, by order, permit the supplier to recommence supplying gas to small retail customers. On the making of such an order, subclauses (6) (b) and (7) cease to apply to the affected supplier.

Gas Supply (Natural Gas Retail Competition) Amendment (Retailer of Last Resort) Regulation 2004

Amendments

Schedule 1

- 
- (9) An application under subclause (8) may be refused on the following grounds:
- (a) the applicant fails to satisfy such technical or prudential criteria as have been adopted by the Minister to determine whether the applicant is able to operate a viable business as an authorised supplier,
  - (b) the Minister is of the opinion that the applicant is not a fit and proper person to recommence supplying gas to small retail customers (having regard to the applicant's ability to avoid a recurrence of a last resort supply event and the standing of the directors and officers and their actions in relation to the original last resort supply event).
- (10) In determining an application under subclause (8), the Minister may consider the following:
- (a) the circumstances that gave rise to the last resort supply event,
  - (b) the actions of the applicant in response to the original last resort supply event,
  - (c) the circumstances that enabled the applicant to continue supplying gas to persons other than small retail customers,
  - (d) the history of the applicant's compliance with the conditions of its authorisation,
  - (e) any other matter that the Minister considers relevant.
- (11) Without limiting sections 11 and 12 of the Act, the Minister may, at the time of making an order under subclause (8), impose or vary conditions in relation to the affected supplier's authorisation so as to require the affected supplier to provide additional information to the Minister on an ongoing basis, including:
- (a) information relating to the affected supplier's technical and prudential ability to supply gas, and
  - (b) information relating to plans or policies the affected supplier is to put in place to prevent the occurrence of a further last resort supply event.

Gas Supply (Natural Gas Retail Competition) Amendment (Retailer of Last Resort) Regulation 2004

Schedule 1 Amendments

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**[4] Clause 74 Market operations rules**

Insert at the end of clause 74 (f):

- (g) the circumstances in which an affected supplier may recommence supplying gas to small retail customers and the rights and obligations of the supplier once that supply has recommenced.

**[5] Schedule 1 Requirements applicable to customer supply contracts**

Insert “, the Minister or the administrator of any retail market business scheme of which the supplier under the contract or the retailer of last resort concerned is a member,” after “another supplier” in clause 11 (3).



# Local Courts (Civil Claims) Amendment (Filing Fees) Regulation 2004

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

On 1 January 2004, the jurisdiction of a Local Court to hear and determine actions for the recovery of any debt, demand or damage (whether liquidated or unliquidated) was increased from a maximum claim of \$40,000 to a maximum claim of \$60,000. Prior to 1 January 2004, claims above \$40,000 were required to be heard in a higher court.

The object of this Regulation is to provide that the filing fees for claims brought in a Local Court which, before 1 January 2004, would have been brought in a higher court are to be increased beyond those otherwise payable in a Local Court but not to the level of the filing fees payable for such claims in a higher court.

This Regulation is made under section 85 of the *Local Courts (Civil Claims) Act 1970*.

Clause 1            Local Courts (Civil Claims) Amendment (Filing Fees) Regulation 2004

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## **Local Courts (Civil Claims) Amendment (Filing Fees) Regulation 2004**

under the

Local Courts (Civil Claims) Act 1970

### **1 Name of Regulation**

This Regulation is the *Local Courts (Civil Claims) Amendment (Filing Fees) Regulation 2004*.

### **2 Commencement**

This Regulation commences on 1 June 2004.

### **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 (Filing Fees) Regulation 2004

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

### [1] Schedule 1 Court fees

Insert “but not exceeding \$40,000” after “\$10,000” in paragraph 1 (c).

### [2] Schedule 1

Insert after paragraph 1 (c):

- |     |  |   |
|-----|--|---|
| (d) | in respect of a claim for an amount exceeding \$40,000 | 440.00 (in the case of a corporation) or 220.00 (in any other case) |
|-----|--|---|

### [3] Schedule 1

Insert “but not exceeding \$40,000” after “\$10,000” in paragraph 2 (c).

### [4] Schedule 1

Insert after paragraph 2 (c):

- |     |  |   |
|-----|--|---|
| (d) | in respect of a claim for an amount exceeding \$40,000 | 440.00 (in the case of a corporation) or 220.00 (in any other case) |
|-----|--|---|



New South Wales

# Native Vegetation Conservation (Savings and Transitional) Amendment (Western Division) Regulation 2004

under the

Native Vegetation Conservation Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Native Vegetation Conservation Act 1997*.

CRAIG KNOWLES, M.P.,  
Minister for Natural Resources

## Explanatory note

Clause 5 (2) of Schedule 4 to the *Native Vegetation Conservation Act 1997* currently exempts certain land clearing in the Western Division from the requirement for development consent under that Act. The exemption relates to activities referred to in Schedule 4 to the *Western Lands Regulation 1997*. The object of this Regulation is to continue the exemption beyond the repeal of the 1997 Regulation.

This Regulation is made under the *Native Vegetation Conservation Act 1997*, including section 67 (the general power to make regulations) and clauses 1 and 5 of Schedule 4 (the Schedule of savings and transitional provisions).

Clause 1 Native Vegetation Conservation (Savings and Transitional) Amendment  
(Western Division) Regulation 2004

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## **Native Vegetation Conservation (Savings and Transitional) Amendment (Western Division) Regulation 2004**

under the

Native Vegetation Conservation Act 1997

### **1 Name of Regulation**

This Regulation is the *Native Vegetation Conservation (Savings and Transitional) Amendment (Western Division) Regulation 2004*.

### **2 Amendment of Native Vegetation Conservation (Savings and Transitional) Regulation 1998**

The *Native Vegetation Conservation (Savings and Transitional) Regulation 1998* is amended as set out in Schedule 1.



Native Vegetation Conservation (Savings and Transitional) Amendment  
(Western Division) Regulation 2004

Amendments

Schedule 1

## Schedule 1 Amendments

(Clause 2)

### [1] Clause 6A

Insert after clause 6:

#### **6A Continuation of exemption for matters formerly set out in Schedule 4 to the Western Lands Regulation 1997**

- (1) This clause commences on the repeal of the *Western Lands Regulation 1997*.
- (2) The object of this clause is to continue the exemption referred to in clause 5 (2) of Schedule 4 to the Act in relation to the clearing of native vegetation in the Western Division.
- (3) The clearing of native vegetation in the Western Division for a purpose described in Schedule 1 is taken to be clearing that is exempt from any requirement under Part 2 of the Act for development consent.
- (4) Subclause (3) ceases to have effect in relation to land when a regional vegetation management plan comes into effect in relation to that land.
- (5) On the commencement of this clause, clause 5 (2) and (3) of Schedule 4 to the Act cease to have effect.

### [2] Schedule 1

Insert at the end of the Regulation:

#### **Schedule 1 Exemptions in relation to clearing of land in the Western Division**

(Clause 6A)

- 1** Clear land not more than 20 metres either side of the line of an existing or a proposed fence, being a fence which is or is to be of a permanent nature.
- 2** Clear land not more than 30 metres wide for any of the following purposes:
  - (a) an access trail,
  - (b) a cut-line for stock movement,
  - (c) a firebreak,

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Native Vegetation Conservation (Savings and Transitional) Amendment  
(Western Division) Regulation 2004

Schedule 1 Amendments

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- (d) a road,
  - (e) a telephone line or cable,
  - (f) a power line or cable,
  - (g) a drain to a water storage,
  - (h) a bore drain,
  - (i) a pipeline,
  - (j) an irrigation channel.
- 3** Clear land not more than 100 metres wide for a firebreak where mallee species predominate.
- 4** Clear an area of land sufficient to meet civil aviation standards for the purpose of constructing an airstrip.
- 5** Clear land, not more than 5 hectares in area for the construction of a house, shearing shed, machinery shed, ground tank, dam, stock yard or similar utility, subject to the construction being permitted under the *Western Lands Act 1901* or any relevant Western Lands lease or licence under that Act.
- 6** Clear land of seedlings and regrowth where the land was cleared or cultivated during the preceding 20 years under the provisions of the *Western Lands Act 1901* or the *Forestry Act 1916*, except where the tree cover predominantly comprises one or more of the following species:  
*Eucalyptus camaldulensis* (river red gum)  
*Casuarina cristata* (belah)  
*Casuarina pauper* (belah)  
*Callitris glaucophylla* (white cypress pine).
- 7** Clear land of trees which are less than 3 metres high where one or more of the following species predominates:  
*Eucalyptus largiflorens* (black box)  
*Eucalyptus camaldulensis* (river red gum)  
*Eucalyptus populnea* (bimble box)  
*Eucalyptus coolabah* (coolibah)

Native Vegetation Conservation (Savings and Transitional) Amendment  
(Western Division) Regulation 2004

Amendments

Schedule 1

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- Callitris glaucophylla* (white cypress pine)  
*Casuarina cristata* (belah)  
*Casuarina pauper* (belah).
- 8** Clear land where the predominant species are “woody weeds” which, for the purpose of this paragraph, are:  
*Eremophila sturtii* (turpentine)  
*Eremophila mitchellii* (budda, false sandalwood)  
*Dodonaea viscosa subsp. spatulata* (broadleaf hopbush)  
*Dodonaea viscosa subsp. angustissima* (narrowleaf hopbush)  
*Senna artemisioides subsp. filifolia* (punky bush)  
*Senna artemisioides nothosubsp. artemisioides* (silver cassia).
- 9** Lop trees to provide stockfeed in times of drought where the method and extent of the lopping ensures the continued survival and health of the trees.
- 10** Selectively push mulga trees in dense mulga stands for stock feeding purposes subject to the following conditions:  
(a) the retention of mulga trees at spacings of no more than 20 metres,  
(b) in selecting trees for retention priority is given to trees with a trunk diameter exceeding 12 centimetres.
- 11** Clear land (by the use of fire) where mallee trees are the predominant species for the purpose of promoting the growth of pasture species or reducing hazardous or potentially hazardous fuel build-up, but not so as to result in the significant killing of the below-ground parts of the predominant species or the significant destruction of other trees.
- 12** Clear land where the predominant species is one of the following:  
*Prosopis* (mesquite)  
*Lycium ferocissimum* (African boxthorn).

Native Vegetation Conservation (Savings and Transitional) Amendment  
(Western Division) Regulation 2004

Schedule 1 Amendments

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- 13** Clear land in connection with rabbit ripping undertaken as part of a planned rabbit control program on land that is not State protected land, but only if the clearing is limited to trees which must be removed in order to destroy a rabbit warren.
- 14** Kill or otherwise destroy trees of the following species:  
*Tamarix aphylla* (athol pine)  
*Ailanthus altissima* (tree of heaven)  
*Schinus ariera* (peppercorn)  
*Acacia nilotica* (prickly acacia).



# Occupational Health and Safety Amendment (Work Experience Accreditation) Regulation 2004

under the

Occupational Health and Safety Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Occupational Health and Safety Act 2000*.

REBA PAIGE MEAGHER, M.P.,  
Minister for Commerce

## Explanatory note

The object of this Regulation is to amend the *Occupational Health and Safety Regulation 2001* so that employees and self-employed people who have been working in the construction industry since 1 April 1999 without a continuous break of 2 years or more (and who also had work experience in that industry before that date) will be treated as having undergone OHS induction training and will be able, until 30 September 2004, to apply to WorkCover for an OHS induction training certificate that will be issued on the basis of their work experience. This Regulation also corrects minor errors in descriptions in that Regulation of a certificate and a statement of attainment.

This Regulation is made under the *Occupational Health and Safety Act 2000*, including section 33 (the general power to make regulations) and section 35.

Clause 1 Occupational Health and Safety Amendment (Work Experience Accreditation) Regulation 2004

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## **Occupational Health and Safety Amendment (Work Experience Accreditation) Regulation 2004**

under the

Occupational Health and Safety Act 2000

### **1 Name of Regulation**

This Regulation is the *Occupational Health and Safety Amendment (Work Experience Accreditation) Regulation 2004*.

### **2 Amendment of Occupational Health and Safety Regulation 2001**

The *Occupational Health and Safety Regulation 2001* is amended as set out in Schedule 1.

Occupational Health and Safety Amendment (Work Experience Accreditation) Regulation 2004

Amendments

Schedule 1

---

## Schedule 1 Amendments

(Clause 2)

### [1] Clauses 217 and 218

Omit “Workplace Assessment and” wherever occurring.

Insert instead “Assessment and Workplace”.

### [2] Clauses 217 and 218

Omit “Train Small Groups” wherever occurring.

Insert instead “the competency *Train small groups*”.

### [3] Clause 221

Insert after clause 220C:

#### 221 Savings relating to construction work experience

- (1) This clause applies to an employee or self-employed person to whom this clause applied as it was in force immediately before 29 March 2004, when the *Occupational Health and Safety Amendment (Accreditation and Certification) Regulation 2004* commenced.
- (2) For the purposes of this Part, a person to whom this clause applies and who, since 1 April 1999 has, without a continuous break of 2 years or more, carried out construction work of a particular type in the course of employment, is taken to have:
  - (a) undergone OHS induction training in relation to that type of construction work, and
  - (b) undergone the general health and safety induction training referred to in clause 217 prior to 29 March 2004, but only for the purposes of being issued with an OHS induction training certificate pursuant to an application for such a certificate made to WorkCover before 30 September 2004 and any requirement to produce such a certificate.



New South Wales

# Transport Administration (General) Amendment (New South Wales and Commonwealth Rail Agreement) Regulation 2004

under the

Transport Administration Act 1988

Her Excellency the Governor, with the advice of the Executive Council, and with the approval of the Treasurer, made the following Regulation under the *Transport Administration Act 1988*.

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

## Explanatory note

The object of this Regulation is to amend the *Transport Administration (General) Regulation 2000* to exempt arrangements relating to the lease or licence of country and freight railway lines by rail authorities to Australian Rail Track Corporation Ltd, and other associated arrangements, from certain State taxes.

This Regulation is made under the *Transport Administration Act 1988*, including section 88ZC and section 119 (the general regulation-making power).



Clause 1            Transport Administration (General) Amendment (New South Wales and  
Commonwealth Rail Agreement) Regulation 2004

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## **Transport Administration (General) Amendment (New South Wales and Commonwealth Rail Agreement) Regulation 2004**

under the

Transport Administration Act 1988

### **1 Name of Regulation**

This Regulation is the *Transport Administration (General) Amendment (New South Wales and Commonwealth Rail Agreement) Regulation 2004*.

### **2 Commencement**

This Regulation commences on 1 June 2004.

### **3 Amendment of Transport Administration (General) Regulation 2000**

The *Transport Administration (General) Regulation 2000* is amended as set out in Schedule 1.

Transport Administration (General) Amendment (New South Wales and Commonwealth Rail Agreement) Regulation 2004

Amendment

Schedule 1

---

## Schedule 1 Amendment

(Clause 3)

### Part 2A

Insert after Part 2:

### Part 2A ARTC arrangements

#### 10A Interpretation

(1) In this Part:

*State tax* means duty under the *Duties Act 1997*.

(2) Words and expressions used in this Part have the same meaning as they have in Part 8A of the Act.

#### 10B Exemptions from State taxes

State tax is not chargeable in respect of any of the following arrangements, or any variation of any such arrangement:

- (a) a lease or licence or other agreement under section 88B of the Act,
- (b) a memorandum of understanding to enter into an agreement for a lease or licence under section 88B of the Act,
- (c) an agreement under section 88C of the Act,
- (d) an arrangement under section 88D of the Act or a memorandum of understanding to enter into any such arrangement,
- (e) an agreement for the sale by a rail authority to ARTC of plant, machinery, equipment, stores or consumables,
- (f) an agreement under section 88U of the Act and any associated agreement between a rail authority and ARTC,
- (g) an agreement between New South Wales, the Commonwealth and ARTC relating to the leasing of, and other arrangements for, the NSW rail network,

Transport Administration (General) Amendment (New South Wales and  
Commonwealth Rail Agreement) Regulation 2004

Schedule 1      Amendment

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- (h) any other agreement entered into by ARTC and a rail authority with each other, or by ARTC and a rail authority with New South Wales or the Commonwealth (or both of them), to give effect to an ARTC arrangement,
- (i) any other agreement entered into by a rail authority with New South Wales or the Commonwealth to give effect to an ARTC arrangement.



New South Wales

## Western Lands Regulation 2004

under the

Western Lands Act 1901

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Western Lands Act 1901*.

CRAIG KNOWLES, M.P.,  
Minister for Natural Resources

### Explanatory note

The object of this Regulation is to repeal and remake the *Western Lands Regulation 1997*, which was due to be repealed on 1 September 2003 by section 10 (2) of the *Subordinate Legislation Act 1989*. The repeal was postponed by an order of the Governor under section 11 of that Act.

This Regulation does not make extensive changes to the substance of the *Western Lands Regulation 1997*, but it contains new matter consequent on the enactment of the *Western Lands Amendment Act 2002*.

This Regulation deals with the following matters:

- (a) local land boards, including:
  - (i) the prescription of qualifications for appointment as Chairperson of local land boards, and
  - (ii) the appointment of Registrars for local land boards, and
  - (iii) the conduct of proceedings before local land boards,
- (b) leases under the *Western Lands Act 1901* (***Western Lands leases***), including provisions with respect to:
  - (i) the procedures for extending the term of, purchasing, transferring, exchanging and surrendering a Western Lands lease, and
  - (ii) the payment of rent and other amounts due under a Western Lands lease, and

Western Lands Regulation 2004

Explanatory note

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- (iii) the conditions to which a Western Lands lease is subject,
- (c) the prescription of classes of land for which consent to cultivate is required, and the circumstances under which land is exempt from that requirement,
- (d) the fencing of land under a Western Lands lease and the enclosure of roads,
- (e) formal and ancillary matters (such as the commencement of the Regulation).

This Regulation is made under the *Western Lands Act 1901*, including section 36 (the general regulation-making power) and the sections referred to in the Regulation.

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

Western Lands Regulation 2004

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## Western Lands Regulation 2004

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Western Lands Regulation 2004

Clause 1

Preliminary

Part 1

---

## Western Lands Regulation 2004

under the

Western Lands Act 1901

### Part 1 Preliminary

#### 1 Name of Regulation

This Regulation is the *Western Lands Regulation 2004*.

#### 2 Commencement

This Regulation commences on 1 June 2004.

#### 3 Definitions

In this Regulation:

*approved deposit, approved fee* or *approved form* means a deposit, fee or form approved by the Minister for the purposes of the provision in which the expression is used.

*lessee* means a lessee under a Western Lands lease.

*the Act* means the *Western Lands Act 1901*.

*Western Lands lease* means a lease granted under the Act.

#### 4 Notes

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



Western Lands Regulation 2004

Clause 5

Local land boards

Part 2

---

## Part 2 Local land boards

### 5 Qualifications for appointment as Chairperson of Local Land Boards: section 9

For the purposes of section 9 (2A) (b) of the Act, the following offices or qualifications are prescribed:

- (a) the office of Magistrate,
- (b) qualification as a legal practitioner of the Supreme Court of New South Wales,
- (c) qualification as a barrister or solicitor, or as a barrister and solicitor, of any court of any other State, or of any Territory, of Australia or of the High Court of Australia,
- (d) the qualification of having knowledge and experience of the Western Division or other relevant knowledge and experience.

### 6 Registrars of local land boards

- (1) The Commissioner may appoint a Registrar for each administrative district.
- (2) The Commissioner may appoint the same Registrar for 2 or more administrative districts.

### 7 Matters to be brought before local land board

- (1) All matters are to be brought before a local land board as soon as practicable after the Chairperson receives them (or, if a document is required to be lodged with a Registrar, the Registrar receives the document).
- (2) Subclause (1) does not apply in respect of a matter if the Chairperson or Registrar has power to deal with the matter.

### 8 Chairperson's power to deal with certain matters: section 9

The Chairperson may deal with any matter specially referred by the Minister or Commissioner to a local land board for investigation with a request that it be dealt with under section 9 (5) (b) of the Act.

Clause 9 Western Lands Regulation 2004

Part 2 Local land boards

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### **9 Notice of proceedings before local land board**

- (1) Notice of the time and place appointed for any proceedings before a local land board, and of the nature of the proceedings:
  - (a) is to be in the approved form, and
  - (b) is to be served on the parties to the proceedings not less than 14 days before the time appointed for the proceedings (or such lesser period as may be directed by the Chairperson).
- (2) If at the time and place appointed it appears that notice has not been given to a party, the board may:
  - (a) order notice to be given for some future day (which may be less than 14 days from the giving of the notice), and
  - (b) in the meantime, adjourn the proceedings.

### **10 Board's power where notice given and party fails to appear**

If a local land board or the Chairperson is satisfied that notice of the time and place of any proceeding has been given to a party, the board or Chairperson may proceed and adjudicate in the absence of that party.

### **11 Appeals**

Except as otherwise provided by the Act, any party to proceedings before a local land board or Chairperson may appeal to the Land and Environment Court from the decision of the local land board or Chairperson at any time within 28 days after it has been given:

- (a) by filing an application in accordance with the rules of court, and
- (b) by paying the appropriate fees in accordance with the regulations made under the *Land and Environment Court Act 1979*.

Western Lands Regulation 2004

Clause 12

Western Lands leases

Part 3

---

## **Part 3 Western Lands leases**

### **Division 1 Extension of terms of Western Lands leases**

#### **12 Application for extension of term of Western Lands lease: sections 18E and 28B**

- (1) An application under section 18E or 28B of the Act for extension of the term of a Western Lands lease must be made to the Commissioner in the approved form.
- (2) A number of Western Lands leases may be included in one application if they are worked as one holding.
- (3) The relevant fee specified in Schedule 1 must be lodged with the application.

#### **13 Extension of term of mortgaged Western Lands lease to be notified to mortgagee**

If the term of a Western Lands lease that is mortgaged is extended pursuant to an application under section 18E or 28B of the Act, notice of the extension is to be served on the mortgagee.

### **Division 2 Purchase of land held under certain Western Lands leases**

#### **14 Applications to purchase land: section 28BB**

- (1) An application under section 28BB of the Act to purchase the whole or any part of the land comprised in a Western Lands lease:
  - (a) is to be made to the Commissioner in the approved form endorsed (if the lease is mortgaged) with the consent of the mortgagee, and
  - (b) is to be accompanied by the approved deposit.
- (2) If the deposit is in excess of the cost of dealing with the application the balance must be applied, firstly, to any duty payable and, secondly, to payment of any amount due on the purchase.

Clause 15 Western Lands Regulation 2004

Part 3 Western Lands leases

### Division 3 Payment of rent, interest and survey fees

#### 15 Scaling factor for rent: section 19

- (1) The object of this clause is to determine the scaling factors for the financial year commencing on 1 July 2004 and for subsequent financial years, as referred to in the definition of *scaling factor* in section 19 of the Act.
- (2) The scaling factor for the financial year commencing on 1 July 2004 is 1.0.
- (3) The scaling factor for each subsequent financial year is to be the scaling factor for the immediately preceding financial year plus half the CPI movement.  
**Note.** This formula will result in a reduction in the scaling factor in the case of a downward CPI movement.
- (4) In this clause:

*CPI* means the index known as the *Weighted Average of Eight Capital Cities: All Groups Consumer Price Index* that is published quarterly by the Australian Statistician.

$$CPI\ movement = \frac{C_1}{C_2} - 1$$

where:

$C_1$  represents the CPI index for the December quarter for the calendar year immediately preceding the financial year for which the scaling factor is to be determined.

$C_2$  represents the CPI index for the December quarter for the calendar year immediately preceding the calendar year referred to in the definition of  $C_1$ .

#### 16 Minimum rent for rural holdings and urban leases: sections 20 and 27B

The amount prescribed as the minimum rent for the purposes of sections 20 (2) and 27B (2) of the Act is \$100.

#### 17 Calculations: amounts of money represented by “k”

For the purposes of the calculations required by sections 21–24 of the Act, the symbols  $k_1$ – $k_{12}$  in those sections represent the amounts of money specified in Schedule 2 in respect of each of those symbols.

Western Lands Regulation 2004

Clause 18

Western Lands leases

Part 3

---

**18 Annual rent for urban leases: section 27B**

- (1) For the purposes of section 27B of the Act, the following classes of urban leases are prescribed:
  - (a) Urban (Business), being leases expressed to be granted or issued for business purposes,
  - (b) Urban (General), being all other urban leases.
- (2) For the purposes of the symbol *p* in the formula set out in section 27B (1) of the Act, the following percentages are prescribed:
  - (a) for leases of the Urban (Business) class—6%,
  - (b) for leases of the Urban (General) class—3%.

**19 Concessional rent: section 27E**

- (1) For the purposes of section 27E (1) of the Act, the following classes of lessee are prescribed:
  - (a) a lessee under a Western Lands lease for the purpose of residence or a similar purpose, being a lessee:
    - (i) whose principal place of residence is a dwelling on the land the subject of the lease, and
    - (ii) who is an eligible pensioner (within the meaning of the *Local Government Act 1993*) or is, in the opinion of the Minister, suffering hardship,
  - (b) a lessee under a Western Lands rural lease, being a lessee:
    - (i) who receives household support from the Rural Assistance Authority, or
    - (ii) who is, in the opinion of the Minister, suffering hardship, or
    - (iii) who, in the opinion of the Minister, contributes appropriate data relating to rangeland condition or other natural resources on the land comprising the lease as part of a program approved by the Commissioner,
  - (c) a lessee that is a community service, sporting or recreational organisation:
    - (i) that is the holder of an authority under the *Charitable Fundraising Act 1991*, or
    - (ii) that is incorporated under the *Associations Incorporation Act 1984*, or

Clause 20 Western Lands Regulation 2004

Part 3 Western Lands leases

- 
- (iii) that the Minister is satisfied is a non-profit organisation, whose Western Lands lease is used for the purpose of a help or service facility of benefit to the general community or an active sporting, passive recreational or youth advancement facility of general benefit to a local community.
- (2) For the purposes of section 27E (1) of the Act, the following classes of lands are prescribed:
- (a) such hectares subject to a rural lease on which:
- (i) cultivation is permitted under the Act for a limited period of time pursuant to a consent under section 18DA of the Act, and
- (ii) either opportunity cropping on receding floodwaters or the maintenance of open grazing land is specifically authorised,
- (b) land that:
- (i) is subject to a Western Lands lease held in the name of the Crown or a statutory body representing the Crown, or
- (ii) in the opinion of the Minister, is managed by or on behalf of the Crown for non-commercial purposes.

**20 Interest on arrears: section 36B**

For the purposes of section 36B (2) (d) of the Act, the prescribed rate is the rate prescribed for the time being under section 148 (2) of the *Crown Lands Act 1989*.

**21 Interest on sums payable: section 36C**

For the purposes of section 36C (2) (c) of the Act, the prescribed rate is the rate prescribed for the time being under section 148 (2) of the *Crown Lands Act 1989*.

**22 Holdings in respect of which incoming holder liable to pay arrears: sections 36D and 36E**

For the purposes of sections 36D (1) (a) and 36E (1) of the Act, a Western Lands lease is a prescribed class of holding.

Western Lands Regulation 2004

Clause 23

Western Lands leases

Part 3

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**23 Survey fees: sections 18E, 18I and 35C**

- (1) The cost of any necessary survey payable under section 18E (4) (d) of the Act (relating to the extension of part of a Western Lands lease) must be paid to the Commissioner no later than 60 days after the Commissioner has advised the holder of the lease of the amount payable.
- (2) For the purposes of sections 18I (Survey fee) and 35C (2) (b) of the Act (addition of certain lands to leases), a survey fee or cost calculated according to the scale in Schedule 3 is prescribed.
- (3) A survey fee (other than a subdivision fee) is not to be charged:
  - (a) to a lessee claiming title through a previous holder who has paid the survey fee, or
  - (b) if the Minister has granted permission for the survey to be done by a licensed surveyor employed by the lessee.
- (4) Survey fees or costs are payable to the Commissioner.

**Division 4 Transfer of Western Lands leases****24 Minister's consent to transfer: section 18G**

- (1) An application for the Minister's consent under section 18G (1) of the Act is to be made in an approved form and accompanied by the relevant fee specified in Schedule 1.
- (2) A consent given under the former section 18G of the Act within the period of 6 months before the replacement of that section by the *Western Lands Amendment Act 2002* is taken to be a consent under the new section 18G of the Act.
- (3) An application for a Minister's certificate under subsection (1E) of the former section 18G of the Act that had not been determined before the replacement of that section by the *Western Lands Amendment Act 2002* is to be determined in accordance with that section as if it had not been replaced.
- (4) A Minister's certificate under subsection (1E) of the former section 18G of the Act, including a certificate issued under that subsection pursuant to subclause (3), is taken to be a declaration under subsection (3) of the new section 18G of the Act.

Clause 25 Western Lands Regulation 2004

Part 3 Western Lands leases

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## **Division 5 Miscellaneous**

### **25 Fencing claims and disputes: section 18B**

- (1) A claim under section 18B of the Act for a contribution towards a fence or the cost of maintenance and repair of a fence, or any other dispute or claim as to fencing, may be brought before a local land board by lodging with the Commissioner a notice in the approved form accompanied by the approved deposit towards the cost of dealing with the claim or dispute.
- (2) The local land board may decline to take any action on the claim unless the claimant causes a copy of the notice to be served on the other party, or parties, within 14 days of its lodgment with the Commissioner.

### **26 Alteration of conditions of Western Lands leases: section 18J**

An application for the variation, modification or revocation of or addition to a covenant, condition, purpose or provision of a Western Lands lease may be made to the Commissioner in the approved form accompanied by the approved deposit.



Western Lands Regulation 2004

Clause 27

Consents to cultivation

Part 4

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## Part 4 Consents to cultivation

### 27 Land for which consent to cultivation is required: section 18DA

- (1) For the purposes of section 18DA (1A) of the Act, the following classes of land are prescribed:
  - (a) land held under the following tenures continued in force under the *Crown Lands (Continued Tenures) Act 1989*:
    - (i) a permissive occupancy,
    - (ii) a conditional lease,
    - (iii) a homestead selection,
  - (b) a reserve within the meaning of Part 5 of the *Crown Lands Act 1989* for which there is a reserve trust or of which a local government authority has the care, control and management,
  - (c) a common within the meaning of the *Commons Management Act 1989* having an area of more than 5,000 square metres,
  - (d) a stock watering place within the meaning of the *Rural Lands Protection Act 1998* having an area of more than 5,000 square metres,
  - (e) land authorised to be used or occupied under a licence under Part 4 of the *Crown Lands Act 1989*.
- (2) For the purposes of paragraph (a) of the definition of *occupier* in section 18DA (2) of the Act, a homestead selection referred to in subclause (1) (a) (iii) is a prescribed tenure.
- (3) The fees to be lodged with applications under section 18DA of the Act for consent to cultivate land are specified in Schedule 1.

### 28 Circumstances in which consent to cultivation is not required: section 18DA

- (1) Consent to the cultivation of land is not required to be obtained under section 18DA of the Act in any of the circumstances specified in Schedule 4.
- (2) An exemption from the requirement for consent to cultivation does not authorise:
  - (a) cultivation in contravention of conditions applying to a Western Lands lease under the Act, or
  - (b) cultivation that is contrary to any direction given by the Commissioner, or

Clause 28 Western Lands Regulation 2004

Part 4 Consents to cultivation

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- (c) cultivation on a sand dune or sandhill, except in the circumstances referred to in clause 3 of Schedule 4, or
  - (d) cultivation in a State forest, timber reserve or flora reserve under the *Forestry Act 1916*.
- (3) Cultivation without consent in the circumstances referred to in clause 4 or 5 of Schedule 4 may be carried out only if:
- (a) written notification of the intention to cultivate was given to the nearest office of the Western Division of the Department not less than 2 weeks before the commencement of cultivation, and
  - (b) a written authorisation (which may be subject to conditions) was obtained from the Commissioner before commencement of the cultivation.
- (4) A written notification and written authorisation as specified in subclause (3) are also required if rabbit ripping is to be undertaken without consent in the circumstances referred to in clause 3 of Schedule 4 within 20 metres on the landward side of the bed or bank of a lake, or of an ancient lake.
- (5) Cultivation without consent in the circumstances referred to in clause 6 of Schedule 4 may be carried out only if a written authorisation (which may be subject to conditions) was obtained from the Commissioner before commencement of the cultivation.
- (6) Despite the exemptions in this clause, the Commissioner may, if the Commissioner considers it appropriate, require an application for consent under section 18DA of the Act in respect of any cultivation to which that section applies.
- (7) In subclause (4), ***ancient lake*** means land that formerly constituted a lake and that is distinguishable from its surrounding land by such features as its soil and vegetation and by a reasonably defined shore.

Western Lands Regulation 2004

Clause 29

General

Part 5

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## Part 5      General

### 29    Fencing, enclosure of roads

- (1) An application for:
  - (a) permission to erect a “give-and-take” fence, or
  - (b) exemption from fencing any boundary, or
  - (c) extension of time to complete fencing, or
  - (d) suspension of the condition of fencing or improvement, or
  - (e) permission to enclose a road,is to be made to the Commissioner in the approved form accompanied by the approved fee.
- (2) The Commissioner is to give notice of the time and place appointed for consideration of an application to the holder of any land that appears to be directly affected by it.

### 30    Surrenders: section 33A

- (1) A surrender under section 33A of the Act of any land the subject of a Western Lands lease is to be lodged with the Commissioner in the approved form endorsed (if any land to be surrendered is mortgaged) with the consent of the mortgagee.
- (2) Unless the surrender is made at the instance or for the benefit of the Crown, the approved deposit towards the cost of dealing with the surrender must accompany the instrument of surrender.
- (3) The Minister may continue to take any action under section 33A of the Act (including in relation to the transfer of Crown land in exchange for freehold land) that had been begun before the amendment of that section by the *Western Lands Amendment Act 2002*, and section 33A, as in force immediately before that amendment, continues to have effect in relation to anything arising from that action as if that section had not been so amended.

### 31    Waiver or refund of fees, costs, deposits or interest

The Minister may waive or refund the whole or any part of any fee, cost, deposit or interest paid or payable under the Act or this Regulation.

Clause 32      Western Lands Regulation 2004

Part 5          General

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### **32 Repeal**

- (1) The *Western Lands Regulation 1997* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Western Lands Regulation 1997*, had effect under that Regulation continues to have effect under this Regulation.

Western Lands Regulation 2004

Fees

Schedule 1

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## Schedule 1 Fees

(Clauses 12, 24 and 27)

1	Application under section 18E or 28B of the Act for extension of the term of a Western Lands lease (clause 12)	\$186
	And, in addition, for each Western Lands lease in the application after the first lease	\$21
2	Application under section 18G (1) of the Act for the consent of the Minister to transfer (clause 24)	\$186
	And, in addition, where consideration of the application involves an inspection of the land	\$265
3	Application under section 18DA of the Act for consent to cultivate land (clause 27)	\$529

## Western Lands Regulation 2004

## Schedule 2 Amounts represented by "k"

**Schedule 2 Amounts represented by "k"**

(Clause 17)

<b>Symbol</b>	<b>Land to which symbol relates</b>	<b>\$ Amount</b>
k <sub>1</sub>	each hectare of the first 1,000 hectares of a rural holding	0.30
k <sub>2</sub>	each hectare of the second to fifth 1,000 hectares (inclusive) of a rural holding	0.05
k <sub>3</sub>	each hectare of the sixth to tenth 1,000 hectares (inclusive) of a rural holding	0.03
k <sub>4</sub>	each hectare of the eleventh to twentieth 1,000 hectares (inclusive) of a rural holding	0.015
k <sub>5</sub>	each hectare of the twenty-first to thirtieth 1,000 hectares (inclusive) of a rural holding	0.008
k <sub>6</sub>	each hectare of the thirty-first to fiftieth 1,000 hectares (inclusive) of a rural holding	0.003
k <sub>7</sub>	each hectare in a rural holding after the fifty-thousandth	0.001
k <sub>8</sub>	each hectare of land in a rural holding on which cultivation is permitted under the Act for a limited period of time pursuant to a consent under section 18DA of the Act	0.30
k <sub>9</sub>	each hectare of land in a rural holding on which cultivation is permitted under the Act indefinitely	0.40
k <sub>10</sub>	each hectare in a rural holding which, in the opinion of the Commissioner, is being used for or in connection with intensive agriculture	2.30
k <sub>11</sub>	each hectare in a rural holding on which, in the opinion of the Commissioner, managed rehabilitation is being carried out on a temporary basis	0.30
k <sub>12</sub>	each hectare in a rural holding on which, in the opinion of the Commissioner, managed rehabilitation is being carried out on a permanent basis	0.40

Western Lands Regulation 2004

Survey fees

Schedule 3

**Schedule 3 Survey fees**

(Clause 23)

**Area in square metres**

2,000 or less	\$434
exceeding 2,000 but not exceeding 4,000	\$492
exceeding 4,000 but less than 10,000	\$578

**Area in hectares**

1 or more but not exceeding 5	\$810
exceeding 5 but not exceeding 10	\$984
exceeding 10 but not exceeding 25	\$1,158
exceeding 25 but not exceeding 50	\$1,444
exceeding 50 but not exceeding 75	\$1,734
exceeding 75 but not exceeding 100	\$1,906
exceeding 100 but not exceeding 150	\$2,196
exceeding 150 but not exceeding 200	\$2,488
exceeding 200 but not exceeding 300	\$2,890
exceeding 300 but not exceeding 400	\$3,295
exceeding 400 but not exceeding 500	\$3,643
exceeding 500 but not exceeding 600	\$3,987
exceeding 600 but not exceeding 800	\$4,392
exceeding 800 but not exceeding 1,000	\$4,915
exceeding 1,000 but not exceeding 1,200	\$5,375

## Western Lands Regulation 2004

## Schedule 3 Survey fees

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exceeding 1,200 but not exceeding 1,500	\$5,779
exceeding 1,500 but not exceeding 2,000	\$6,646
exceeding 2,000 but not exceeding 8,000	\$6,646 plus \$289 for every 500 hectares (or part of 500 hectares) in excess of 2,000
exceeding 8,000	\$10,113 plus \$289 for every 1,000 hectares (or part of 1,000 hectares) in excess of 8,000



Western Lands Regulation 2004

Circumstances in which consent to cultivation is not required

Schedule 4

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## **Schedule 4 Circumstances in which consent to cultivation is not required**

(Clause 28)

- 1 If the land is held under a Western Lands lease, or under a licence or other tenure, granted or issued for the purpose of agriculture, grazing and agriculture combined or mixed farming, or for any similar purpose.
- 2 If the cultivation is in connection with rehabilitation works undertaken by or under the direct guidance of the Department.
- 3 If the cultivation is in connection with rabbit ripping undertaken as part of a planned rabbit control program.
- 4 If the cultivation is to be carried out on a once only basis to control noxious plants on land that is not:
  - (a) within 20 metres of the bank of a stream or watercourse, or
  - (b) on a sand dune or a sandhill, or
  - (c) within 20 metres of the edge of the carriageway of the constructed portion of a road under the control of the Roads and Traffic Authority or a local government authority.
- 5 If the cultivation is to be carried out on a once only basis to allow the introduction of native or introduced pasture.
- 6 If the cultivation is to be carried out on research, experimental or demonstration plots (not exceeding a total area of 10 hectares) that have been established as part of a program conducted by officers of the Department or by officers of the Department of Agriculture, the Commonwealth Scientific and Industrial Research Organisation or any other organisation approved by the Commissioner.
- 7 If the cultivation is being carried out to provide a firebreak not more than 30 metres wide (or 100 metres where mallee species predominate on adjacent land) and is not within one kilometre of any other land held by the lessee, licensee or occupier which has been cultivated for a firebreak.
- 8 If the land is not more than 30 metres wide and is being cultivated in direct connection with the formation of a road, the construction

Western Lands Regulation 2004

Circumstances in which consent to cultivation is not required

Schedule 4

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of tank drains for water diversion or the maintenance of the perimeters of an airstrip.

- 9** If the cultivation is to be of an area of 5,000 square metres or less, failure to cultivate would impede the authorised use of the land and the cultivation is being undertaken by or at the direction of a reserve trust, commons trust, rural lands protection board or local government authority with direct responsibility for the care, control and management of the land.

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## Rules

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### LEGAL PROFESSION ACT 1987

#### LEGAL PRACTITIONERS ADMISSION RULES 1994

**By decision of the Legal Practitioners Admission Board the following amendments are made to the Legal Practitioners Admission Rules 1994.**

Rule 28 is amended by re-numbering the sub-rules consecutively “1”, “2” and “3”.

Rule 39(1) is amended by deleting “Registrar” and inserting “Executive Director” in lieu.

Rule 41 is amended to read:

- 41 (1) The Board may proceed to determine the application without the attendance of any person unless the applicant or the Bar Association or the Law Society desires an oral hearing.
- (2) If one or more of the Board, the Bar Association, the Law Society or the applicant desires an oral hearing of the application, the Board shall proceed in accordance with Part 10 of these Rules.

Rule 45A is amended by adding the following sub-rules:

- (2) The Board shall, not later than 30 September of the year in which notification was given under subrule (1), notify the institution:
  - (a) in the case of an alteration, that the alteration has been approved or has not been approved, and in the latter case that the course may be removed from the Fourth Schedule; and
  - (b) in the case of a proposed alteration, that the alteration has been approved or has not been approved.
- (3) The Board may remove a course from the Fourth Schedule if an alteration to the curriculum is not approved or is not amended to the satisfaction of the Board.

Rule 97(4) is amended to read:

- 97 (4) The Academic Exemptions Sub-Committee may exempt a person who falls within category (b) of sub-rule (2) from undertaking:
  - (a) any examination referred to in rule 53(b)(ba) if it is satisfied that the person has covered the substance of the subject matter of that examination in his or her earlier studies; and
  - (b) any examination referred to in rule 53(b)(bb) if it is satisfied that the person has completed a subject of equivalent educational standing in his or her earlier studies and that subject is not recognized under rule 97(4)(a).



New South Wales

## Supreme Court Rules (Amendment No 390) 2004

under the

Supreme Court Act 1970

The Supreme Court Rule Committee made the following rules of court under the *Supreme Court Act 1970* on 17 May 2004.

Steven Jupp

Secretary of the Rule Committee

### Explanatory note

Part 66, Rule 1A, of the *Supreme Court Rules* prevents a subpoena from being issued on the request of an unrepresented litigant except with the leave of the Supreme Court. The object of these Rules is to enable a registrar of the Supreme Court to exercise the Supreme Court's power to grant such leave. These Rules also ensure that certain expressions that are defined in Part 37 (Subpoenas) have the same meanings outside that Part as they have within that Part.

Rule 1 Supreme Court Rules (Amendment No 390) 2004

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## **Supreme Court Rules (Amendment No 390) 2004**

under the

Supreme Court Act 1970

### **1 Name of Rules**

These Rules are the *Supreme Court Rules (Amendment No 390) 2004*.

### **2 Amendment of Supreme Court Rules 1970**

The *Supreme Court Rules 1970* are amended as set out in Schedule 1.

Supreme Court Rules (Amendment No 390) 2004

Amendments

Schedule 1

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## Schedule 1 Amendments

(Rule 2)

### [1] Part 36, rule 13BA

Insert after rule 13BA (4):

- (5) In this rule, *issuing party* has the same meaning as it has in Part 37.

### [2] Part 66, rule 1A

Insert after rule 1A (2):

- (3) In this rule, *issuing officer* and *issuing party* have the same meanings as they have in Part 37.

### [3] Schedule E Powers of registrars

Insert in columns 1 and 2 of Schedule E in appropriate order in the matter relating to Part 66:

Rule 1A

Giving leave to issue subpoena to unrepresented litigant



# Supreme Court Rules (Amendment No 391) 2004

under the

Supreme Court Act 1970

The Supreme Court Rule Committee made the following rules of court under the *Supreme Court Act 1970* on 17 May 2004.

Steven Jupp

Secretary of the Rule Committee

## Explanatory note

The *Disorderly Houses Amendment (Commercial Supply of Prohibited Drugs) Act 2002* changed the name of the *Disorderly Houses Act 1943* to the *Restricted Premises Act 1943*, and made other changes to that Act. The object of these Rules is to update the Supreme Court Rules to reflect these changes.

Rule 1 Supreme Court Rules (Amendment No 391) 2004

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## **Supreme Court Rules (Amendment No 391) 2004**

under the

Supreme Court Act 1970

### **1 Name of Rules**

These Rules are the *Supreme Court Rules (Amendment No 391) 2004*.

### **2 Amendment of Supreme Court Rules 1970**

The *Supreme Court Rules 1970* are amended as set out in Schedule 1.



Supreme Court Rules (Amendment No 391) 2004

Amendments

Schedule 1

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## Schedule 1 Amendments

(Rule 2)

### [1] Part 77, Division 28

Omit “*Disorderly Houses Act 1943*” from the heading to the Division.

Insert instead “*Restricted Premises Act 1943*”.

### [2] Part 77, rule 89

Omit “*Disorderly Houses Act 1943*”.

Insert instead “*Restricted Premises Act 1943*”.

### [3] Part 77, rule 91

Omit the rule. Insert instead:

#### 91 Forms

- (1) A minute of order under section 3 (1) of the subject Act may be in Form 89H.
- (2) A minute of order under section 4 (1) or 14 (3) of the subject Act may be in Form 89I.
- (3) A notice under section 5 (1) of the subject Act may be in Form 89J or 89K, as appropriate.

### [4] Schedule F

Omit “*Disorderly Houses Act 1943*” wherever occurring from Form 89H.

Insert instead “*Restricted Premises Act 1943*”.

### [5] Schedule F, Form 89H

Omit “a disorderly house”.

Insert instead “premises to which Part 2 (Disorderly houses) of that Act applies”.

### [6] Schedule F, Form 89I

Omit “*Disorderly Houses Act 1943*” wherever occurring.

Insert instead “*Restricted Premises Act 1943*”.

## Supreme Court Rules (Amendment No 391) 2004

## Schedule 1 Amendments

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**[7] Schedule F, Form 89J**

Omit “*Disorderly Houses Act 1943*”.

Insert instead “*Restricted Premises Act 1943*”.

**[8] Schedule F, Form 89J**

Omit “a disorderly house”.

Insert instead “premises to which Part 2 (Disorderly houses) of that Act applies”.

**[9] Schedule F, Form 89K**

Omit “*Disorderly Houses Act 1943*” wherever occurring.

Insert instead “*Restricted Premises Act 1943*”.

**[10] Schedule F, Form 89K**

Omit “a disorderly house”.

Insert instead “premises to which Part 2 (Disorderly houses) of that Act applies”.

**[11] Schedule F, Index of Forms**

Omit the matter relating to Forms 89H–89K. Insert instead:

89H Order under s 3 (1) of the *Restricted Premises Act 1943* (P 77, r 91)

89I Order under s 4 (1) or 14 (3) of the *Restricted Premises Act 1943* (P 77, r 91)

89J Notice of declaration under s 5 (1) of the *Restricted Premises Act 1943*  
(P 77, r 91)

89K Notice of rescission under s 5 (1) of the *Restricted Premises Act 1943* (P 77,  
r 91)



# Supreme Court (Corporations) Amendment (No 4) Rules 2004

under the

Supreme Court Act 1970

The Supreme Court Rule Committee made the following rules of court under the *Supreme Court Act 1970* on 17 May 2004.

Steven Jupp

Secretary of the Rule Committee

## Explanatory note

The object of these Rules is to amend the *Supreme Court (Corporations) Rules 1999* to correct amendments previously made to rules 5.6 and 5.10 so as to make those provisions uniform with the rules of court of the Federal Court and the Supreme Courts of the other States and Territories.

Rule 1 Supreme Court (Corporations) Amendment (No 4) Rules 2004

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## **Supreme Court (Corporations) Amendment (No 4) Rules 2004**

under the

Supreme Court Act 1970

### **1 Name of Rules**

These Rules are the *Supreme Court (Corporations) Amendment (No 4) Rules 2004*.

### **2 Amendment of Supreme Court (Corporations) Rules 1999**

The *Supreme Court (Corporations) Rules 1999* are amended as set out in Schedule 1.

Supreme Court (Corporations) Amendment (No 4) Rules 2004

Amendments

Schedule 1

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## Schedule 1 Amendments

(Rule 2)

### [1] Rule 5.6

Omit rule 5.6 (2) (b). Insert instead:

- (b) published in accordance with rule 2.11:
  - (i) at least 3 days after the originating process is served on the company, and
  - (ii) at least 7 days before the date fixed for hearing of the application.

### [2] Rule 5.10

Omit rule 5.10 (2) (b). Insert instead:

- (b) published:
  - (i) in accordance with rule 2.11 at least 7 days before the date fixed for the hearing of the application, or
  - (ii) as otherwise directed by the Court.

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**OFFICIAL NOTICES**

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**Appointments**

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**MINES INSPECTION ACT 1901**

Appointment of Acting Inspector

MARIE BASHIR, Governor

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council and pursuant to the provisions of section 32 (1) of the Mines Inspection Act 1901, have extend the appointment of Robert Alan JAY as an Acting Inspector of Mines for a period commencing on 1 May 2004 through to 1 August 2004.

Signed and sealed at Sydney, this 12th day of May 2004.

By Her Excellency's Command

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

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# NSW Agriculture

## PLANT DISEASES ACT 1924

Section 28B (c)

### PROCLAMATION P151

Proclamation to declare Currant-lettuce aphid to be a pest for the purposes of the Plant Diseases Act 1924.

Her Excellency Professor MARIE BASHIR AC,  
Governor

I, Professor MARIE BASHIR AC, Governor of the State of New South Wales with the advice of the Executive Council, declare:

1. in pursuance of section 28B(c) of the Plant Diseases Act 1924, Currant-lettuce aphid [*Nasonovia ribisnigri* (Mosley)] to be a pest for the purposes of the Act; and
2. in pursuance of section 10 (2) of the Plant Diseases Act 1924, that section 10 of the Plant Diseases Act 1924 applies in respect of the pest Currant-lettuce aphid [*Nasonovia ribisnigri* (Mosley)].

Notes:

Section 10 (1) of the Plant Diseases Act 1924 requires occupiers of land in which any pest (in respect of which section 10 applies) to give written notice, within 24 hours after first discovering or becoming aware of the pest's appearance to an inspector or to the Director-General of the NSW Department of Agriculture.

For further information, contact the NSW Department of Agriculture on (02) 63913576. P151 is the Department's reference.

Signed and sealed at Sydney this 26th day of May 2004.

By Her Excellency's Command,

IAN MACDONALD, M.L.C.,  
Minister for Primary Industries  
GOD SAVE THE QUEEN!

## PLANT DISEASES ACT 1924

Section 4 (1)

### PROCLAMATION P152

Proclamation to regulate the importation, introduction and bringing of host plants and other things into New South Wales on account of the pest Currant-lettuce aphid.

Her Excellency Professor MARIE BASHIR AC,  
Governor

I, Professor MARIE BASHIR AC, Governor of the State of New South Wales with the advice of the Executive Council, and pursuant to section 4 (1) of the Plant Diseases Act 1924, being of the opinion that the movement of host plant and other things is likely to introduce the pest Currant-lettuce aphid [*Nasonovia ribisnigri* (Mosley)], regulate the importation, introduction or bringing into New South Wales of host plants and other things specified in the Schedule from Tasmania and from any other State or Territory where the pest is or has been present.

1. In this Proclamation –

**Host plant** means any plant or plant material (including fruit) specified in the Schedule 1.

**Other things** means any things specified in Schedule 2.

**Plant Health Assurance Certificate** means a certificate

- issued by a person authorised by the Department of Agriculture to issue Plant Health Assurance Certificates, and
- which certifies that the host plant or other things has been treated in a manner approved by the Chief, Division of Plant Industries of the New South Wales Department of Agriculture, and
- which specifies any conditions subject to which the host plant or other things must be transported or stored.

**Plant Health Certificate** means a certificate

- issued by an inspector or a person authorised pursuant to Section 11(3), and
- which certifies that the host plant or other things has been treated in a manner approved by the Chief, Division of Plant Industries of the New South Wales Department of Agriculture, and
- which specifies any conditions subject to which the host plant or other things must be transported or stored.

2. No thing of any nature or kind whatsoever may be brought into New South Wales if there is on or in the thing any live Currant-lettuce aphid.

3. Host plant or other things must not be brought into the New South Wales from any State or Territory where the pest is or has been present Territory unless:

- a Plant Health Certificate or a Plant Health Assurance Certificate has been issued in respect of the host plant or other things, and
- the host plant or other things are transported and stored in accordance with any conditions relating to such matters which are stated in the Plant Health Certificate or the Plant Health Assurance Certificate, and
- the Plant Health Certificate or the Plant Health Assurance Certificate is in the possession of the driver of the vehicle transporting the host plant or other things or the person otherwise having custody or control of the host plant or other things while it is in New South Wales, and
- the Plant Health Certificate or the Plant Health Assurance Certificate is produced on demand to an inspector or a person authorised pursuant to Section 11 (3).

### SCHEDULE 1

#### Host plants

*Asteraceae* (Hairy)

*Cichorium* spp. Including *Cichorium endivia* (endive),  
*Cichorium intybus* (chicory).

*Crepis capillaris* (hawkbeard)  
*Cynara scolymus* (globe artichoke)  
*Hieracium* spp. (hawkweed)  
*Lactuca* spp. (lettuce)  
*Lapsana* spp. (nipplewort)  
*Nicotiana* spp.  
*Petunia* spp.  
*Ribes* spp. including *Ribes alpinum*, *Ribes aureum*  
(white currant), *Ribes uva-crispa* (gooseberry),  
*Ribes nigrum* (black currant), *Ribes rubrum* (red  
currant).  
*Scrophularia* spp. (figwort)  
*Sonchus* spp. (sow thistle)

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SCHEDULE 2

Other things

Any bin, package or bag that has previously contained  
host plants

Any machinery that has been used for the cultivation,  
planting, spraying or harvesting of host plants

Note: For further information, contact the NSW Department  
of Agriculture on (02) 63913593. P152 is the  
Department's reference.

Signed and sealed at Sydney this 26th day of May 2004.

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!



## NSW Fisheries

### FISHERIES MANAGEMENT ACT 1994

#### Notice of Receipt of Application for Aquaculture Lease

Notification under section 163 (7) of the Fisheries Management Act 1994, and clause 33 of the Fisheries Management (Aquaculture) Regulation 2002

AN application has been received for an aquaculture (oyster) lease for the purposes of cultivating Sydney rock oysters, in the Manning River, for an area to be known as AL03/038 (if granted) of approximately 0.309 ha over former oyster lease OL91/028. Application by Brad and Karen Crofts of Walcha, NSW. If granted the lease will be subject to standard covenants and conditions of an aquaculture lease as provided under the above Act. NSW Fisheries is:

- calling for written submissions from any person supporting or objecting to the lease proposal, citing reasons for the support/objecting.
- calling for expressions of interest from persons or corporations interested in leasing the area. An expression of interest must be in the form of a written response referring to lease number AL03/038, signed and dated with a return address.

Specific details can be obtained, or enquiries made with NSW Fisheries, Aquaculture Administration Section on (02) 4982 1232. Objections or expressions of interest for consideration in the determination of the application must be received at the address below, within 40 days from the date of publication of this notification.

Executive Director, Aquaculture and Sustainable Fisheries, NSW Fisheries, Aquaculture Administration Section, Port Stephens Fisheries Centre, Private Bag 1, NELSON BAY, NSW, 2315.

If additional expressions of interest are received, NSW Fisheries may offer the area for leasing through a competitive public tender process.

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:

OL87/115 within the estuary of Brisbane Waters having an area of 0.7258 hectares to Clift Oysters Pty Ltd of Tuncurry, NSW, for a term of 15 years expiring on 24 August 2018.

OL57/281 within the estuary of the Hawkesbury River, having an area of 0.9141 hectares to Gary Binskin and Belinda Binskin of Mt Colah, NSW, for a term of 15 years expiring on 12 November 2018.

OL58/019 within the estuary of the Shoalhaven River, having an area of 0.6298 hectares to Peter James Zealand of Shoalhaven Heads, NSW, for a term of 15 years expiring on 3 March 2019.

OL58/305 within the estuary of the Manning River, having an area of 0.2441 hectares to Shoesmith Oysters Pty Ltd of Mitchells Island, NSW, for a term of 15 years expiring on 8 September 2019.

OL73/376 within the estuary of the Pambula River, having an area of 1.8396 hectares to Bruce and Mary Whatman of Pambula, NSW, for a term of 15 years expiring on 8 March 2019.

OL88/007, OL88/011 and OL88/017 within the estuary of the Clyde River, having an area of 0.8894 hectares, 0.9866 hectares and 2.7546 hectares respectively to Bentick Oysters Pty Ltd of Batemans Bay, NSW, for a term of 15 years expiring on 25 August 2018.

OL74/063 within the estuary of Wallis Lake, having an area of 2.9848 hectares to Graham James Moore Barclay of Forster, NSW, for a term of 15 years expiring on 6 November 2019.

OL73/337 within the estuary of the Wagonga Inlet, having an area of 1.0110 hectares to Julie Phelps of Narooma, NSW, for a term of 15 years expiring on 31 December 2018.

OL58/088 within the estuary of the Shoalhaven River, having an area of 0.4669 hectares to James Wild of Greenwell Point, NSW, for a term of 15 years expiring on 23 December 2018.

OL75/043 within the estuary of the Hawkesbury River, having an area of 1.0118 hectares to Sharon and John Stubbs of Berowra Heights, NSW, for a term of 15 years expiring on 07 February 2020.

OL74/081 within the estuary of Wapengo Lake, having an area of 2.7010 hectares to Robert & Faye Simpson of Wapengo, NSW, for a term of 15 years expiring on 3 December 2018.

STEVE DUNN,  
Director-General, NSW Fisheries

# Department of Infrastructure, Planning and Natural Resources

## Natural Resources

### WATER MANAGEMENT ACT 2000

As Defined in Section 310 (1) (G)

Upper Parramatta River Catchment Trust

River Management Service Charges

THE Upper Parramatta River Catchment Trust, in pursuance of Section 315 of the Water Management Act 2000, and in accordance with the Water Supply Authorities (Upper Parramatta River Catchment Trust) Regulation 2000, do hereby make the following determination in respect of the Trust's charging year commencing 1 July 2004.

- A. It proposes to raise an amount of \$2,561,500 by way of river management service charges levied on land within its area of operations.
- B. It classifies land for the purposes of levying service charges according to the same factors on which current classifications of each parcel of land are made by, and appear in records of, the Sydney Water Corporation.
- C. It levies river management service charges on the basis of a flat rate for all land of a particular classification except that, in respect of industrial and commercial land larger than 1.000 hectare in area, the river management service charges relate to the area of the land.
- D. It levies service charges at rates set out in the following schedule:
  1. Industrial and Commercial Land; being all parcels of land with an industrial, commercial or residential/commercial mixed development superior property type classification in records held by Sydney Water:  
The amount in respect of any such land shall be \$78.10 provided that in respect of any land:
    - (a) used as the site of two or more strata units, the amount shall be \$39.05 in respect of each strata unit;
    - (b) between 1.000 hectares and 10.000 hectares in area, the amount shall be \$391.86;
    - (c) between 10.001 hectares and 50.000 hectares in area, the amount shall be \$2,350.63;
    - (d) between 50.001 hectares and 100.000 hectares in area, the amount shall be \$5,397.75;
    - (e) over 100.000 hectares in area, the amount shall be \$7,834.69.
  2. Residential Land; being all parcels of land with the residential superior property type classification in records held by the Sydney Water Corporation:  
The amount in respect of any such land shall be \$31.47 provided that in respect of any land used as the site of two or more strata units or flats, the amount shall be \$15.74 in respect of each strata unit or flat.
  3. Vacant Land; being all parcels of land with a vacant land or occupied land superior property type classification in records held by Sydney Water:  
The amount in respect of any such land shall be \$15.74.

PLEASE NOTE that river management service charges will not apply to any land described in Schedule 4 to the Water Management Act 2000.

Dated at Parramatta on this 12th day of March 2004.

The Seal of the Upper Parramatta River Catchment Trust was affixed on the above date pursuant to a resolution of the Trust in the presence of 2 Members whose signatures are opposite hereto.	)	R. JUNOR Member
	)	A. TENNIE Member

### WATER ACT 1912

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

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

#### *Murray River Valley*

Austin John and Graham Austin GREENHALGH for two pumps on the Tooma River on Lots 2/863042 and 79/755865, Parish of Greg Greg, County of Selwyn for irrigation purposes. (Replacement licence only due to amalgamation of two licences and a permanent transfer of water – no increase in overall resource commitment). (GA2:469512) (Ref:50SL75627).

Any enquiries regarding the above should be directed to the undersigned (telephone (02) 6041 6777).

Written objections to the application specifying the grounds thereof, may be made by any statutory authority or local occupier within the proclaimed area whose interests may be affected, and must be lodged with the Department's office at Albury by no later than the 25th June 2004.

C. PURTLE,  
Natural Resource Officer,  
Murray-Murrumbidgee Region  
Tel.: (02) 6041 6777

Department of Infrastructure, Planning  
and Natural Resources.  
PO Box 829, ALBURY NSW 2640.

### WATER ACT 1912

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

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

#### *Murray River Valley*

Jean Mary WHITE for a pump on the Jingera Jingera Lagoon on Lot 2/1064742, Parish of Bungowannah, County of Hume for stock and domestic purposes. (GA2:469513) (Ref:50SL75630).

Any enquiries regarding the above should be directed to the undersigned (telephone (02) 6041 6777).

Written objections to the application specifying the grounds thereof, may be made by any statutory authority or local occupier within the proclaimed area whose interests may be affected, and must be lodged with the Department's office at Albury by no later than the 25th June 2004.

C. PURTLE,  
Natural Resource Officer,  
Murray-Murrumbidgee Region  
Tel.: (02) 6041 6777

Department of Infrastructure, Planning  
and Natural Resources.  
PO Box 829, ALBURY NSW 2640.

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

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

J. M. LANDER,  
Acting Senior Natural Resource Officer,  
Murray Region

Department of Infrastructure, Planning and  
Natural Resources  
PO Box 205, DENILIQUN NSW 2710

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### WATER ACT 1912

AN APPLICATION under Part 2 of the Water Act 1912, being within a Proclaimed (declared) Local Area under section 5 (4) of the Act.

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

*Murray River Valley*

Robert Neil SMITH and Pauline Ruth SMITH for 1 pump on Gol Gol North Creek, Crown Reserve Fronting Portion 175, Parish of Gol Gol, County of Wentworth, for a water supply for domestic purposes and irrigation of 190 hectares (replacement licence – due to permanent transfer of water entitlement – no additional pumping works – no increase in commitment to Murray River storages) (Ref: 60SL085486) (GA2:512610).

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

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

Department of Infrastructure, Planning and  
Natural Resources  
PO Box 363 (32 Enterprise Way), BURONGA NSW 2739  
Tel.: (03) 5021 9400

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### WATER ACT 1912

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

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

*Murray River Valley*

Scott John Charles and Kerrie-Anne BUCKINGHAM for a pump on Wakool River on Lot 28, DP 756525, Parish of Cobwell, County of Wakool for irrigation (replacement licence due to permanent transfer) (GA2: 484704) (Ref: 50SL75628).

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### WATER ACT 1912

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

Application for an Authority under section 20 of Part 2 of the Water Act 1912 has been received as follows:

*Murray River Valley*

POON BOON WATER TRUST for a pump on Lot 10, DP 756518, Parish of Bungunyah, County of Wakool for water supply for stock and domestic purposes (new authority). (GA2: 484705) (Ref: 50SA6633).

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

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

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

Department of Infrastructure, Planning and  
Natural Resources  
PO Box 205, DENILIQUN NSW 2710

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### WATER ACT 1912

AN APPLICATION for a licence under section 10 of the Water Act 1912, as amended, has been received from:

Ross Clinton WILLIAMS and Susan Janelle WILLIAMS for a pump on Bunnoo River and a pump on an unnamed watercourse Lot 1, DP 1038187, Parish Walibree, County Macquarie for irrigation of 16.5 hectares (80 megalitres – Bunnoo River, 20 megalitres – unnamed watercourse, total 100 megalitres) (application to replace the application lodged by Brian William STENNETT and Joanne Margaret STENNETT as advertised in the Hastings Gazette on 28 February 2002 and is for a licence to partly replace an existing licence – no increase in authorised area or allocation) (Our Ref: GRA6322119-1) (GA2:- 476083).

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 28 days of the date of this publication as prescribed by the Act.

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:

NORTHERN CO-OPERATIVE MEAT COMPANY LIMITED for two pumps on Richmond River Lot 2, DP 618548, Parish Kyogle, County Rous and Lot 2, DP 739747, Parish North Casino, County Rous for water supply for industrial (meat processing) purposes (282 megalitres) (replacement application – additional work, increase in authorised allocation by way of permanent transfer) (Our Ref:- GRA6322125-1) (GA2:476084).

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 28 days of the date of this publication as prescribed by the Act.

G. LOLLBACK,  
Resource Access Manager  
North Coast Region  
GRAFTON

### WATER ACT 1912

AN APPLICATION for an Authority for a Joint Water Supply Scheme under section 20 of the Water Act 1912, as amended, has been received from:

Frederick Allan WOOD and Yvonne May WOOD and Robyn Denise WOOD and Stephen Allen WOOD for a pump on Warrell Creek Lot 2, DP 708320 and Lot 270, DP 704817, Parish Congarinni, County Raleigh for water supply for stock and domestic purposes and irrigation of 10 hectares (39 megalitres) (replacement of existing licence to form a Joint Water Supply Authority – no increase in authorised area or allocation) (Our Ref: GRA6322400-1) (GA2:- 476082).

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 28 days of the date of this publication as prescribed by the Act.

G. LOLLBACK,  
Resource Access Manager  
North Coast Region  
GRAFTON

### WATER ACT 1912

APPLICATIONS under Part 2 within a Proclaimed (declared) Local Area under section 5 (4) of the Water Act 1912.

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

*Murrumbidgee Valley*

Francis William and Rhonda Betty CRIGHTON for a pump on the Murrumbidgee River on Lot 1, DP 772314, Parish of Hay, County of Waradgery for a water supply for stock and domestic purposes and irrigation of 80.5 hectares (pasture and cereals). Replacement licence due to permanent transfer of 330 megalitres of water allocation. (Reference: 40SL70964).

Any enquiries 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 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 20 for works within a Proclaimed (declared) local area as generally described hereunder have been received from:

*Murrumbidgee Valley*

GANERA PTY LIMITED for 3 pumps and an off river storage on the Murrumbidgee River on Lot 36, DP 756775, one pump on the Murrumbidgee River on part Lot 50, DP 756775, 1 pump on Uara Creek, Lot 14, DP 756775 and a diversion channel on Uara Creek Lot 13, DP 756775, all Parish of Nerang, County of Waradgery for a water supply for stock and domestic purposes and irrigation of 867.67 hectares (pasture and cereals). Application to replace existing entitlements and the permanent water transfer of 842 megalitres. Reference: 40SA5618.

Any enquiries 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 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 an authority under section 20 for works within a Proclaimed (declared) local area as generally described hereunder have been received from:

*Murrumbidgee Valley*

Mary Anne WEAVER and Mite and Kris JOVANOVSKI for a pump on the Murrumbidgee River, Lot 2, DP 1059030, Parish of Woolumla, County of Beresford for irrigation of 15 hectares (lucerne, vegetables and improved pastures). Replacement authority – no increase in allocation. Reference 40SA5617

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 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*

David Angus POWER for two pumps on the Murrumbidgee River Lot 12, DP 875246, Parish of Jugiong, County of Harden and Lot 9, DP 1000247, Parish of Bundarbo, County of Buccleuch for irrigation of 33.66 hectares. Replacement licence due to increase in allocation by way of permanent water transfer of 158 megalitres. reference: 40SL70966.

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 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*

UPPER WANTAGONG STATION PTY LIMITED for pump on Yanco Creek Lot 40, DP 756412, Parish of Crommelin, County of Urana for a water supply for stock purposes and irrigation of 217 hectares. Replacement licence due to increase in allocation by way of permanent water transfer of 330 megalitres. Reference: 40SL70968.

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 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.

An application for a licence under section 10 for works within a Proclaimed (declared) local area as generally described hereunder has been received from:

*Murrumbidgee Valley*

VISY PULP AND PAPER PTY LIMITED for a pump on the Tumut River on Lot 5, DP 1006252, Parish of Tumut, a bywash dam on an unnamed watercourse Lot 42, DP 757228, Parish of Cadara, a bywash dam on Sandy Creek Lot 5, DP 757228 and a block dam and a diversion channel on Sandy Creek Lot 57, DP 757228, Parish of Cadara, all County of Wynyard for a water supply for industrial purposes. Replacement licence due to permanent transfer of 219 megalitres of water allocation only. (Reference: 40SL70971).

TORONGA STATION PTY LIMITED for 3 pumps on the Murrumbidgee River on land adjacent to Lot 3, DP 737066 Parish of West Waradgery, County of Waradgery for a water supply for domestic purposes and irrigation of 526.5 hectares (pasture and cereals). Replacement licence due to permanent transfer of 915 megalitres of water allocation. (Reference: 40SL70969).

REDSANDS PTY LIMITED for two pumps on the Murrumbidgee River on Lot 85, DP 757224, Parish of Cunningdroo and Lot 16, DP 757232, Parish of Gumly Gumly, County of Wynyard for irrigation of 347.17 hectares (pasture, cereals, horticulture). Replacement licence due to permanent transfer of 1084 megalitres of water allocation. (Reference:40SL70970). (GA2:483319)

Any enquiries 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 Infrastructure, Planning and  
Natural Resources  
PO Box 156, LEETON NSW 2705

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### WATER ACT 1912

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

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

*Namoi River Valley*

Anthony Glen HAMBLIN, Glen Leslie HAMBLIN and Lynette Ethel HAMBLIN for a pump and a diversion channel on Maules Creek on Lot 50, DP 754948, Parish of Therribri, County of Nandewar for irrigation of 16.5 hectares. New Licence – permanent transfer of an existing entitlement. L.O. Papers 90SL100765. GA2472276.

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

GEOFF CAMERON,  
Manager Resource Access,

Department of Infrastructure, Planning and  
Natural Resources  
PO Box 550, TAMWORTH NSW 2340

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## Department of Lands

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### DUBBO OFFICE

**142 Brisbane Street (PO Box 865), Dubbo, NSW 2830**

**Phone: (02) 6841 5200      Fax: (02) 6841 5231**

### ERRATUM

IN the *Government Gazette* of 14 May 2004, Folio 2870, under the heading of "Revocation of Reservation of Crown Land – being Reserve No. 93795 for the public purpose of Girl Guides notified 17 October 1980" delete where it states "Lot 60" DP 41119 and insert "Lot 160" DP 41119. File No. DB81R30.

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

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**FAR WEST REGIONAL OFFICE**  
**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  
 Minister for Natural Resources

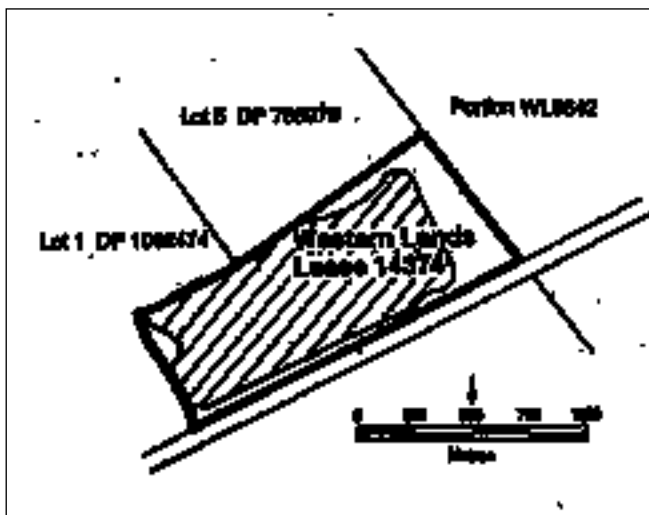
*Administrative District and Shire – Wentworth;  
 Parish – Scott; County – Wentworth*

The purpose of Western Lands Lease No. 14374 being the lands contained within Folio Identifier 2/1062472 have been altered from Grazing to Grazing and Cultivation, effective from 18 May 2004.

The annual rental will remain unaltered as a consequence of the alteration of purpose. Conditions previously annexed to such lease will also remain unaltered except for the addition of those special conditions following.

**SPECIAL CONDITIONS ATTACHED TO WESTERN  
LANDS LEASE 14374**

1. The lessee shall not irrigate outside the area of 40 hectares indicated by hatching on the diagram hereunder.
2. The lessee shall not clear any native vegetation or remove any timber within the area shown on the diagram hereunder unless a separate Clearing Consent has been obtained.



3. The lessee shall ensure that cultivation and associated activities do not interfere with any road formation within the allowable area.

4. Incised drainage lines, other than man made structures, which carry water after storms shall be left uncultivated in the channels and for a distance of 20 metres on either side of the banks of the channels except when the Western Lands Commissioner specifies otherwise.
5. 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.
6. The lessee shall undertake any appropriate measures, at his/her own expense, ordered by the Western Lands Commissioner to rehabilitate any degraded cultivated areas.
7. Aboriginal Sites are protected under the National Parks and Wildlife Act 1974, and are extremely vulnerable to many kinds of agricultural development.

Should any Aboriginal archaeological relics or sites be uncovered during the proposed works, work is to cease immediately. The lessee must consider the requirements of the National Parks and Wildlife Act 1974 with regard to Aboriginal relics. Under Section 90 it is an offence to damage or destroy relics without prior consent of the Director-General of the National Parks and Wildlife Service (NPWS). If a site is discovered the lessee should contact the Manager, Cultural Heritage Unit, National Parks and Wildlife Services on Phone (02) 6883 5324 OR AT 58-62 Wingewarra St, Dubbo.

8. The lessee shall establish windbreaks at his/her own expense, as may be ordered by the Western Lands Commissioner to provide adequate protection of the soil.
9. The lessee shall ensure that stubble and other crop residue is retained on the soil surface and shall not be burnt, except with the approval of the Western Lands Commissioner or his delegate. Where such approval is granted and stubble burning is carried out with the approval as per requirements of the NSW Rural Fire Services.
10. Irrigation water is not to be permanently transferred from the lease without the prior permission of the Western Lands Commissioner.
11. The lessee shall undertake any fuel management and/or provision of fire trail access in accordance with fire mitigation measures to the satisfaction of the NSW Rural Fire Service.



**GOULBURN OFFICE**  
**159 Auburn Street (PO Box 748), Goulburn, NSW 2580**  
**Phone: (02) 4828 6725 Fax: (02) 4828 6730**

**APPOINTMENT OF TRUST BOARD MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder are appointed, for the terms of office specified in that Column, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

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

**SCHEDULE 1**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Robin Anne WEST (new member)	Bribbaree Public Hall Reserve Trust	Reserve No. 53068 Public Purpose: Public Hall
Nola Louise DRUM (new member)		Notified: 15 November 1918
Anthony Phillip WEST (re-appointment)		File Reference: GB80R289
Roger Clive SINCLAIR (re-appointment)		

For a term commencing the date of this notice and expiring 27 May 2009.

**SCHEDULE 2**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Nicholas Peter CLANCY (new member)	Lade Vale Recreation Reserve Trust	Reserve No. 64120 Public Purpose: Public Recreation
		Notified: 25 August 1933
		File Reference: GB82R37

For a term commencing the date of this notice and expiring 13 May 2009.

**SCHEDULE 2**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
William Brendan MALONEY (new member)	Murringo Sportsground Trust	Reserve No. 54740 Public Purpose: Public Recreation
Michael Joseph SMITH (new member)		Notified: 5 August 1921
Gina Louise GALVIN (re-appointment)		File Reference: GB80R271
Franklin Joseph BAKER (re-appointment)		
Brian SMITH (re-appointment)		

For a term commencing 01 June 2004 and expiring 31 May 2009.

**SCHEDULE 3**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Anthony John STUART Day (new member)	Burrinjuck Waters State Park Trust	Dedication No. 1001340 Public Purpose: Public Recreation
William John NESBITT (re-appointment)		Notified: 1 June 1997
Peter Colin GIBBS (re-appointment)		File Reference: GB92R22
Rhonda Fay CORCORAN (re-appointment)		
Carolyn Olive SCAYSBROOK (re-appointment)		

For a term commencing the date of this notice and expiring 27 May 2009.

**SCHEDULE 4**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Sean Lewis PROUDMAN (re-appointment)	Grabine Lakeside State Park Trust	Dedication No. 1001354 Public Purpose: Public Recreation
Kenneth Owen MEDWAY (re-appointment)		Notified: 1 June 1997
Michael James MAYO (re-appointment)		File Reference: GB92R17
John Dean Thomas NICHOLSON (re-appointment)		
Deborah Anne FRANCIS (re-appointment)		

For a term commencing the date of this notice and expiring 27 May 2009.

**NOTIFICATION OF CLOSING OF A ROAD**

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the land comprised therein ceases to be public road and the rights of passage and access that previously existed in relation to the road are extinguished. Upon closing, title to the land comprising the former public road, vests in the body specified in the Schedule hereunder.

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

**Description****SCHEDULE**

*Parish – Mowamba;  
 County – Wallace;  
 Land District – Cooma;  
 L.G.A. – Snowy River Shire*

Lots 4, 5 and 6; DP 1053512 (being subject to easements for water supply and right of carriageway created by Deposited Plan 1053512 and not being land under the Real Property Act). File Reference: GB 03 H 122.TC.

On closing the land in Lots 4, 5 and 6, DP 1053512 vests in the Crown as Crown land in accordance with section 38 (2)(c).

In accordance with section 44, the Crown consents to the land in Lots 4, 5 and 6, DP 1053512 being vested in Snowy River Shire Council as operational land, to be given by Council as compensation for other land acquired for the purposes of the Roads Act 1993.

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## ROADS ACT 1993

### ORDER

#### Transfer of Crown Road to a Council

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

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

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### SCHEDULE 1

*Parish – Binjura; County – Beresford;  
Land District – Cooma; Shire – Cooma Monaro*

Description: Crown road as indicated in hatching in diagram below

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### SCHEDULE 2

Roads Authority:

(Council's Ref: 67/184/01). Reference: GB04 H 431



**GRAFTON OFFICE**  
**76 Victoria Street (Locked Bag 10), Grafton, NSW 2460**  
**Phone: (02) 6640 2000 Fax: (02) 6640 2035**

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

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

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Karen Gladys HEMBROW	Boambee Creek Park Reserve Trust	Reserve No. 84835 Public Purpose: Public Recreation Notified: 10 April 1964 File Reference: GF81R212

For a term commencing 04 June 2004 and expiring 03 September 2004.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Karen Gladys HEMBROW	Moonee Beach Public Recreation Reserve Trust	Reserve No. 64933 Public Purpose: Public Recreation, Resting Place Notified: 23 November 1934 Reserve No. 1003022 Public Purpose: Environmental Protection Notified: 6 September 2002 File Reference: GF80R78

For a term commencing 04 June 2004 and expiring 03 September 2004.

**NOTIFICATION OF CLOSING OF PUBLIC  
ROAD**

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

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

Description

*Land District – Lismore; Shire – Byron*

Road closed: Lot 1, DP 1067933, at Nashua, Parish Teven, County Rous. File No.: GF03 H 18.

Note: On closing, the land within lot 1 becomes vested in the State of New South Wales as Crown land.

**REVOCATION OF THE APPOINTMENT OF A  
RESERVE TRUST**

PURSUANT to section 92(3) of the Crown Lands Act 1989, the appointment of the reserve trust specified in Column 1 of the Schedule hereunder, to the reserve specified opposite thereto in Column 2 of the schedule, is revoked to the extent specified 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
Tweed Coast Reserve Trust	Reserve No. 1002202 Public Purpose: Tourist Facilities and Services Notified: 6 November 1998 File Reference: GF01R21	The whole, being Lot 490 DP 47021, Parish of Cudgen, County of Rous.

**ESTABLISHMENT OR 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	COLUMN 2
Lot 490 Reserve Trust	Reserve No. 1002202 Public Purpose: Tourist Facilities and Services Notified: 6 November 1998 File Reference: GF04R19

**APPOINTMENT OF RESERVE TRUST AS  
TRUSTEE OF A RESERVE**

PURSUANT to section 92(1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule to the extent specified opposite thereto in Column 3 of the Schedule.

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

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Lot 490 Reserve Trust	Reserve No. 1002202 Public Purpose: Tourist Facilities and Services Notified: 6 November 1998 File Reference: GF04R19	The whole, being Lot 490 DP 47021, Parish of Cudgen, County of Rous.

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

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

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

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Richard John DUNNING	Lot 490 Reserve Trust	Reserve No. 1002202 Public Purpose: Tourist Facilities and Services Notified: 28 May 2004 File Reference: GF04R19 Commencing the day of this notice

**ROADS ACT 1993**

**ORDER**

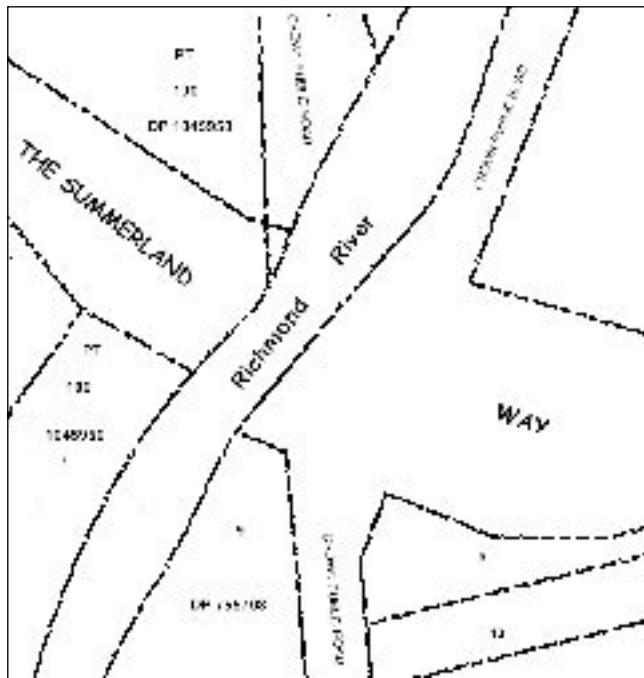
**Transfer of a Crown Road to a Council**

IN pursuance of the provisions of section 151, Roads Act 1993, the Crown road specified in Schedule 1 is hereby transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from the date, the road specified in schedule 1, ceases to be Crown road.

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

**SCHEDULE 1**

Crown road variable width (in two parts) as shown hatched on diagram below, Parishes Findon & Roseberry, County Rous, at Grevillia.



**SCHEDULE 2**

Roads Authority: Kyogle Shire Council  
File No. GF04H60  
Council's reference: FW:LMT:ROADS.BRIDGES.MR83

**MAITLAND OFFICE**  
**Cnr Newcastle Road & Banks Street (PO Box 6), East Maitland, NSW 2323**  
**Phone: (02) 4934 2280 Fax: (02) 4934 2252**

**NOTIFICATION OF CLOSING OF ROAD**

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the land comprised therein ceases to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished. On road closing, title to the land comprising the former public road vests in the body specified in the Schedule hereunder.

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

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Description

*Parish – Newcastle; County – Northumberland*  
*Land District – Newcastle*  
*Local Government Area – Newcastle*

Road Closed: Lots 1, 2 and 3, DP 1066649 at Carrington subject to easement for electricity transmission line 11.8 wide created by Deposited Plan 1066649, subject to restriction on the use of land created by Deposited Plan 1066649 and subject to restriction on the use of land 2 wide, created by Deposited Plan 1066649. File Reference: MD01 H97

**SCHEDULE**

On closing, the land within Lots 1, 2 and 3, DP 1066649 remains vested in Newcastle City Council as operational land for the purposes of the Local Government Act 1993. Council's reference: 13/15305/ - /04

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**ERRATUM**

THE Notice "APPOINTMENT OF TRUST BOARD MEMBERS" published in the *Government Gazette* of the 14 May 2004, Folio 2879 in relation to the Mangrove Mountain Recreation Reserve Trust contained an error. The reference to Trustee Peter Robert Callaghan in Column 1 should not have contained the word "public". File No. MD96 R 15/1.

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

**ORANGE OFFICE**  
**92 Kite Street (PO Box 2146), Orange NSW 2800**  
**Phone: (02) 6393 4300 Fax: (02) 6362 3896**

**APPOINTMENT OF TRUST BOARD MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder are appointed, for the terms of office specified in that Column, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

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

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Caroline KARL (new member)	Running Stream Recreation Reserve Trust	Reserve No. 37372 Public Purpose: Public Recreation Notified: 12 March 1904 File Reference: OE80R121/4
Rodney Gavin LORD (new member)		

For a term commencing this day and expiring 16 January 2008.

**NOTIFICATION OF CLOSING OF A ROAD**

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

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

**Description**

*Land District – Parkes*  
*L.G.A. – Parkes Shire Council*

Road Closed: Lot 1 and 2, Deposited Plan 1067341, Parish Parkes, County Ashburnham. File Reference: OE03H183

Note: On closing title to the land comprised in Lots 1 and 2 remains vested in the Crown.

**ROADS ACT 1993****ORDER****Transfer of Crown Road to a Council**

IN pursuance of the provisions of section 151, Roads Act 1993, the Crown public 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 cease to be Crown public roads.

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

**SCHEDULE 1**

The Crown public road south of Lot 201 in Deposited Plan 771630, Lots 63 and 64 in Deposited Plan 757049 and west of Lot 70 in Deposited Plan 757049 and Lot 123 in Deposited Plan 1018363, in Parish Drogheda, County Westmoreland and Land District of Lithgow. File Reference: OE04H126

**SCHEDULE 2**

Road Authority: Oberon Council

**APPOINTMENT OF TRUST BOARD MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder are appointed, for the terms of office specified in that Column, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

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

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
David John CHENEY (new member)	Dover Park Public Recreation Reserve Trust	Reserve No. 75431 Public Purpose: Public Recreation Notified: 14 November 1952
Ernest Arthur ROACH (new member)		
Peter William STONESTREET (new member)		Reserve No. 62575 Public Purpose: Public Recreation Notified: 2 April 1931 File Reference: OE80R159/3

For a term commencing this day and expiring 27 May 2009.

**SYDNEY METROPOLITAN OFFICE**  
**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)

—————  
 Descriptions

*Land District – Metropolitan;*  
*L.G.A. – Hornsby*

Lot 100, DP 1053594 at Normanhurst, Parish South Colah, County Cumberland. File No. MN01H139

- Note: 1. On closing, title for the land in Lot 100 remains vested in Hornsby Shire Council as operational land.
2. The road is closed subject to the easement for water supply purposes variable width, the easement for gas main 3 wide and the easement for electricity supply purposes variable width.

—————  
 Descriptions

*Land District – Picton;*  
*L.G.A. – Wollondilly*

Lot 10, DP 1067429 at Razorback, Parish Picton, County Camden. File No. MN94H110

- Note: On closing, title for the land in Lot 10 remains vested in the Crown.

Descriptions

*Land District – Penrith;*  
*L. G. A. – Penrith*

Lot 60 DP 1067321 at Emu Plains, Parish Strathdon, County Cook. File No. MN02H260

- Notes: 1. On closing, title for the land in Lot 60 remains vested in the Crown.
2. The road is closed subject to the easement for overhead power lines variable width

—————  
 Descriptions

*Land District – Metropolitan;*  
*L. G. A. – Fairfield*

Lot 1 DP 1066956 at Cabramatta West, Parish St Luke, County Cumberland. File No. MN03H144

- Note: On closing, title for the land in lot 1 remains vested in Fairfield City Council as operational land



**TAREE OFFICE**  
**102-112 Victoria Street (PO Box 440), Taree, NSW 2430**  
**Phone: (02) 6552 2788      Fax: (02) 6552 2816**

**NOTIFICATION OF CLOSING OF PUBLIC  
ROAD**

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

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

Description

*Land District – Taree;*  
*Local Government Area – Great Lakes*

Road closed: Lot 2, DP 1067014 at Forster. Parish of Forster, County of Gloucester. File No. TE02H141. On closing, the land within lot 2 remains vested in the State of New South Wales as Crown land.

Road closed: Lot 1 DP 1066707 at Mill Creek. Parish of Gorton: County of Gloucester. File No TE02 H 227. Council Ref: Doc No. 505270 JMcL:DJH. On closing, the land within Lot 1 to vest in Great Lakes Council as operational land.

Road closed: Lots 1, 2, 3 and 4, DP 1065451 at Forster. Parish of Forster; County of Gloucester. File No. TE03 H 119 and TE03 H 120. On Closing the land within Lots 1 to 4 DP1065451 to vest in Great Lakes Council as operational land.



## Department of Mineral Resources

NOTICE is given that the following applications have been received:

### EXPLORATION LICENCE APPLICATIONS

(04-536)

No. 2359, TACKLE RESOURCES PTY LTD (ACN 107 112 587), area of 59 units, for Group 1, dated 14 May, 2004. (Coffs Harbour Mining Division).

(04-537)

No. 2360, AURICULA MINES PTY LIMITED (ACN 108 362 027), area of 91 units, for Group 1, dated 18 May, 2004. (Cobar Mining Division).

(04-538)

No. 2361, ALKANE EXPLORATION LTD (ACN 000 689 216), area of 72 units, for Group 1, dated 18 May, 2004. (Orange Mining Division).

(04-539)

No. 2362, REGIONALEXPLORATIONMANAGEMENT PTY LTD (ACN 093 739 336), area of 29 units, for Group 6, dated 21 May, 2004. (Inverell Mining Division).

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

NOTICE is given that the following applications have been granted:

### EXPLORATION LICENCE APPLICATIONS

(C03-0176)

No. 2077, now Exploration Licence No. 6234, RENISON BELL HOLDINGS PTY LTD (ACN 100 163 942), County of Arrawatta, Map Sheet (9139), area of 800 hectares, for Group 9, dated 19 April, 2004, for a term until 18 April, 2006.

(T03-0118)

No. 2156, now Exploration Licence No. 6235, CULLEN EXPLORATION PTY LIMITED (ACN 077 371 165), Counties of Hume and Urana, Map Sheet (8126, 8226), area of 259 units, for Group 1, dated 6 May, 2004, for a term until 5 May, 2006.

(T03-0862)

No. 2181, now Exploration Licence No. 6239, MOUNT CONQUEROR MINERALS N.L. (ACN 003 312 721), Counties of Arrawatta and Gough, Map Sheet (9138, 9139, 9238), area of 10 units, for Group 1, dated 17 May, 2004, for a term until 16 May, 2006.

(T04-0002)

No. 2266, now Exploration Licence No. 6238, DAVID CHARLES PRENDERGAST, Counties of Rankin and Werunda, Map Sheet (7734), area of 12 units, for Group 2, dated 13 May, 2004, for a term until 12 May, 2006. As a result of the grant of this title, Exploration Licence No. 5885 has ceased to have effect.

(T04-0013)

No. 2276, now Exploration Licence No. 6242, MARLBOROUGH RESOURCES N.L. (ACN 010 126 708), Counties of Gough and Hardinge, Map Sheet (9137, 9138), area of 95 units, for Group 1, dated 19 May, 2004, for a term until 18 May, 2006.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

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

(M80-0620)

Authorisation No. 199, ENDEAVOUR COAL PTY LTD (ACN 099 830 476), area of 1095 hectares. Application for renewal received 19 May, 2004.

(M80-0622)

Authorisation No. 201, ENDEAVOUR COAL PTY LTD (ACN 099 830 476), area of 478 hectares. Application for renewal received 19 May, 2004.

(M82-1238)

Authorisation No. 306, ENDEAVOUR COAL PTY LTD (ACN 099 830 476), area of 1470 hectares. Application for renewal received 19 May, 2004.

(M85-3372)

Authorisation No. 370, ENDEAVOUR COAL PTY LTD (ACN 099 830 476), area of 3125 hectares. Application for renewal received 19 May, 2004.

(C87-0057)

Authorisation No. 396, ENDEAVOUR COAL PTY LTD (ACN 099 830 476), area of 7320 hectares. Application for renewal received 19 May, 2004.

(C87-0076)

Authorisation No. 397, ENDEAVOUR COAL PTY LTD (ACN 099 830 476), area of 400 hectares. Application for renewal received 19 May, 2004.

(T01-0230)

Exploration Licence No. 5952, AUSTEXPLORATION PTY LTD (ACN 099 123 501), area of 50 units. Application for renewal received 17 May, 2004.

(T02-0012)

Exploration Licence No. 5959, RED METAL LIMITED (ACN 103 367 684), area of 34 units. Application for renewal received 14 May, 2004.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

**RENEWAL OF CERTAIN AUTHORITIES**

NOTICE is given that the following authorities have been renewed:

(T92-0331)

Exploration Licence No. 4473, SITEGOAL PTY. LIMITED (ACN 052 317 503), County of Cook, Map Sheet (8931), area of 1 unit, for a further term until 11 January, 2006. Renewal effective on and from 20 May, 2004.

(T93-0860)

Exploration Licence No. 4642, PETER WARREN ENGLISH, County of Murchison, Map Sheet (9037), area of 1 unit, for a further term until 10 March, 2006. Renewal effective on and from 19 May, 2004.

(T01-0028)

Exploration Licence No. 5851, RIO TINTO EXPLORATION PTY LIMITED (ACN 000 057 125), County of Ashburnham, Map Sheet (8631), area of 23 units, for a further term until 3 May, 2005. Renewal effective on and from 20 May, 2004.

(T01-0109)

Exploration Licence No. 5880, RIMFIRE PACIFIC MINING NL (ACN 006 911 744), County of Burnett, Map Sheet (8938), area of 6 units, for a further term until 30 July, 2005. Renewal effective on and from 19 May, 2004.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

**CANCELLATION OF AUTHORITY  
AT REQUEST OF HOLDER**

NOTICE is given that the following authority has been cancelled:

(C98-0162)

Exploration Licence No. 5564, HUNTER VALLEY COAL PROCESSING PTY LTD (ACN 069 244 953), County of Northumberland, Map Sheet (9131, 9132, 9232), area of 6200 hectares. Cancellation took effect on 30 April, 2004.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

**TRANSFERS**

(C03-0504)

Mining Lease No. 1398 (Act 1992), formerly held by NARDELL COAL CORPORATION PTY LIMITED (ACN 067 791 646) has been transferred to NEWPAC PTY LTD (ACN 106 177 708). The transfer was registered on 20 May, 2004.

(C03-0504)

Mining Lease No. 1416 (Act 1992), formerly held by NARDELL COAL CORPORATION PTY LIMITED (ACN 067 791 646) has been transferred to NEWPAC PTY LTD (ACN 106 177 708). The transfer was registered on 20 May, 2004.

(C03-0504)

Mining Lease No. 1477 (Act 1992), formerly held by NARDELL COAL CORPORATION PTY LIMITED (ACN 067 791 646) has been transferred to NEWPAC PTY LTD (ACN 106 177 708). The transfer was registered on 20 May, 2004.

(C03-0504)

Mining Lease No. 1495 (Act 1992), formerly held by NARDELL COAL CORPORATION PTY LIMITED (ACN 067 791 646) has been transferred to NEWPAC PTY LTD (ACN 106 177 708). The transfer was registered on 20 May, 2004.

(C03-0504)

Mining Lease No. 1506 (Act 1992), formerly held by NARDELL COAL CORPORATION PTY LIMITED (ACN 067 791 646) has been transferred TO NEWPAC PTY LTD (ACN 106 177 708). The transfer was registered on 20 May, 2004.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

**COAL MINES REGULATION ACT 1982**

## Notice of Approval

Approval No.: MDA GD 5056  
File No.: C04/0211  
Date: 25/5/2004

## Gasguard Sensor Units

PURSUANT to the provisions of Clause 127 Part 8 Monitoring and detecting equipment Coal Mines (Underground) Regulation 1999, I hereby approve as an automatic methane detector the Gasguard Sensor Units supplied by Ampcontrol Pty Ltd, subject to the following conditions:

1. There shall be no variation in design, construction, or performance from that of the samples tested by the Mine Safety Technical Services and reported in test report nos. 04/275, 03/1346 and TestSafe Certificates of Conformity AUS Ex 03.3192X and AUS Ex 03.3910X issue date 21/5/2004, unless approval for modification has been obtained. Any repair that may affect the instrument's explosion protection properties shall be carried out at a workshop registered for the purpose.

2. Prior to being placed in service each gas sensor/transmitter unit shall be tested for accuracy and calibrated by a NATA accredited test authority and a NATA endorsed certificate supplied to the mine.

3. The supplier shall ensure that the apparatus supplied complies with all relevant requirements of the Occupational Health and Safety Act.

4. The employer(s) shall ensure that the apparatus is used in compliance with the Occupational Health and Safety Act.

5. At each mine where the instrument is used the Manager shall ensure that the instrument is maintained in accordance with the current Australian Standard AS2290.3 electrical equipment for coal mines – Maintenance and overhaul Part3 Maintenance of gas detecting and monitoring equipment.

6. The Chief Inspector of Coal Mines may vary or revoke this approval at any time.

7. A copy of this notice shall be supplied with each apparatus supplied to a mine.

R. REGAN,  
Chief Inspector of Coal Mines

## Roads and Traffic Authority

### ROADS ACT 1993

#### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Dairy Flat  
in the Kyogle 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.

T D Craig  
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 Kyogle Council area, Parish of Unumgar and County of Rous, shown as Lots 10, 11, 14 and 16 Deposited Plan 1060274, being parts of the land in Travelling Stock Reserve No 67264 notified in Government Gazette No 2 of 7 January 1938 on page 53.

The land is said to be in the possession of the Crown and Casino Rural Lands Protection Board.

ALSO, all that piece or parcel of unreserved Crown land situated in the Kyogle Council area, Parish of Unumgar and County of Rous, shown as Lot 15 Deposited Plan 1060274.

AND also, all those pieces or parcels of land situated in the Kyogle Council area, Parish of Unumgar and County of Rous, shown as Lots 12 and 13 Deposited Plan 1060274, being parts of the land dedicated as Unumgar State Forest No 540 by proclamation in Government Gazette No 122 of 10 August 1917 on page 4504.

The land is said to be in the possession of the Forestry Commission of New South Wales.

(RTA Papers FPP 3M6165, 3M6166; RO 240.1358, 240.1357)

### ROADS ACT 1993

#### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition and Dedication as  
Public Road of Land at Wee Waa in the  
Narrabri Shire 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 Schedules 1 and 2 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 and further dedicates the land described in Schedule 2 as Public Road under Section 10 of the Roads Act 1993.

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

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#### SCHEDULE 1

ALL that piece or parcel of Council public road situated in the Narrabri Shire Council area, Parish of Queerbri and County of Jamison, shown as Lot 3 Deposited Plan 1053213.

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#### SCHEDULE 2

ALL those pieces or parcels of land situated in the Narrabri Shire Council area, Parish of Queerbri and County of Jamison, shown as Lots 4, 5 and 6 Deposited Plan 1053213 being parts of Water Reserve No 967 notified in the Government Gazette of 23 November 1875 on page 3817 and parts of Camping Reserve No 277 notified in the Government Gazette of 8 May 1882 on page 2541.

The land is said to be in the possession of the Crown and Narrabri Rural Lands Protection Board.

(RTA Papers FPP 3M5593; RO 29/319.1251)

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

Notice of Compulsory Acquisition of Land at Neath  
in the Cessnock 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.

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

—————  
SCHEDULE

ALL that piece or parcel of Crown land situated in the Cessnock City Council area, Parish of Stanford and County of Northumberland, shown as Lot 100 Deposited Plan 1051707.

(RTA Papers FPP 4M351; RO 85.1515)

**ROADS ACT 1993**

Notice of Dedication of Land as Public Road  
at Lucknow in the Orange City 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.

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

—————  
SCHEDULE

All those pieces or parcels of land situated in the Orange City Council area, Parishes of Orange and Huntley, County of Bathurst, shown as:

Lots 5 to 16 inclusive and 18, 19 and 20 Deposited Plan 240144; and

Lot 11 Deposited Plan 241651.

(RTA Papers: 7/345.1129)

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

Notice of Compulsory Acquisition of Land at  
Blandford in the Murrurundi Shire 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.

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

—————  
SCHEDULE

ALL those pieces or parcels of land situated in the Murrurundi Shire Council area, Parish of Murulla and County of Brisbane, shown as;

Lot 17 Deposited Plan 1060575, being part of Travelling Stock and Camping Reserve No 55123 notified in Government Gazette No 11 of 27 January 1922 on page 686; and

Lot 23 Deposited Plan 1060575, being part of Travelling Stock Reserve No 85971 notified in Government Gazette No 105 of 30 September 1966 on page 4070.

The land is said to be in the possession of the Crown and Hunter Rural Lands Protection Board.

(RTA Papers FPP 3M5284; RO 9/303.11065 and 9/303.11066)

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

Notice of Compulsory Acquisition of Land at Coolac  
in the Gundagai Shire 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.

T D Craig  
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 Gundagai Shire Council area, Parish of Coolac and County of Harden, shown as Lots 9 and 10 Deposited Plan 264236 being parts of Travelling Stock Reserve No 700028 notified in Government Gazette No 55 of 23 May 1997 on page 3085.

The land is said to be in the possession of the Crown and Gundagai Rural Lands Protection Board.

(RTA Papers FPP 4M88; RO 2/178.1278)

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

Notice of Compulsory Acquisition of Land at  
Horsley Park in the Fairfield 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.

T D Craig  
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 Fairfield City Council area, Parish of Melville and County of Cumberland, shown as Lot 9 Deposited Plan 1059698, being part of the land in Certificate of Title 1/1042225, excluding from the compulsory acquisition of Lot 9 the profit à prendre, vide dealing 8769304, of Brickworks Limited and any existing easements.

The land is said to be in the possession of Collex Pty Limited.

(RTA Papers: FPP 2M2223)

**ROADS ACT 1993**

Notice under Clause 17 of the Roads Transport (Mass, Loading and Access) Regulation, 1996

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.

Signed 9 May 2004

PAUL FORWARD,  
Chief Executive  
Roads and Traffic Authority

**SCHEDULE****1. Citation**

This Notice may be cited as the Roads and Traffic Authority B-Double Notice No 5/ 2004.

**2. Commencement**

This Notice takes effect from the date of gazettal.

**3. Effect**

This Notice remains in force until 31 December 2005 unless it is amended or repealed earlier.

**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.

**5. Routes****25-metre B-Double Routes in New South Wales – Sydney Region**

Type	Road No	Route	Starting point	Finishing point
25	200	Marlborough Rd	Centenary Dr, southbound ramp	
25		Austin Av,	Centenary Dr	Flemington Markets
25		Potts St, Flemington	Parramatta Rd	Flemington Markets

**ROADS ACT 1993**

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

NEWCASTLE CITY COUNCIL, in pursuance of Division 2 of Part 3 of the *Road Transport (Mass, Loading and Access) Regulation 1996*, by this Notice, specify the routes and areas on or in which B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

JANET DORE,  
General Manager  
Newcastle City Council  
(by delegation from the Minister for Roads)

**SCHEDULE****1. Citation**

This Notice may be cited as the Newcastle City Council B-Doubles Notice No 1/ 2004.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force until 01/01/2010 unless it is amended or repealed earlier.

**4. Application**

4.1 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 Newcastle City Council**

Type	Road No	Road Name	Starting point	Finishing point	Conditions
25	000	Yangan Drive, Beresfield	Weakleys Dr	End	
25	000	Balbu Close, Beresfield	Yangan Dr	End	
25	000	Kullara Avenue, Beresfield	Birraba Avenue	Both ends (east and west)	
25	000	Pippita Close, Beresfield	Birraba Avenue	End	
25	000	Birraba Avenue, Beresfield	Yangan Drive	Kullara Avenue	



## Other Notices

### ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of incorporation pursuant to  
Section 55A and 55B

TAKE NOTICE that the incorporation of the following associations are cancelled by this notice pursuant to sections 55A and 55B of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Epping Boys High School Parents and Citizens Association Inc

“Lombardi Nel Mondo” Sydney – NSW – Australia Inc

Parkes Baton Twirlers Incorporated

Stockingingal Village Fair Incorporated

The Gerontology Foundation of Australia Inc

Winemakers of the Riverina Promotion Committee Incorporated

Gardens of the Southern Highlands Incorporated

Kyogle Gem And Mineral Club Inc

Rhein-Donau-Hastings-Verein Incorporated

COLIN CROSSLAND,  
General Manager

Registry of Co-operatives & Associations  
Office of Fair Trading  
Department of Commerce  
21 May 2004

### 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 Armidale Dumaresq Safety and 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 31 May 2004 and remains in force until 30 May 2005.

Signed at Sydney, 26th day of May 2004.

BOB DEBUS,  
Attorney General

### CONTAMINATED LAND MANAGEMENT ACT 1997

Declaration of Remediation Site under Section 21  
Declaration Number 21055  
Area number 3335

THE Environment Protection Authority (“EPA”) declares the following land to be a remediation site under the Contaminated Land Management Act 1997 (“the Act”):

1. Land to which this declaration applies:

The sediments of the bed of Kendall Bay and the Parramatta River in the area adjacent to the former Mortlake gasworks which fall within 200 metres from the land based boundary of the former Mortlake gasworks as outlined by the thick black line in the diagram by URS titled Site layout and sediment Sampling Plan dated 20 March 2002. The diagram can be inspected at the offices of the Department of Environment and Conservation, 59-61 Goulburn Street, Sydney.

2. Nature of the substances causing the contamination:

The following contaminants have been found in the land to which this declaration applies: petroleum hydrocarbons and polycyclic aromatic hydrocarbons (all referred to in this declaration as “the contaminants”).

3. Nature of harm that the substances may cause:

The EPA has considered the matters in s.9 of the Act and found that:

- The concentration of total polycyclic aromatic hydrocarbons (both low and high molecular weight components) in some locations is elevated above ANZECC 2000 sediment quality guideline levels. Total petroleum hydrocarbon concentrations are also present in the sediments in significant concentrations and separate phase product has been observed.
- There is less benthic biota present in the land compared with other unimpacted and nearby sites. The nature and concentration of the contaminants in the sediments could result in a lack of benthic biota;
- There are potential exposure pathways from the contamination to biota and to humans; and
- Disturbance of the sediments could mobilise the contaminants and the prospects of disturbance are likely to increase with development of the area.

4. Further action under the Act:

The making of this declaration does not prevent the carrying out of a voluntary remediation of the site and any person may submit a voluntary remediation proposal for the site to the EPA. If the proposal satisfies the requirements of s.26 of the Act, the EPA may agree not to issue a remediation order to the person or persons bringing the proposal.

5. Submissions invited:

The EPA advises that the public may make written submissions to the EPA on whether the EPA should issue a remediation order in relation to the site or any other matter concerning the site.

Submissions should be made in writing to:

Director Contaminated Sites  
Department of Environment and Conservation  
PO Box A290  
SYDNEY SOUTH NSW 1232

or faxed to: (02) 9995 5999

by not later than 25 June 2004

CAROLYN STRANGE,  
Director Contaminated Sites  
Department of Environment and Conservation

Date: 25 May 2004



## NOTE:

Remediation order may follow

If remediation of the site or part of the site is required, the EPA may issue a remediation order under s.23 of the Act.

## Variation/Revocation

This declaration may be varied by subsequent declarations. It remains in force until it is revoked. A declaration may only be revoked when the EPA does not have reasonable grounds to believe that land is contaminated in such a way as to present a significant risk of harm (s.44 of the Act).

## Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation declaration will be included in the public record.

## Information recorded by councils

Section 59 of the Act requires the EPA to inform the relevant local council as soon as practicable that a declaration has been made. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently within a remediation site. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the council is then required to remove the notation from the s.149 (2) certificate.

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**ELECTRICITY SUPPLY ACT 1995  
LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Lease

TRANSGRID, by its delegate Lionel Smyth, declares, with the approval of Her Excellency the Governor, that the interest described in Schedule 1 to this notice in the land described in Schedule 2 to this notice is acquired subject to the interest described in Schedule 3 of this notice by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Electricity Supply Act 1995.

Dated at Sydney, this 28th day of May 2004.

L. SMYTH,  
General Manager/Business Resources

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SCHEDULE 1

Leasehold rights as described in Memorandum 7959061C filed in the Land and Property Information NSW pursuant to section 80A of the Real Property Act 1900.

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SCHEDULE 2

All that piece or parcel of land situate in the Local Government Area of City of Sydney, Parish of Alexandria and County of Cumberland, being that part of lot 50 in deposited plan 859192 (F.I. 50/859192) comprised within the site described as "lease area" on plan registration number P.50308 registered in TransGrid's offices.

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SCHEDULE 3

Easement for access and railway transit variable width registration number Z396715.

**ELECTRICITY SUPPLY ACT 1995  
LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Easement

TRANSGRID, by its delegate Lionel Smyth, declares, with the approval of Her Excellency the Governor, that the interest described in Schedule 1 to this notice in the land described in Schedule 2 to this notice is acquired subject to the interest described in Schedule 3 of this notice by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Electricity Supply Act 1995.

Dated at Sydney, this 28th day of May 2004.

L. SMYTH,  
General Manager/Business Resources

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SCHEDULE 1

Easement rights as described under the heading "Easement for Access" in Memorandum 7753746Q filed in the Land and Property Information NSW pursuant to section 80A of the Real Property Act 1900.

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SCHEDULE 2

All that piece or parcel of land situate in the Local Government Area of City of Sydney, Parish of Alexandria and County of Cumberland, being that part of lot 50 in deposited plan 859192 (F.I. 50/859192) comprised within the site of the proposed easement for access designated (G) in deposited plan 1033739.

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SCHEDULE 3

Easement for access and railway transit variable width registration number Z396715.

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**ELECTRICITY SUPPLY ACT 1995  
LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land

TRANSGRID, by its delegate Lionel Smyth, declares, with the approval of Her Excellency the Governor, that the fee simple in the land described in Schedule 1 to this notice is acquired by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Electricity Supply Act 1995.

Dated at Sydney, this 28th day of May 2004.

L. SMYTH,  
General Manager/Business Resources

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SCHEDULE 1

All that piece or parcel of land situate in the Local Government Area of City of Sydney, Parish of Alexandria and County of Cumberland, being that part of lot 50 in deposited plan 859192 (F.I. 50/859192) comprised within lot 501 in deposited plan 1033739.

**GEOGRAPHICAL NAMES ACT 1966**

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it this day assigned the geographical name Peryman Square with the designation of Urban Place, to an area of land adjacent to the North Cronulla Surf Life Saving Club, the Kingsway and Dunningham Park.

The position and extent of this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's web site at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au).

WARWICK WATKINS,  
Chairman

Geographical Names Board  
PO Box 143, Bathurst 2795

**ERRATUM**

IN the notice referring to the assignment of the name and Sumner for a Trigonometrical Station, Folio 6381, 2nd June 1972. The name was spelt incorrect and should have read Summer, this notice corrects that error.

W. WATKINS,  
Chairman

Geographical Names Board  
PO Box 143 Bathurst 2795

**MENTAL HEALTH ACT 1990**

## Order Under Section 114

I, ROBYN KRUK, Director-General of the NSW Department of Health, in pursuance of the provisions of section 114 of the Mental Health Act 1990 and section 43 of the Interpretation Act 1987, DO HEREBY REPEAL the order published at page 4512 in Government Gazette No. 91 of 2 August 1996 declaring Illawarra Psychiatric Services to be a health care agency for the purposes of the Mental Health Act 1990.

Signed at Sydney, this 16th day of December 2003.

ROBYN KRUK,  
Director-General

**MENTAL HEALTH ACT 1990**

## Order Under Section 208

I, ROBYN KRUK, Director-General of the NSW Department of Health, acting pursuant to section 208 of the Mental Health Act 1990, DO HEREBY DECLARE the Wyong Mental Health Centre of Wyong Hospital to be a hospital for the purposes of the Mental Health Act 1990.

Signed, this 21st day of April 2004.

ROBYN KRUK,  
Director-General

**NATIONAL PARKS AND WILDLIFE ACT 1974**

## Mungo National Park

## Draft Plan of Management

A draft plan of management for Mungo National Park has been prepared and is available free of charge from the NPWS offices at Corner Sturt Highway and Melaleuca Street, Buronga NSW (ph 03 5022 2037); 183 Argent Street, Broken Hill NSW; The National Parks Centre, 102 George Street, The Rocks (ph 9251 4466); and on the NPWS website at [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au).

Written submissions on the plan must be received by 9 September 2004 by The Planner, Mungo National Park, National Parks and Wildlife Service, PO Box 318, Buronga, NSW 2739.

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

**NATIONAL PARKS AND WILDLIFE ACT 1974**

## Pee Dee Nature Reserve

## Boonanghi Nature Reserve

## Fifes Knob Nature Reserve

## Mount Seaview, Jasper and Koorebang Nature Reserves

## The Castles Nature Reserve

## Plans of Management

A plan of management for Pee Dee Nature Reserve was adopted by the Minister for the Environment on 25 November 2003.

A plan of management for Boonanghi Nature Reserve was adopted by the Minister on 8 December 2003.

A plan of management for Fifes Knob Nature Reserve was adopted by the Minister on 19 January 2004.

A plan of management for Mount Seaview Nature Reserve, Jasper Nature Reserve and Koorebang Nature Reserve was adopted by the Minister on 10 February 2004.

A plan of management for The Castles Nature Reserve was adopted by the Minister on 18 February 2004.

Copies of these plans may be obtained from the NPWS office at 152 Horton Street, Port Macquarie, NSW 2444 (ph 6584 9402). Copies of the plans may also be obtained from The National Parks Centre, 102 George Street, The Rocks, NSW 2655. The cost of the plans is \$8.50 each.

The plans are also available on the NPWS web site: [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au).

**NATIONAL PARKS AND WILDLIFE ACT 1974**

Yuraygir National Park and Yuraygir State  
Conservation Area

Wingham Brush Nature Reserve

Plans of Management

A plan of management for Yuraygir National Park and Yuraygir State Conservation Area was adopted by the Minister for the Environment on 8 October 2003.

A plan of management for Wingham Brush Nature Reserve was adopted by the Minister for the Environment on 5 November 2003.

Copies of the Yuraygir plan may be obtained from the NPWS office at Level 3, 49 Victoria Street, Grafton, NSW 2460 (ph 6641 1500). Copies of the Wingham Brush plan may be obtained from the NPWS office at 152 Horton Street, Port Macquarie, NSW 2444 (ph 6584 9402). Copies of all the above plans may also be obtained from The National Parks Centre, 102 George Street, The Rocks, NSW 2655 at a cost of \$8.50 each.

The plans are also available on the NPWS web site: [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au).

**PARLIAMENTARY REMUNERATION ACT 1989**

PURSUANT to section 11 (2) of the Parliamentary Remuneration Act 1989, I direct that the date for completion by the Parliamentary Remuneration Tribunal of the 2004 Annual Determination of the additional entitlements of Members of the Parliament of New South Wales be extended to on or before 30 June 2004.

Dated 21 May 2004.

(Justice) F. L. WRIGHT,  
President,  
Industrial Relations Commission  
of New South Wales

**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

<i>Name and address of Licensee</i>	<i>Date of Granting of Licence</i>
Mr Shane David Hancox 3 Inverie Place Point Cook Vic 3030	21 May 2004

**NOTIFICATION OF GRANT OF PIPELINE LICENCE**

Rosalind Park Gilead Pipeline Licence No. 30

IT is hereby notified that Her Excellency the Governor with the advice of the Executive Council, pursuant to the provisions of section 14 of the Pipelines Act 1967, has granted Licence No. 30 to Sydney Gas Operations Pty Ltd (ABN 57 079 838 136) over the lands specified in the schedule.

Signed at Sydney, this 19th day of May, 2004

FRANK SARTOR, M.P.,  
Minister for Energy and Utilities

**SCHEDULE**

Lands to be Included in Licence Area

All those pieces or parcels of land described as "Pipeline Easement" on the Deposited Plan DP 1063820 lodged and registered at the Sydney office of Land and Property Information NSW.

**PIPELINES ACT 1967**

Notification of Vesting of Easements

Rosalind Park Coal Seam Methene Gas Pipeline  
Pipeline Licence No. 30

HER Excellency the Governor with the advice of the Executive Council, pursuant to the provisions of sections 21 and 61 of the Pipelines Act 1967, hereby declares that the easements over the lands described in Schedule 1 hereto are vested in Sydney Gas Operations Pty Ltd (ABN 57 079 838 136) for the purposes of and incidental to the construction and operation of a pipeline subject to the restrictions as to user set out in Schedule 2 hereto.

Signed at Sydney, this 19th day of May 2004

Professor MARIE BASHIR, A.C.  
Governor

FRANK SARTOR, M.P.,  
Minister for Energy and Utilities

**SCHEDULE 1**

lands Affected by Easements for Pipeline

All those pieces or parcels of land described as "Pipeline Easement" on the Deposited Plan DP 1063820 lodged and registered at the Sydney office of Land and Property Information NSW.

**SCHEDULE 2**

Restrictions as to User

Without affecting the generality of any requirement imposed by the Pipelines Act 1967 or regulations thereunder, the owner or occupier of land over which there is an easement for pipeline must not within the easement, except with the prior consent in writing of the person in whom the easement is vested:

(a) Excavate (including blasting), drill or dig.

- (b) Erect, place or permit to be erected or placed any building, structure (including fence posts), plant, apparatus or equipment, earthworks, utility services or other improvements whether permanent or temporary on, over or under the land.
- (c) Alter or disturb existing levels, contours or gradients.
- (d) Plant or cultivate any tree within 3 metres of the pipeline or any apparatus or works.
- (e) Place on or use any part of the land for the transport, carriage or support of any heavy object, vehicle or implement, which could in any way cause or be likely to cause damage to the pipeline.
- (f) Undertake any other activity that represents a danger to the pipeline or is a danger to the operation of the pipeline or its apparatus or works including signs, vent pipes and cathodic protection systems including anode beds and electrolysis test points.

Department of Health, New South Wales,  
Sydney, Wednesday 19 May 2004

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### **POISONS AND THERAPEUTIC GOODS ACT 1966**

#### Restoration of Drug Authority

IN accordance with the provisions of Clause 171 (1) of the Poisons and Therapeutic Goods Regulation 2002, a direction has been issued that the order prohibiting Dr Paul L. CAMPBELL of 1805 Waterfall Way, Bellingen 2250 from supplying or having possession of drugs of addiction as authorised by Clause 101 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 76 of the Regulation, for the purpose of his profession as a medical practitioner, shall cease to operate from 24 May 2002.

ROBYN KRUK,  
Director-General

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### **PUBLIC WORKS ACT 1912 LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991**

#### ERRATUM

#### Compulsory Acquisition

#### Moruya Heads Sewerage Augmentation

IN the notification appearing in *Government Gazette* No. 80 dated 7 May 2004 page 2471 under the word SCHEDULE the heading LAND and the reference to Lot 1 in Deposited Plan 1052051 should be removed.

Under the heading INTEREST IN LAND and following the description '(A) PROPOSED EASEMENT SEWER PIPELINE 3 WIDE AND 5 WIDE' the following should be added: within Lot 182 in Deposited Plan 1017102.

### **WORKERS COMPENSATION ACT 1987**

#### Workers Compensation (Physiotherapy Fees) Order 2004 No. 1

I, JON BLACKWELL, Chief Executive Officer of the WorkCover Authority of New South Wales, pursuant to section 61 of the Workers Compensation Act 1987, make the following Order.

Dated this 25th day of May 2004.

JON BLACKWELL,  
Chief Executive Officer  
WorkCover Authority

#### EXPLANATORY NOTE

Treatment by a registered physiotherapist is one of the categories of medical or related treatment covered under the Workers Compensation Act 1987. This Order sets the maximum fees for which an employer is liable under the Act for treatment by a physiotherapist of an injured worker's work-related injury.

Schedule A to this Order provides for maximum fees for physiotherapists generally. Schedule B to this Order provides for higher maximum fee levels for WorkCover approved physiotherapists. WorkCover approved physiotherapists are those who have participated in training courses approved or run by WorkCover and, where required, have provided to WorkCover a signed statement relating to outcomes based treatment.

This Order also makes provision for Physiotherapy Management Plans and the approval by workers compensation insurers of certain physiotherapy services.

#### **1 Name of Order**

This Order is the Workers Compensation (Physiotherapy Fees) Order 2004 No 1.

#### **2 Commencement**

This Order commences on the date of its publication in the Gazette.

#### **3 Application of Order**

This Order applies to treatment provided on or after the date of commencement, whether the treatment relates to an injury received before, on or after that date.

#### **4 Maximum fees for treatment by physiotherapists generally**

- (1) The maximum fee amount for which an employer is liable under the Act for treatment of an injured worker by a physiotherapist, being treatment of a type specified in Column 1 of Schedule A to this Order, is the corresponding amount specified in Column 2 of that Schedule.
- (2) If it is reasonably necessary for a physiotherapist to provide treatment of a type specified in any of items 7 to 11 in Schedule A in a worker's home, the maximum fee amount for which an employer is liable under the Act is increased by an amount calculated at the rate per kilometre specified in item 14 of Schedule A for the number of kilometres of travel reasonably involved.



- (3) This clause does not apply to treatment provided by a WorkCover approved physiotherapist.

## 5 Higher maximum fees for treatment by WorkCover approved physiotherapists

- (1) The maximum fee amount for which an employer is liable under the Act for treatment of an injured worker by a WorkCover approved physiotherapist, being treatment of a type specified in Column 1 of Schedule B to this Order, is the corresponding amount specified in Column 2 of that Schedule.
- (2) If it is reasonably necessary for a WorkCover approved physiotherapist to provide treatment of a type specified in any of items 21 to 25 in Schedule B in a worker's home, the maximum fee amount for which an employer is liable under the Act is increased by an amount calculated at the rate per kilometre specified in item 28 of Schedule B for the number of kilometres of travel reasonably involved.

## 6 Goods and Services Tax

- (1) The maximum fee amount for which an employer is liable under the Act in respect of the treatment types specified in:
- items 12, 13 and 14 of Schedule A to this order, and
  - items 26, 27 and 28 of Schedule B to this Order,
- may be increased by the amount of any GST payable in respect of the service, and the cost as so increased is taken to be the amount fixed by this Order.
- (2) This clause does not permit a physiotherapist to charge or recover, in respect of GST payable in respect of a service, an amount that is greater than:
- 10% of the maximum amount that would otherwise be payable under this Order to the physiotherapist in respect of the medical or related treatment, or
  - the amount permitted under the New Tax System Price Exploitation Law,
- whichever is the lesser.

## 7 Definitions

In this Order:

**Case conference** means a face-to-face meeting or teleconference with rehabilitation provider, employer and/or worker to discuss a worker's treatment, return to work plan and/or strategies to improve a worker's ability to return to work.

File notes of case conferences are to be documented in the physiotherapist's records indicating discussions and outcomes. This information may be required for invoicing purposes.

Discussion between treating doctors and physiotherapists is considered a normal interaction between referring doctor and practitioner and is not to be charged as a case conference item.

**Complex treatment** means treatment related to complex pathology and clinical presentation including, but

not limited to, extensive burns, complicated hand injuries involving multiple joints and tissues and some complex neurological conditions.

Provision of complex treatment requires **pre-approval** from the insurer. It is expected that only a small number of claimants will require treatment falling within this category.

**Group/class service** means a common service delivered by a physiotherapist to more than one person at the same time. Examples are aquatic physiotherapy classes and exercise groups.

The maximum class size should be limited to six (6) participants. The requirement to complete a Physiotherapy Management Plan applies in respect of each worker participant.

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

**Home visit** applies to cases where, due to the effects of the injuries sustained, the worker is unable to travel. The home visit must be the best and most cost-effective option allowing the physiotherapist to travel to the worker's home to deliver treatment.

Provision of home treatment requires **pre-approval** from the insurer.

**Initial consultation and treatment** means the first session provided by the physiotherapist in respect of an injury, and includes:

- history taking
- physical assessment
- diagnostic formulation
- goal setting and planning treatment
- treatment/service
- clinical recording
- communication with referrer.

**New Tax System Price Exploitation Law** means:

- 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; and
- Part VB of the Trade Practices Act 1974 of the Commonwealth.

**Normal practice** means premises in or from which a physiotherapist regularly operates a physiotherapy practice and treats patients, including facilities where service may be delivered on a regular or contract basis such as a hydrotherapy pool, gymnasium or workplace.

**Physiotherapist** means a registered physiotherapist.

**Physiotherapy Management Plan** means a document used by the physiotherapist to indicate treatment timeframe and anticipated outcomes for an injured worker to the relevant workers compensation insurer.

A Physiotherapy Management Plan provides the mechanism to request approval from the insurer for treatment beyond the initial eight (8) consultations for each additional group of eight (8) physiotherapy

consultations, unless otherwise approved by the insurer.

**Physiotherapy services** refers to all services delivered by a physiotherapist. Each service is to be billed according to the applicable fee set out in Schedule A or B to this Order.

Physiotherapy services may include, but are not limited to, acupuncture, aquatic physiotherapy (hydrotherapy), pilates, massage and exercise instruction.

**Report writing** occurs when a physiotherapist is requested to compile a written report providing details of the worker's treatment, progress and work capacity.

The insurer must provide **pre-approval** for such a service

**Standard consultation** and treatment means treatment sessions provided subsequent to the initial session, and may include:

- re-assessment
- treatment/service
- clinical recording

**The Act** means the Workers Compensation Act 1987.

**Travel** occurs where the most appropriate clinical management of the patient requires the physiotherapist to travel away from their normal practice.

Travel costs do not apply where the physiotherapist provides contracted service to facilities such as a private hospital, hydrotherapy pool, workplace or gymnasium. The insurer must provide **pre-approval** for such a service.

**Two (2) distinct areas** means where two (2) **entirely separate** compensable injuries or conditions are assessed and treated and where treatment applied to one condition does not affect the symptoms of the other injury e.g. neck condition plus post fracture wrist. It does not include a condition with referred symptoms to another area.

**WorkCover** means the WorkCover Authority of New South Wales.

**WorkCover approved physiotherapist** means a physiotherapist who has:

- (a) by a date notified by WorkCover, participated in the WorkCover Training Courses and any other course approved by WorkCover (if any) for the purpose of this Order, and
- (b) where required by WorkCover – either before or after the commencement of this Order, signed and provided to WorkCover a Statement on Outcomes Based Treatment in a form approved by WorkCover.

## SCHEDULE A

### Maximum fees for Physiotherapists generally

Item	Column 1 Type of treatment	Column 2 Maximum amount (\$)
<b>Normal Practice</b>		
1.	Initial consultation and treatment	50
2.	Standard consultation and treatment	40
3.	Initial consultation and treatment of two (2) distinct areas	75
4.	Standard consultation and treatment of two (2) distinct areas	60
5.	Complex treatment	80
6.	Group/class service	30 per participant
<b>Home Visit</b>		
7.	Initial consultation and treatment	62
8.	Standard consultation and treatment	50
9.	Initial consultation and treatment of two (2) distinct areas	94
10.	Standard consultation and treatment of two (2) distinct areas	75
11.	Complex treatment	100
<b>Other</b>		
12.	Case conference	100 per hour
13.	Report writing	100 (maximum)
14.	Travel	0.90 per kilometre

## SCHEDULE B

### Maximum fees for WorkCover approved Physiotherapists

Item	Column 1 Type of treatment	Column 2 Maximum amount (\$)
<b>Normal Practice</b>		
15.	Initial consultation and treatment	60
16.	Standard consultation and treatment	50
17.	Initial consultation and treatment of two (2) distinct areas	90
18.	Standard consultation and treatment of two (2) distinct areas	75
19.	Complex treatment	100
20.	Group/class service	35 per participant
<b>Home Visit</b>		
21.	Initial consultation and treatment	75
22.	Standard consultation and treatment	60
23.	Initial consultation and treatment of two (2) distinct areas	110
24.	Standard consultation and treatment of (2) distinct areas	95
25.	Complex treatment	120
<b>Other</b>		
26.	Case conference	120 per hour
27.	Report writing	120 (maximum)
28.	Travel	\$1 per kilometre

# 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

### BATHURST CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given by Bathurst City Council that, pursuant to section 10 of the Roads Act 1993, the land described in the Schedule below is dedicated as public road. Dated at Bathurst, 19th May, 2004. D. J. SHERLEY, Acting General Manager, Bathurst City Council, Private Mail Bag 17, Bathurst, NSW 2795.

#### SCHEDULE

Pathway 10 wide located in Wigmore Drive, Robin Hill, between Lots 6 and 7 in DP 803873. [0347]

### COFFS HARBOUR CITY COUNCIL

Tree Preservation Order

THE Council resolved at its meeting of 20th May, 2004 to adopt the following tree preservation order over areas of Corindi and Red Rock. A Tree Preservation Order applies to land within Coffs Harbour City Council area to which Ulmarra LEP 1992 applies in respect to all Australian native vegetation on land within the following zones where the lot has an area greater than the minimum indicated:

<i>Zone under</i>	<i>Minimum Lot Size</i>
Ulmarra LEP 1992	1 ha
Rural 1A (east of the Pacific Highway)	
Rural 1E	1 ha
Environmental Protection Zone 7 (f1)	No minimum

For the purpose of this Tree Preservation Order, a tree is any woody-stemmed plant with either a height greater than 3m or a girth of more than 15cm. A person shall not carry out or permit or direct or cause any ring barking, cutting down, topping, lopping, removing or wilful destruction of any tree or trees to which a tree preservation order applies without development consent. This does not apply to or in respect of: (a) action required by regulations under the Electricity Safety Act 1945 or the Electricity Supply Act 1995, or (b) plants declared to be noxious weeds under the Noxious Weeds Act 1993, or (c) trees identified for removal under a bush fire management plan available from the office of the Council. Wilful destruction includes the lighting of a fire on land for the purpose of land clearance, unless it is in accordance with a bush fire hazard reduction certificate issued under the Rural Fires Act. COFFS HARBOUR CITY COUNCIL, Locked Bag 155, Coffs Harbour, NSW 2450. [0343]

### MAITLAND CITY COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads – Oakvale Avenue

NOTICE is hereby given that Maitland City Council, in pursuance of section 162 of the Roads Act 1993 and Part

2 of the Roads (General) Regulation 2000, has approved the following new road name/s for gazettal:

<i>Deposited Plan/Location</i>	<i>Road Name</i>
DP1054122, off Peterson Parade, Thornton.	Oakvale Avenue.

The above road name was previously gazetted with the suffix Crescent. The correct suffix is Avenue. The above road name has been advertised and notified. No objections to the proposed name/s have been received during the prescribed 28 (twenty-eight) day period. DAVID EVANS, General Manager, Maitland City Council, High Street (PO Box 220), Maitland NSW 2320. [0349]

### MID-WESTERN REGIONAL COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads – Stirling Court, Clare Court, Menah Avenue (Extension) and Miller Crescent

NOTICE is hereby given that in accordance with section 162 of the Roads Act 1993, as amended, Council has named the roads shown hereunder:

<i>Location</i>	<i>Name</i>
Road off Menah Avenue running south.	Stirling Court.
Road off Henry Bayly Drive running east between Dewhurst Avenue and Menah Avenue.	Clare Court.
Extension of Menah Avenue running west off Henry Bayly Drive.	Menah Avenue.
Road off Richards Street running south.	Miller Crescent.

No objections to the proposed names were received within the prescribed period of time. GARRY STYLES, Acting General Manager, Mid-Western Regional Council, PO Box 156, Mudgee, NSW 2850, tel.: (02) 6372 5888, fax: (02) 6372 5815, email: council@mudgee.nsw.gov.au [0358]

### THE OBERON COUNCIL

Roads Act 1993, Section 162

Naming of Public Road – Gibbons Road

NOTICE is hereby given that The Oberon Council, in pursuance of section 162 of the Roads Act 1993, resolved to name the road as shown in the Schedule hereunder:

<i>Description</i>	<i>New Road Name</i>
Road that runs from Sloggett's Road to Beaconsfield Road crossing Brisbane Valley Creek.	Gibbons Road.

Authorised by resolution of Council on 13th April, 2004. BRUCE FITZPATRICK, General Manager, The Oberon Council, Council Chambers, Oberon, NSW 2787. [0350]



### ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MARGARET LILLIAN COLBORNE late of 2A Davis Road, Marayong in the State of New South Wales, home duties, who died on 21st February, 2004 must send particulars of his claim to the executors, Melanie Pezzano, Sandra Giallonardo, Lesley Colborne and Brian Colborne, c.o. Low Doherty & Stratford, Solicitors, 9 Campbell Street, Blacktown within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 5th May, 2004. LOW DOHERTY & STRATFORD, Solicitors, 9 Campbell Street, Blacktown, NSW 2148 (DX 8109, Blacktown), tel.: (02) 9622 4644.

[0351]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of SEBASTIANO MOLLUSO late of 185 Fourteenth Avenue, West Hoxton in the State of New South Wales, retired, who died on 12th January, 2004 must send particulars of his claim to the executrix, Grazia Molluso, c.o. Doherty Partners, Solicitors, Level 1, 171 Bigge Street, Liverpool within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 10th May, 2004. DOHERTY PARTNERS, Solicitors, Level 1, 171 Bigge Street, Liverpool, NSW 2170 (DX 5034, Liverpool), tel.: (02) 9601 7300.

[0352]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of NICHOLAS ARTHUR SANDEMAN late of 321 Merrylands Road, Merrylands in the State of New South Wales, who died on 22nd January, 2004 must send particulars of his claim to the executrix, Violet Sandeman, c.o. Simpson & Co., Solicitors, 103A Anzac Parade, Kensington within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 6th May, 2004. SIMPSON & CO., Solicitors, 103A Anzac Parade, Kensington, NSW 2033 (PO Box 340, Kensington, NSW 1465), tel.: (02) 9662 4381.

[0353]

### COMPANY NOTICES

NOTICE of final general meeting.—TIRRANA HOLDINGS PTY LIMITED, ACN 000 417 283.—Notice is hereby given that in terms of the Corporations Act a final general meeting of the company will be held at the office of the liquidator, Suite 3/11 West Street, North Sydney at 10.00 a.m., on 24th June, 2004 for the purpose of having laid before it by the liquidator an account showing how the winding up has been conducted and the property of the company disposed of. Dated this 20th day of May 2004. E. M. COWLEY, Liquidator, c.o. E. M. Cowley & Co., Chartered Accountant, 3/11 West Street, North Sydney, NSW 2060, tel.: (02) 9955 6488.

[0354]

NOTICE of final meeting.—IMLAY TIMBER CONTRACTORS PTY LIMITED (In members' voluntary liquidation), ACN 001 360 087.—Notice is hereby given that in terms of section 509 of the Corporations Law, a final general meeting of the company will be held at the offices of Kellow Parbery & Associates, 175 Imlay Street, Eden, New South Wales, on 25th June, 2004 at 4.30 p.m., for the purpose of laying before it the liquidator's account showing how the winding up has been conducted and the property of the company disposed of. Dated 18th May, 2004. RICK KELLOW, Liquidator, c.o. Kellow Parbery & Associates, 175 Imlay Street, Eden, NSW 2549, tel.: (02) 6496 1866.

[0355]

IN the Supreme Court of New South Wales, No.1800 of 2004.—METRO APARTMENTS (CHIPPENDALE) PTY LIMITED, ACN 098 112 068.—(1) Tracktech Pty Limited t/as Dwyer Heritage Restorations who was, by order of the Supreme Court of New South Wales, substituted as a plaintiff, will apply to the Court at 11.00 a.m. on Tuesday, 8th June, 2004 at Sydney for an order that the above company be wound up. (2) The address for service of the substituted plaintiff is care of Turner Freeman, Solicitors, Level 8, 100 George Street, Parramatta, NSW 2150. (3) Any person intending to appear at the hearing must file a notice of appearance, in accordance with the prescribed form, together with any affidavit on which the person intends to rely, and serve a copy of the notice and any affidavit on the substituted plaintiff at its address for service at least 3 (three) days before the date fixed for the hearing. Dated 26th May, 2004. Name of substituted plaintiff's legal practitioner: TURNER FREEMAN, Solicitors, Level 8, 100 George Street, Parramatta, NSW 2150. (Reference: MFB:76664).

[0356]

NOTICE of winding up.—D.W.B.I. PTY LIMITED, ACN 002 268 537.—On 26th May, 2004 a members' resolution was passed that the company be wound up voluntarily and that Paul de Maria be appointed liquidator. PAUL DE MARIA, Liquidator, c.o. Hales Redden, Chartered Accountants, 24 Bay Street, Rockdale, NSW 2216, tel.: (02) 9567 0545.

[0357]

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